

Ofsted's inspection of Cafcass south east region



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Ofsted's inspection of Cafcass south east region:

An inspection of service provision by the
Children and Family Court Advisory and Support Service (Cafcass)
to children and families in the south east

The south east region comprises Surrey, Kent, East Sussex
and West Sussex. The inspection fieldwork was carried out
in November and December 2007



The Office for Standards in Education, Children's Services and Skills

Following the implementation of the proposals in the consultation paper A single inspectorate for children and learners (July 2005) and the Education and Inspections Act 2006, the Office for Standards in Education, Children's Services and Skills (Ofsted) was established in April 2007.

From that date responsibility for the inspection of the Children and Family Court Advisory and Support Service (Cafcass) transferred to Ofsted from Her Majesty's Inspectorate of Court Administration (HMICA).

The Education and Inspections Act 2006 section 143 states that Her Majesty's Chief Inspector must:

- inspect the performance of Cafcass functions
- make a written report on it
- send copies of the report to the Secretary of State and to Cafcass
- arrange for the report to be published.

Sections 144 and 145 set out powers to:

- enter for the purposes of the inspection any premises occupied by Cafcass
- inspect, take copies of or take away any documents kept by Cafcass
- require any person holding or accountable for any documents kept on the premises to produce them, including those kept on computer.

Acknowledgements

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Ofsted staff involved in the inspection were: David Clitheroe, Hussein Ghuznavi, Jeremy Gleaden, Steve Hunt (Lead Inspector), Theo Mensah, Robert Noons, Dick O'Brien, Arran Poyser and Yasmin Sayed.

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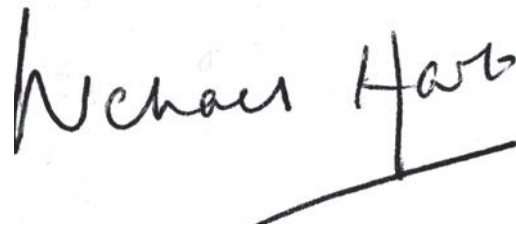
Foreword

This is Ofsted's second inspection report about the Children and Family Court Advisory and Support Service (Cafcass). Cafcass is required by statute to provide a social work service to children and families who are involved in proceedings before the family courts. The law says that Cafcass should be involved where the welfare of children is, or may be, in question. The courts rely on Cafcass for timely, credible and safe advice when they make long term decisions about child welfare.

This inspection looked at front line practice and management to assess how well Cafcass provides a service to children and families in the south east region. In general, the region provides a satisfactory and sometimes good service to children involved in public law proceedings. This is not the case for children involved in private law proceedings. In many key areas the region fails to meet the minimum standards required. This includes an unacceptable level of delay in undertaking private law, weak recording, poor reports to court, inconsistent assessment and little effective management oversight of the work. The inadequate practice in domestic violence cases is unacceptable.

Children and families deserve a much better service that is fair, transparent and consistent. It is essential that Cafcass remains focused on the welfare of children during periods of great stress in family lives. This means attention to good practice in tackling delay, in clarity about user expectations and in carrying out assessments. An improvement in these areas is essential to raising the quality of service delivery in private law.

I am pleased that Cafcass recognises the need for change and has taken very swift action to put things right. It has introduced a recovery plan and has also made a positive start to implement the 10 recommendations in the report. Ofsted will monitor Cafcass's progress closely to ensure that services deliver better outcomes for children, young people and families.

A handwritten signature in black ink that reads "Michael Hart". The signature is written in a cursive style and is positioned above a horizontal line.

Michael Hart
Director
Children's Directorate
Ofsted

Definitions

What the law requires Cafcass to do

Section 12(1) of the Criminal Justice and Courts Services Act (2000) defines what Cafcass needs to do when children are involved in family proceedings. Cafcass is required to deliver the following functions or activities when ‘the welfare of children is or may be in question’. Cafcass should:

- safeguard and promote the welfare of the children
- give advice to the court about any application made to it in family proceedings
- provide for the children to be represented
- give information, advice and other support to the children and their families.

Private and public law

Family law is that area of the law which regulates and deals with family and domestic relations including, but not limited to, marriage, civil and domestic partnerships and the welfare of children. Where these matters are dealt with by courts, they are known as family proceedings. The person or body that brings the issue to court is known as the applicant and the person or body opposing the application is known as the respondent. In general terms applicants and respondents are known as parties to the proceedings.

Private law is that part of the family law where the state does not normally need to be involved. Private law proceedings involving Cafcass are usually about situations where parents have separated and they cannot agree where a child should live or with whom they should have contact. The law that established Cafcass states that it should only become involved in family proceedings where the welfare of the child is, or may be, in question.

Public law is that part of the family law which deals with relationships between parents, or those with a parental role, where the state does need to be involved to ensure that a child does not suffer significant harm. Court proceedings are usually initiated by a local authority applying for a care or supervision order. This may result in the child being looked after by the local authority under a care order. Adoption-related applications are also normally public law proceedings.

Private and public family law are not entirely separate. For example, where in private law family proceedings it appears to the court that it may be appropriate for a care order to be made, the court may direct the local authority to investigate.

The Private Law Programme, 2004, defines the way private law proceedings under Part II of the Children Act 1989 are managed. Where an application is made to the court under Part II of the Children Act 1989, the welfare of the child will be safeguarded by the application of the overriding objective of the family justice system in three respects:

- dispute resolution at a first hearing
- effective court control, including monitoring outcomes against aims
- flexible facilitation and referrals (matching resources to families).

The Public Law Outline replaced the previous judicial protocol for management of public law proceedings in April 2008. This is one of two key strands of work that are being taken forward following the review of the childcare proceedings system in England and Wales. The review was published jointly by the Department for Constitutional Affairs, the Department for Education and Skills and the Welsh Assembly Government in May 2006 and is available from www.dca.gov.uk/publications/reports_reviews/childcare_ps.pdf. The second is the revised statutory guidance (Children Act 1989 Guidance and Regulations – Volume 1) to support local authorities in preparing care applications, issued in January 2008 by the Department for Children, Schools and Families and the Welsh Assembly Government.

Section 37 enquiry

Section 37(1) of the Children Act 1989 sets out the following powers of the court: 'Where, in any family proceedings in which a question arises with respect to the welfare of any child, it appears to the court that it may be appropriate for a care or supervision order to be made with respect to him, the court may direct the appropriate authority to undertake an investigation of the child's circumstances.' The appropriate authority is the local area children's services.

Rule 9.5 cases

The proper conduct and disposal of proceedings concerning a child that are not specified within the meaning of section 41 of the Children Act 1989 (that is, many public law proceedings) may require the child to be made a party. Rule 9.5 of the Court Rules provides for this and for the appointment of a guardian ad litem for the child party. This will apply in private law proceedings, usually Children Act section 8 applications concerning residence, contact, specific issues or prohibited steps.

Arrangements for the use of Cafcass in such cases are governed by a Practice Direction issued by the President of the Family Division.

Family assistance order

This is a short term order made by the courts for some families following separation or divorce. A family assistance order is designed to give specialist help where it is needed if it is in the child's interest and if the aims can be achieved. Consent is required from everyone named in the order except any children.¹

Review reports

These are reports that update the court about progress made (or lack of) to arrangements agreed by parties in court orders.

'No order principle'

Children Act 1989 section 1(5) is known as the 'no order principle'. It states: 'Where a court is considering whether or not to make one or more orders under this Act with respect to a child, it shall not make the order or any of the orders unless it considers that doing so would be better for the child than making no order at all.' The 'no order principle' 'is consistent with two of the philosophies underlying the Children Act 1989: that there should be minimum state intervention in family life and that parents should exercise and be encouraged to exercise responsibility for their children'.¹

The welfare checklist

The Children Act 1989 section 1(3) sets out what is known as the welfare checklist. It comprises seven features that should be balanced equally when courts consider whether an order should be made. The welfare checklist considers: children's wishes and feelings; their physical, emotional and educational needs; the likely effect of any change in circumstances; characteristics that make up their identity; any harm suffered or at risk of suffering; parental capability; and the court's powers. The Adoption and Children Act 2002 section 120 extends the definition of harm within the meaning of the Children Act 1989 section 31 'including, for example, impairment suffered from seeing or hearing the ill-treatment of another'. Under court rules, Cafcass practitioners are under a statutory duty to have regard to 'the matters set out in section 1(3)'.

The principle of 'no delay'

Section 1(2) of the Children Act 1989 sets out the general principle that any delay in determining the question about a child's upbringing 'is likely to prejudice the welfare of the child'. This means that any unnecessary delay should be avoided.

¹ C Prest and S Wildblood, *Children law: an interdisciplinary handbook*, ISBN 0853089442, Jordans, 2005.

Definitions continued

Family court adviser

Family court adviser is Cafcass's generic title for officers of the service who undertake a variety of roles set out in court rules, including children's guardian, guardian ad litem, children and family reporter, parental order reporter and reporting officer.

Serious case review

Under Working together to safeguard children (HM Government 2006) and associated regulations, Local Safeguarding Children Boards are required to undertake reviews of serious cases. The purpose of serious case reviews is to:

- establish whether there are lessons to be learnt from the case about the way in which local professionals and organisations work together to safeguard and promote the welfare of children
- identify clearly what those lessons are, how they will be acted on, and what is expected to change as a result
- as a consequence, improve inter-agency working and better safeguard and promote the welfare of children.

Serious case reviews are not enquiries into how a child dies or who is culpable. That is a matter for coroners and criminal courts, respectively, to determine as appropriate.

Gradings

The gradings used in this report are those formerly used by HMICA. All inspection gradings are currently under review by Ofsted to ensure consistency across all inspection:

- Excellent: where practice is evidenced as well above the minimum requirement, consistently innovative and making a full contribution to improved outcomes for children
- Good: where practice is demonstrated to be above the minimum requirement with some innovation and some contribution to improved outcomes for children
- Adequate: where minimum practice requirements are met but there is no significant innovation or significant contribution to improved outcomes for children

- Inadequate: where minimum requirements are not met and little or no contribution is made to improved outcomes for children.

Requirements are set out in the Ofsted framework for the inspection of Cafcass, available from www.ofsted.gov.uk/publications/070238. The framework is based on statutory requirements, case law, research, best practice guidance, Cafcass's national standards and other relevant standards.

Proportions are expressed as follows: 'almost all' means over 80%; 'most' means over 65%; 'majority' means over 51%; and 'few' means less than 20%.

Every Child Matters outcomes

The Government's aim is for every child, whatever their background or their circumstances, to have the support they need to:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being.

Visit www.everychildmatters.gov.uk/aims for further information.

Summary and recommendations

Focus

The overall aim of this inspection was to assess and make recommendations to Cafcass on the quality of service, front line practice and management of its south east region. The inspection involved scrutiny of case files, court reports and other documentary evidence. Inspectors met with a range of staff and managers from Cafcass and with key stakeholders. Ofsted surveyed the views of children and adult service users, as well as observing Cafcass practitioners working with children and families.

Key findings: the quality of practitioners' work with children and families

Delay

The allocation of work in this region is unfair; public law cases² are given priority over private law cases. The delay in providing a service to children and families involved in private law proceedings is unacceptable, particularly in Kent. Previous plans to aid recovery have had limited success and the factors contributing to delay have not been analysed fully. Cases on the waiting list have not been prioritised systematically and a risk analysis of delayed cases has not been undertaken. As a result, Cafcass cannot demonstrate that children on the waiting list are not left at risk.

There is no delay in providing a service to children and families involved in public law proceedings. The region performs well against the measure set by government in allocating public law work.

Case planning and management

Inspectors found an unacceptable number of case files and case plans to be of an inadequate standard. Many case files did not record systematically the work that had been done or demonstrate that the information used in a case had been analysed. Case records did not show which information Cafcass had used to reach its conclusions about children and why other information had not been used. Case records did not meet the requirements of the Cafcass professional record keeping standards, policy and guidance.

Safeguarding

The case files inspected did not record systematically the work that was done by Cafcass. As a result, inspectors cannot report that safeguards for children's safety or welfare are adequate in the south east region. This is a serious deficit. Whilst allegations of domestic violence were a common feature in cases, its impact on children was assessed adequately in only a minority of cases. One case involving domestic violence had such serious deficits in practice that inspectors referred it to the regional director for immediate review.

Assessment

Inspectors could not find evidence of a consistent assessment model in use by staff that could be explained, transparently, to children and families using Cafcass. Ofsted recognises that the national organisation has developed practice models and is in the process of rolling these out, but at the time of the inspection they were not evident in the region's front line practice. Inspectors considered the lack of transparency and the inconsistency of criteria used to be unacceptable.

Court reports

Almost all the public law reports inspected were graded adequate or good.³ Most private law reports were considered inadequate.⁴ Key faults in inadequate reports included: lack of clarity over criteria used in assessment; failure to assess domestic violence issues; the use of vague subjective description; making implications about children and families; and reporting to court about issues that were not relevant to the welfare of children.

Service users' views

Service users, both adults and children, gave mixed views about the service provided in private law cases. About the same numbers said they were satisfied with the service they received as said they were dissatisfied. Whilst a third of adults said that things had improved since Cafcass was involved, about a quarter of young people thought things had got worse.

² See definitions on page 8.

³ See definitions on page 8.

⁴ See definitions on page 8.

Summary and recommendations continued

Key findings: systems to support and assure work with children and families

Quality assurance and performance management

The national organisation has developed good systems to quality assure practice and manage performance but these are not used systematically by the region. Most practitioners have not had their work appraised recently. The quality and frequency of supervision is too variable across the region.

Race and diversity

The region has greatly improved diversity monitoring. Although this is positive, inspectors are concerned that the lack of evidence of any impact assessment activity – particularly regarding cases on the waiting list – is an area of weakness.

Leadership and management

The region has developed team plans and risk assessments in line with requirements set by Cafcass national office. However, the plans do not prioritise appropriately the need to ensure that a service is provided in private law, and initiatives have yet to deliver the necessary impact on front line practice.

Prospects for improvement

Cafcass has responded swiftly to this inspection by introducing a detailed recovery plan alongside the restructuring of the current regions into smaller management areas. However, the prospect of achieving greater accountability and improvement to front line practice depends on the willingness of staff to accept the need for change and on the ability of managers to enable and support improvements to the service provided for children and families. As this was not in evidence at the time of the inspection the prospects for improvement are only adequate.

Recommendations

Ofsted makes 10 recommendations to help Cafcass improve practice and service outcomes for children. The recommendations cover:

- tackling delay
- quality of case planning and recording
- criteria for making assessments
- guidance and training in report writing
- assuring the quality of safeguarding practice
- improving the management of performance
- the impact of delay on minorities
- management priorities
- management capacity
- accommodation.

Recommendation 1

Cafcass should take immediately effective steps to eradicate delay in the provision of its services to all children and families referred.

Recommendation 2

Cafcass should take steps to ensure a good quality of case planning and case recording and that accountability is demonstrable through effective management oversight.

Recommendation 3

Cafcass should develop practice guidance including the criteria to be used for making assessments for the observation of adults, children and young people.

Recommendation 4

Cafcass should provide clear guidance and training about the provision of reports to court in cases where the welfare of children is, or may be, in question, including the application of the 'no order principle'.⁵

Recommendation 5

In order to safeguard children, Cafcass south east region should conduct a thorough audit of the work of all teams to ensure that Cafcass child protection and safeguarding practices are of an adequate standard and that this work is subject to rigorous quality assurance and is compliant with statutory and other guidance to protect children from harm.

Recommendation 6

In order to improve management of performance and quality of practice, Cafcass should review and strengthen its guidance, particularly around the role and responsibilities of managers, in support of the supervision policy.

Recommendation 7

In order to ensure that delay does not impact disproportionately on service users from minority groups, Cafcass should undertake an impact analysis of its policy on managing delay in the south east region.

Recommendation 8

Cafcass should ensure that service delivery is prioritised appropriately.

Recommendation 9

In order to deliver services to children and families systematically, Cafcass should take steps to ensure that managers have the capacity to meet all priorities set.

Recommendation 10

In order to provide appropriate facilities for children and families Cafcass should close the office in Chatham.

Introduction

- 1** The aim of this inspection was to inspect and report to ministers and make recommendations to Cafcass on the quality of front line services and practice and the management of Cafcass south east.
- 2** The inspection report is divided into three sections: the quality of practitioners' work with children and families; systems to support and assure work with children and families; and prospects for improvement.
- 3** The region covers East Sussex, West Sussex, Kent and Surrey. The inspection fieldwork was carried out in November and December 2007. The methodology is in Annex B.
- 4** At the time of this inspection Cafcass was restructuring its organisation in England. An outcome of this is that the south east region ceased to exist in February 2008. The region was replaced by two service areas: one covering Kent and another covering Surrey and Sussex. However, local Cafcass teams will continue to deliver front line services. Throughout this report, the term 'region' is retained.
- 5** Recommendations contained in the report are based solely on evidence from the south east region. Cafcass may judge that some of the issues raised under the recommendations also reflect wider practice nationally and would be most appropriately addressed across the whole organisation, while others are solely regional matters.
- 6** Ofsted's inspection report of Cafcass east midlands was published in February 2008.⁶ The inspection framework and methodology used in Cafcass south east region were the same as that used to inspect the east midlands region.
- 7** This report is intentionally written using the same structure, style and wording as the east midlands report.

The quality of practitioners' work with children and families

General assessment

Overall, the quality of practitioners' work with children and families in private law cases in the south east region is inadequate and the provision of services to children subject to public law proceedings is adequate.

Of concern is the unacceptable delay in providing a service to many children and families in private law proceedings in parts of the region. The proportion of case records, case plans and court reports judged by inspectors as inadequate is not acceptable. The region's delivery of services to children and their families is not sufficiently consistent. Where work is adequate or good, overall delivery is undermined by levels of unsatisfactory practice, particularly in cases involving domestic violence.

Case planning and management

8 In this section Ofsted assesses the extent to which:

- there is compliance with the principle that delay should be avoided⁷
- there is compliance with Cafcass policy
- case planning and management is of a good standard
- case records are capable of demonstrating accountability through management oversight.

Delay

9 Section 1(2) of the Children Act 1989 sets out the general principle that delay is likely to be prejudicial to a child's welfare. Consequently, delay should be avoided. The timely allocation of work to family court advisers is a priority set for Cafcass by government and is subject to key performance indicators.⁸ Cafcass is required to provide a service that safeguards the welfare of children, and this should be its first priority.

10 The south east region performs well in the timely allocation of cases in public law, which is good. The region performs very poorly in the allocation of private law cases in Kent, with a waiting list of over 150, including some cases with delays of over six months. This is inadequate.

11 There has been delay in both public and private law cases over many years across the south east region. Recently, managers have demonstrated good leadership to eliminate successfully the delay in public law. Innovative systems have been put in place, including the initial response team, to ensure prompt service delivery to children in public law cases. This is good. However, plans to overcome delay in private law have failed. This is acknowledged and responsibility for this is accepted by Cafcass corporate management.

Tackling delay

12 In a previous report about delay in Cafcass,⁹ inspectors identified some of the features that contributed to delay. They included:

- capacity and productivity
- demand and the way the work is done
- management effectiveness.

13 There is evidence that each of these features is contributing to the levels of delay in the region. Unless each of them is dealt with successfully through better management, it is unlikely that delay will be eradicated.

Capacity – including resources, staffing and productivity

14 On current workload agreements, the staffing levels in the region are not sufficient to meet demands in private law. A further two Family Court Advisers will be recruited to the region's full time establishment. Whilst increased staffing will help, agreed workload expectations also need to be met, as productivity levels vary between teams across the region. The region's productivity has also been hampered by high levels of sickness absence. The region has struggled to recover from the requirement by Cafcass national office to make economy savings in the financial year 2005/06. For these reasons the region does not have the capacity currently to tackle delay systematically and this is inadequate.

⁷ See definition on page 9.

⁸ Cafcass has agreed with the Secretary of State for Children, Schools and Families eight key performance indicators, including timeliness of allocating work, monitoring diversity, staff appraisal and sickness absence.

⁹ Tackling delay, MCSI, 2004; available at www.hmca.gov.uk

The quality of practitioners' work with children and families continued

Demand and the way the work is done

15 Whilst the steady demand for both public and private law work in this region is similar to the average trends across Cafcass nationally, there are three differences in the south east that contribute to current delay. First, the demand for rule 9.5 cases is twice the national average, as is the time taken by practitioners to complete these cases.¹⁰ Second, the number of review reports prepared in private law proceedings is higher than in any other Cafcass region.¹¹ There is no evidence that the production of review reports at that higher rate leads to better outcomes for children. Third, there is little consensus in Cafcass about what constitutes best practice in private law. Consequently, Family Court Advisers are allowed wide discretion about how they do their work. Some of the methods used are more efficient and effective than others. However, the methods used in private law tend to rely on local custom and practice rather than evidence about what works to produce best outcomes for children. This is inadequate.

Management effectiveness

16 There is little management oversight of the work of Family Court Advisers in the south east region and performance management systems are not applied systematically. Previous plans to aid recovery have had limited success and the factors contributing to delay have not been analysed fully. Instead attention has concentrated on dealing with the waiting list rather than addressing the root causes of delay. However, cases on the waiting list have not been prioritised systematically and a risk analysis of delayed cases has not been undertaken. As a result Cafcass could not demonstrate that children were not left at risk. This is inadequate.

Recommendation 1

Cafcass should take immediately effective steps to eradicate delay in the provision of its services to all children and families referred.

17 Inspectors read 37 case files (in both public and private law) and assessed them against a standardised checklist.¹²

18 Inspectors expect a Family Court Adviser to plan and adequately record their work with children and families. Cafcass policy states that 'the professional case file is a tool for the practitioner and a record of practice in terms of information gathered and evidence obtained to support a professional assessment'.¹³

19 Inspectors found that the case file recording and case plans did not follow the Cafcass policy and there was little evidence of management oversight in most files. Most of the files did not include a contact log of the work that had been done or demonstrate that the information used in a case had been analysed. Consequently, there was no systematic audit trail or reliable evidence base on file to substantiate and account for the recommendations about children made to courts. Case records did not demonstrate which information had been used by Cafcass to reach its conclusions about children and why other information had not been used. Practitioners told inspectors that assessments are "done in our heads". The lack of demonstrable assessment and the absence of management oversight are inadequate.

20 Where there were records, these were often illegible. The purpose of what was recorded and the relevance of the detail was often not clear. For example, one file recorded the following narrative detail:

'I collected Mr Robinson from the village railway station.¹⁴ We had communicated via a variety of text messages. He was quite pleased to see me and I collected him at 4.06 and we proceeded to the family centre, chatting on the way about Mr Robinson's job as a butcher he started this week ... At the family centre I noticed that Jenny, the mother, and Mr Robinson, the father, got on quite well, very well I would say, and there was quite a lot of eye contact and smiling etc, and I would say a continued mutual attraction.'

21 In another case, the clearest record of a meeting in the file had been completed by a mother who sent her own written account to Cafcass.

22 When reading case files inspectors found insufficient evidence to show that the planning and intervention in each case was proportionate to the child's needs.

¹⁰ See definition on page 9.

¹¹ See definition on page 9.

¹² Wherever inspectors assess or grade a Family Court Adviser's work, a standardised checklist is used. This checklist is based on Cafcass's own policy, procedure and standards, and on accepted social work standards such as the National Occupational Standards for Social Work.

¹³ Professional record keeping standards, policy and guidance, Cafcass, October 2006.

¹⁴ Names in this report have been changed to protect identities and preserve confidentiality.

23 The Cafcass policy states that ‘the practitioners’ notes provide the basis for reports and the analysis leading to her/his recommendation.’ Furthermore, the policy underlines this standard by quoting authoritative judicial guidance¹⁵ on the matter and quotes Lord Laming:

‘the case file is the single most important tool available to social workers and their managers when making decisions as to how best to safeguard the welfare of children under their care. It should clearly and accessibly record the available information concerning the child and the action that has been taken on the case to date’.¹⁶

24 A recommendation made to Cafcass in a serious case review involving the south east region noted that ‘case records should be maintained in accordance with the Cafcass Record Keeping Policy’.¹⁷

25 Thirty-three of the 37 case plans did not demonstrate analysis of information. Three of the four that did were assessed by inspectors as demonstrating adequate practice and one was good.

26 Inspectors found that managerial oversight of case planning was not evidenced on case files, which is inadequate.

27 Overall, case planning and management in the region is inadequate. The importance of the case record as a key discipline of all social work practice needs reinforcing by managers in Cafcass.

Recommendation 2

Cafcass should take steps to ensure a good quality of case planning and case recording and that accountability is demonstrable through effective management oversight.

Assessment

28 In this section Ofsted assesses the extent to which Family Court Advisers’ practice with children, young people and families is underpinned and informed by a clear and agreed assessment framework, with identifiable models or tools that are validated by research.

29 An agreed assessment model might include the framework for the assessment of children in need and their families.¹⁸ Cafcass nationally has been doing excellent work in this area with the development of its practice ‘pathways’, its National Standards and its safeguarding framework, which includes an analysis and intervention model.¹⁹

30 However, the quality of practice and type of service that children and adults received in the south east region depended on the individual practitioner. Service was not informed by best practice models or systematic assessment.

31 Inspectors found no consistent use of an assessment framework in their analysis of case files and court reports, or in discussion with Family Court Advisers. Recent inspections of Cafcass have reported similar findings from around the country.²⁰ Inspectors found that Family Court Adviser’s practice is not supported systematically by knowledge which is based on research and best outcomes. Instead, service delivery is determined by the individual experience of Family Court Advisers or that of their immediate colleagues.

32 Inspectors found that assessment is process-led: files, assessments, case plans, contact logs and court reports almost always focus on processes. This emphasises what happened rather than providing an analysis of what this information means in terms of the interests of the child and the proceedings before the court.

33 It was not possible for inspectors to identify how Family Court Advisers reached their conclusions and moved their thinking from assessment to a recommendation to the court. Equally, inspectors could not find evidence about how service managers satisfy themselves that Family Court Advisers are reaching sound conclusions in order to make the right recommendations to courts about children’s lives.

34 As part of their assessment, Family Court Advisers regularly observe parents with their children. Despite the frequency of this form of assessment, inspectors found an absence of clearly stated criteria, validated by research, for Family Court Advisers to use and share with service users when observing contact between a child and a parent. Nevertheless, Family Court Advisers continue to make assessments through observing contact on a regular basis.

¹⁵ Munby J, Re L [2002] 2 FLR 730.

¹⁶ The Victoria Climbié Inquiry (January 2003) paragraph 6.623; available from www.victoria-climbié-inquiry.org.uk/finreport/2haringey_analysis.htm

¹⁷ See definition on page 10.

¹⁸ This framework is a systematic approach to gathering information about children in need and their families. It provides all the supporting documentation needed by social workers and agencies involved with the assessment of children in need; available from www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4008144

¹⁹ The case pathways illustrate how the National Standards apply to each stage of a case in private law, public law and adoption.

²⁰ *Private law front-line practice*, HMICA, 2006 (www.ofsted.gov.uk/publications/20072011); *Adoption – the new law*, HMICA, 2006 (www.ofsted.gov.uk/publications/20072002); *Children’s guardians and care proceedings*, HMICA, 2007 (www.hmica.gov.uk/pubs_caf.htm); *Ofsted’s inspection of Cafcass East Midlands: key challenges and opportunities*, Ofsted, 2008 (www.ofsted.gov.uk/reports).

The quality of practitioners' work with children and families continued

35 Inspectors consider the lack of transparency and the inconsistency of criteria used to be unacceptable. From a family's perspective, this process may be viewed as unclear or unfair because service users cannot know if they are meeting the criteria or what they are being judged against. Inspectors have reported this weakness to Cafcass previously and raised questions about associated human rights issues.²¹

36 There is need for greater consistency in the use of assessment frameworks and the introduction of practice guidelines.

37 Ofsted's overall judgement of assessment work is that it is **inadequate**.

Recommendation 3

Cafcass should develop practice guidance including the criteria to be used for making assessments for the observation of adults, children and young people.

Court reports

38 In this section Ofsted assesses the extent to which Family Court Advisers' court reports:

- are produced in accordance with both national and local guidelines
- are consistent with Cafcass's statutory functions
- are focused on the child and their welfare
- present and analyse relevant information.

39 Using a standardised checklist, inspectors assessed a random sample of 64 reports comprising 33 private law and 31 public law reports.^{22,23} Overall, the public law reports that were inspected were assessed as better than the private law reports.

40 Of the 33 private law reports, two were assessed as good, 11 adequate and 20 inadequate. Of the 31 public law reports, six were assessed as good, 23 adequate and two inadequate.

41 As part of the inspection, Cafcass senior managers assessed 12 reports independently – six public law reports and six private law reports – of the 64 reports sampled by inspectors. For three of the public law reports Cafcass managers gave the same adequate grade as Ofsted. In the other three of the six public law reports, they marked one lower (from adequate to inadequate) and two higher (one from good to excellent, the other from adequate to good). Cafcass managers assessed all six private law reports as inadequate. Ofsted gave the same inadequate grade to two of those reports. Of the remaining four, two were assessed good by Ofsted and two adequate.

Private law reports

42 Where private law reports were assessed as good or adequate they recorded that children had been seen; background information to the proceedings was provided; the welfare checklist was considered;²⁴ sensitivity to children and families was demonstrated; and reports were fair to parties and were written in a way that did not exacerbate relations between parties.

43 Good reports represented the voice of children, were based on evidence rather than opinion and, using the welfare checklist in full, made a recommendation to the court that was practical rather than speculative. Good reports included only information that was made relevant to best outcomes for children. Such reports did not include advice to parties that was based only on the Family Court Adviser's personal opinion.

44 One example of good practice was where the children were involved actively. Their own words were used in the report and the Family Court Adviser had confirmed with each of them that the notes taken were an accurate reflection of their views.

45 In another good practice example the report dealt sensitively with contested contact arrangements following the death of a parent. The practitioner provided appropriate support to the family, who made good use of other agencies to reach an understanding of the children's needs.

²¹ *Children's guardians and care proceedings*, HMICA, 2007, page 20. Inspectors question whether such practice may risk infringing the human rights of service users against arbitrary interference by a public authority. One European Court case [Botta v Italy] stated: 'it is essential that a parent be placed in a position where he or she may obtain access to information which is relied upon by authorities in taking measures of protective care or in taking decisions relevant to care and custody of a child. Otherwise the parent will be unable to participate effectively in

the decision making process or put forward to it in a fair or adequate manner those matters militating in favour of his or her ability to provide the child with proper care and attention.'

²² Children Act 1989 section 7: these reports provide the courts with Cafcass advice about applications under section 8 and are mainly about who the child should have contact with and where the child should live.

⁴⁶ Inspectors found in private law reports that there were a number of key features which they assessed as inadequate. These features were:

- **Assessment** – where the criteria by which assessments were made were unclear or unfair, particularly (as noted above) where recommendations to court were made through limited observation of contact between children and parents.
- **Safeguarding** – where Family Court Advisers excluded information about child protection or failed to assess domestic violence issues adequately. Examples included reports where up to date, relevant information about criminal convictions were not obtained.
- **Information included** – where this was unnecessary, irrelevant, inappropriate, weak, misinformed or made implications rather than explicit evaluations. Examples included reference to ‘spent’ convictions (which were not restricted);²⁵ the common use of vague, subjective descriptions such as a child described as a ‘lovely little girl’; and misunderstanding of relevant law, such as recommending a contact order in private law proceedings regarding a young person age 16 or supporting views with weak and unsubstantiated opinion or where the relevance of information was not made clear in reports.²⁶ For example: ‘Michael is a large baby. Clearly his size is inherited genetically from his father, who is a proportionately large person.’
- The majority of reports (18) contained unnecessary material. There was too much description in 16 reports, not enough differentiation between fact and opinion in 13 reports, and opinions were not linked to evidence in 18 reports. Significant facts were not verified in 15 reports, and 17 reports did not give a reasoned assessment of the likely consequences of options. Inspectors consider that unless information is appropriate and relevant to the best interests of children and young people and the proceedings, it should not be put before the court.

- **The use of implication** – in both case recording and court reports, Family Court Advisers often include information that implies but does not make clear what the information means to the assessment made. Inspectors consider that the use of implication is unhelpful as it can lead to different readers reaching different conclusions. For example, that an 11-year-old boy ‘is said to have learning difficulties’ or that a mother thought ‘the father was a convincing liar’ or that a child ‘was football mad’ or there were ‘concerns about a grandparent’s capacity for drinking’. None of these issues were made relevant to the assessment provided to the court. Instead, they appeared in reports as random pieces of information. Examples like these make implications about people rather than report clearly to court information that is demonstrably relevant to a child’s welfare.
- **Reporting children’s wishes and feelings** – where Family Court Advisers failed to include children’s views or feelings because of their age and without considering the child’s understanding or including reference to their feelings. For example: ‘I have not seen these children alone but by their behaviour I believe these children wish to spend time with both their parents.’ Some Family Court Advisers wrote unsubstantiated opinions about children in reports, such as ‘Alice presents as a shy child’ who is ‘a bright and inquisitive child, whose development is normal for her age’. The report does not explain the context to her shyness or the relevance to Alice’s welfare of her being shy, bright or inquisitive.
- **Involving service users** – where Family Court Advisers made recommendations to courts that were reliant on optimism or had not been agreed with parties to the proceedings. Those reports suggested contact arrangements or gave recommendations that were based on hope that parties would attend mediation, anger management courses or other therapeutic options rather than agreement between parents to undertake such activities. It is not unusual for reports to include statements such as: ‘I would hope that there can be an increase in contact.’

²³ Children Act 1989 section 31: these are typically applications by local authorities for care or supervision orders where Cafcass not only advises on the child’s wishes and feelings but also recommends which course of action available to the court would best promote the child’s welfare.

²⁴ See definition on page 9.

²⁵ The Rehabilitation of Offenders Act 1974 determines which convictions and when they may become ‘spent’.

²⁶ Children Act 1989 section 9(6) ‘no court shall make any section 8 order which is to have effect for a period after the child has reached the age of sixteen unless it is satisfied that the circumstances of the case are exceptional’. In the case inspected, Cafcass did not clarify any exceptional reasons.

The quality of practitioners' work with children and families continued

- **'No order principle'** – inspectors are concerned that two thirds of private law reports gave insufficient attention to the 'no order principle'. This means that most reports contain recommendations to the court that fail to take account of a key principle of the Children Act 1989 that there should be minimum state intervention in family life.
- **Welfare issues** – where Family Court Advisers completed an investigation and wrote a report to court in cases where no welfare issues were identified. For example, one report stated 'the change to contact schedule is a logistical one and does not raise welfare issues'. Both parents are described as capable, and as wanting and acting on the children's best interests. Statute indicates that Cafcass functions operate 'in respect of family proceedings in which the welfare of children is or may be in question'.²⁷
- **Description** – where the report described rather than evaluated information, it did not differentiate fact from opinion and failed to give a reasoned assessment of the consequences of the options set out for the court.
- **Repetition** – where instead of providing the court with an assessment regarding the child's welfare, reports repeated information already provided by parties in their statements. A judge gave inspectors the opinion that 'there is no value to a private law report arriving six months after I've ordered it simply to tell me what I already know from statements'.
- **Poorly written** – where reports repeated information unnecessarily, included poor grammar and contained factual mistakes or significant typographical errors.

⁴⁷ Inspectors conclude that, with the exception of two good examples, the extent and nature of inadequate private law reports demonstrate that the quality assurance mechanisms used in the region are not effective.

Public law reports

⁴⁸ Almost all public law reports inspected were rated as adequate; six were good. Of the two reports assessed as inadequate, one took unnecessary steps to discredit a young mother repeatedly. Inspectors have taken this up with senior managers in the region, who have taken appropriate action.

⁴⁹ An example of good practice included a report that provided a clear exploration of the child's wishes and feelings. These were reported through an evaluation of expert evidence alongside the children's guardian's own investigation. The report included an informed assessment of childcare practice within a specific culture. It focused throughout on the issue of improved stability for the child and did not concern itself with issues irrelevant to the child's welfare. The report demonstrated clarity and professional competence.

⁵⁰ The strong areas of these reports were those on assessing children's needs and issues of harm, and reporting children's wishes and feelings. Most of these reports assessed adequately the quality of the involvement with the families by the local authority. Section 31 reports are more robust than section 7 reports in, for example, advising courts on the relative merits of particular orders and why it is better to have a specific order.

⁵¹ The few inadequacies found in public law reports were poor presentation of some reports in typing, spelling and grammatical errors. Almost half repeated information that was already known to the court.

⁵² Overall public law reports are **adequate** and some are **good**.

Recommendation 4

Cafcass should provide clear guidance and training about the provision of reports to court in cases where the welfare of children is or may be in question including the application of the 'no order principle'.

Safeguarding

53 In this section Ofsted assesses Cafcass practice in safeguarding the welfare of children and young people who are the subject of family proceedings. In all cases where there is strong evidence of child abuse, or the need to protect a child, guidance requires Cafcass to refer the matter to the local authority to investigate.²⁸ Cafcass policy clearly sets out how the protection of children fits within a broader safeguarding agenda.²⁹ The policy states:

‘Professionals in all agencies have a duty to refer a child to Local Authority Children’s Social Care when it is believed or suspected that the child:

- (a) either is currently suffering, or is likely to suffer significant harm (S17 Children Act 1989);
- (b) has developmental and welfare needs which are likely only to be met through provision of family support services (S17 Children Act 1989).’

54 The inspection included the tracking of cases through the reading of reports, scrutiny of case files and interviews with a small number of Family Court Advisers.

55 In 2005, inspectors published a critical report about the way Cafcass dealt with cases involving domestic violence in family proceedings.³⁰ Cafcass responded to the report with a comprehensive training programme and an excellent ‘toolkit’ to guide practice in domestic violence cases. Cafcass is also a signatory to multi-agency guidance on commissioning services for children experiencing domestic violence.³¹ In addition, domestic violence is an integral part of the Cafcass safeguarding framework.

56 Despite these good initiatives by Cafcass centrally, inspectors found that in private law practice the region’s performance in this area is inadequate.

57 As reported above, the standard of case recording in the region is inadequate. Case files lack systematic recording of the work undertaken and there is limited evidence of analysis and assessment recorded on file. Consequently, inspectors cannot report that children’s safeguards are adequate in Cafcass south east region. This is a serious deficit.

58 Despite the clarity of the Cafcass safeguarding framework, the policy is not followed systematically in this region. In cases where domestic violence was indicated at the initial, ‘screening’ stage, there was no systematic evidence recorded that domestic violence had been explored. Where it had been screened well it was not dealt with through the assessment forms or in most reports. Whilst domestic violence issues were alleged in 14 of the reports inspected, its impact on the children was assessed adequately in only three cases.

59 One case involving domestic violence had such serious deficits in practice that inspectors referred it to the regional director for immediate review. The deficits included failure to:

- assess the risk to the child subject to proceedings and other children in the family
- undertake a rigorous risk assessment
- follow up information about child protection concerns with the local authority
- assess a six-year-old child witnessing domestic violence
- assess the perpetrator’s recognition of their behaviour
- assess alcohol misuse by the perpetrator.

60 Cafcass accepts that serious mistakes were made in this case and has taken immediate action to improve both individual and wider practice in the region. Action includes appraisal and close management oversight of the Family Court Adviser’s work, alongside training in domestic violence issues. Managers in the region told inspectors that immediate steps will be taken to make quality assurance systems more robust.

61 A further four concerns were raised by inspectors with the regional director for immediate review. Inspectors’ concerns included: child protection and failure to refer to the local authority; the security of confidential information; and the safety of staff and service users in Cafcass offices. Inspectors received prompt feedback on actions taken by the region in response to the matters raised. This included that some of the practitioners involved would not have work allocated to them until practice issues were resolved satisfactorily.

²⁸ *Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children*, HM Government, 2006; available from www.everychildmatters.gov.uk/socialcare/safeguarding/workingtogether

²⁹ *Cafcass safeguarding framework*, Cafcass, 2006; available from www.cafcass.gov.uk/publications/policies.aspx

³⁰ *Domestic violence, safety and family proceedings*, HMICA, 2005.

³¹ *Vision for services for children and young people affected by domestic violence*, Local Government Association, 2006; available from www.lga.gov.uk

The quality of practitioners' work with children and families continued

62 Inspectors did see some examples of good practice in the region. In one observed case there was good work by the practitioner to advise the court about safeguarding issues in a private law case involving the assessment of harm. The practitioner demonstrated:

- good skills in her interview with the young person
- appropriate and proportionate identification and analysis of risk following Cafcass procedures
- effective liaison with the local authority
- timely preparation of a short report for court
- efficient liaison with the parties' legal representatives
- sound evidence-based advice to the court
- confident, clear and therefore credible and authoritative dealings with all concerned
- a good outcome for the child
- efficient and effective use of Cafcass resources.

63 In another good case example involving children's safeguards in private law proceedings, the Family Court Adviser assessed appropriately the need for a family assistance order supervised by the local authority.³² The Family Court Adviser made good use of court powers to order a section 37 enquiry to obtain services and a good outcome for the two children in this case.³³

64 In a further case example of good practice, the Family Court Adviser and then the service manager wrote to a judge after child protection information came to light during an independent social worker's assessment.

65 Inspectors also recognised the good practice in one office in the region, where managers act proactively to screen risk-assessment and commission specific investigation of risk factors in cases where immediate allocation is not possible.

66 Good practice is the exception, not the rule, in the south east region. Good practice is evident in individual practitioners rather than located generally across the region with a minimum guaranteed level of service in all cases to all service users. Good practice is dependent on the application of social work knowledge, skills, values and practice experience by individuals.

67 Given the absence of adequate case recording and the nature of the poor practice revealed in the random sample of cases inspected, inspectors remain concerned about children's safeguards in private law cases throughout the region.

68 Overall, Ofsted judges safeguarding in the region as **inadequate**.

Recommendation 5

In order to safeguard children Cafcass south east region should conduct a thorough audit of the work of all teams to ensure that Cafcass child protection and safeguarding practices are of an adequate standard and that this work is subject to rigorous quality assurance and is compliant with statutory and other guidance to protect children from harm.

Children's and service users' views

69 Eighty-two responses to the questionnaire for children and young people are used in this report; see Annex C for detailed responses.³⁴ All these young people were subject to private law proceedings. Almost all reported that they understood why their Cafcass worker had come to talk with them and the majority reported that work was good in that they were helped and had enough time to talk to the Cafcass worker. While the majority (48) maintained that what they said made a difference a large minority (34) thought that their views did not make a difference to what happened in their case. While 37 children and young people said that there had been change for the better since Cafcass came to see them, 23 thought things had got worse and the rest said that things had stayed the same.

³² See definition on page 9.

³³ See definition on page 9.

³⁴ There were 107 responses to the questionnaire for children and young people.

However, 25 of those had been completed by adults, giving adult comments, and are therefore not included in the data.

70 The following individual comments were written by 18 young people about their experience of the service received from Cafcass. Four gave positive views:

‘Since I’ve seen the Cafcass officer I feel fantastically energetic.’

‘The man listen[ed] to me.’

‘Just to say, thank you for your help.’

‘Thank you for helping me.’

71 Other views were less than positive, particularly about trust, how the experience made them feel and whether what they said made a difference.

‘I felt very uncomfortable talking to H [the Family Court Adviser] because she was asking me difficult questions I didn’t want to answer. It was no use to me; in fact it made things worse and I got even more upset.’

‘I did not like him [the Family Court Adviser] and he did not do what I wanted him to do.’

‘I didn’t like her [the Family Court Adviser]. She added a lot of stuff. She made me feel worse. She didn’t tell the truth.’

72 In a response from two sisters, Alice said:

‘She kept saying “mmmm” all the time but wasn’t listening properly to me. I don’t like her. She just is a “mmmm” machine! She lied about what I said and said she did talk to the boys [Adam and Josh] when she didn’t.’

73 Alice’s sister, Hannah, said:

‘I found her [the Family Court Adviser] very annoying because she kept on “mmmming” all the time and made me feel that she was losing the attention to what I was saying.’

74 The other nine children with a less than positive experience said:

‘Since the meeting with Cafcass things that [were] said at the meeting have made things worse. Cafcass didn’t help and they decided to side with my mum, which I thought [they] were not going to do, but you [Cafcass] still did. Nothing that was said made any difference and I think it was a waste of my time to talk to Cafcass.’

‘I told him [the Family Court Adviser] I wanted to live with my mum and he told the judge to leave me with my dad and his wife.’

‘At first we didn’t have to see our dad but we changed after Cafcass [became involved]. She [the Family Court Adviser] made us go back to seeing him when my sister and me told her we didn’t want to. We wrote him letters saying we will not go any more.’

‘If I told Cafcass my views and thoughts they would listen and write it down, but nothing was done! For example, when I had three wishes, none of these was granted.’

‘She [the Family Court Adviser] ignored our views. She was easy to talk to.’

‘The Cafcass officer, my guardian, manipulated my words. I am 13 and have Gillick capacity³⁵ and [they] tell me they do not lie before going into court to say that I will want to see my father in the future, which I won’t. They told me “Cafcass guardians don’t always do what you want; they do what they want”. She told me after interviewing me about not wanting to see my abusive father that she “thought it was in my best interest to see my father”. She forced her way into my sisters’, 10 and 5, school, setting up Wednesday contact which no one wanted. My solicitor and I are trying to get rid of her. I’ve spoken to NYAS about this. I realise that Cafcass lied to me.’

‘I did not want to see my dad outside of the contact centre, but the judge made me. It made me feel invisible.’

‘You [Cafcass] did not understand what we were trying to tell you – and you did not ask suitable questions.’

‘He [the Family Court Adviser] said we wanted to spend all of our weekends with our dad, but we didn’t say that. We said we wanted to go to live in Italy but he said he didn’t want to know that. Derek from social services listened to us which he [the Family Court Adviser] didn’t. I’m eight and a half.’

³⁵ The term ‘Gillick competence’ is used in medical law to decide whether a child (16 years or younger) is able to consent to his or her own medical treatment without the need for parental permission or knowledge. It arises from the House of Lords decision in *Gillick v West Norfolk and Wisbech Area Health Authority* (1985). This quote uses Gillick competence in the wider sense of having sufficient ability to understand fully what is proposed by the family court.

The quality of practitioners' work with children and families continued

Adult service users' views

75 A total of 198 adult service users responded to the Ofsted postal survey; see Annex C for detailed responses.

76 Almost half of adult service users said they were satisfied that the Family Court Advisers knew what they were doing, understood their point of view and treated them fairly. The rest were dissatisfied in those areas. About the same number agreed as disagreed that the Family Court Adviser understood their children's wishes and feelings. Similarly, the same number of service users found Cafcass helpful as those that did not feel helped.

77 The comments from adults can be grouped under the following eight headings:

Good service

'The [Cafcass] man tried exceptionally hard to reach a reconciliation. He appeared at the hearing and obviously his testimony was essential to my vastly improved contact.'

'I found Cafcass very helpful; [it was] the only support I had to see me through six years of courts.'

'During a very unamicable marital split, the children's views and wishes were listened to and voiced in court.'

'The Cafcass officer was thorough, consistent and kind.'

'[Cafcass] is very worthwhile although I would rather not had to use your service.'

'My Cafcass practitioner was helpful, kind, considerate and professional at all times... thanks!'

'My Cafcass officer was very informal and listened very well. He was very effective.'

'Thank you for all your wonderful help – it has made me a better understanding father and [given me a] much better outlook on life.'

'I would like to say thank you for the help and support Cafcass gave to me and my children.'

'The practitioner was very helpful in every way to me, my ex-wife and my children.'

'Cafcass has been very helpful throughout the case.'

'The people I came into contact with [in Cafcass] were very helpful and friendly.'

'Overall the Cafcass service was worthwhile and helped an ex partner to make a reasoned judgement as to what access was reasonable. Thanks.'

'The Cafcass person who came to see us was very helpful and assisted in achieving the contact order primarily we required. The situation is only worse as the respondent has refused to comply with the court order.'

Cafcass and children

'She asked my 10 year old who she would rather live with and this deeply upset her as I had been told that would not happen.'

'The fact that my daughter's wishes were taken [into account] and ... they have reassured her about where she stands with her father.'

'The children opened up and trusted Cafcass who did not represent their views well; in fact they cried a lot, and still do, since the court decision.'

'I think Cafcass should consider what is best for the child more than what they want.'

'Cafcass knocked my son's confidence so much that it has had a knock-on effect at school.'

'They [Cafcass] refused to listen to my children's wishes – kept pushing them to see their father even when they had no wish to do so. Now my elder son won't talk about him.'

‘What helped least was asking my seven-year-old son to talk about his dad. My son explained that there had been violence and that sometimes he was frightened. At the end of their time alone, the Cafcass officer told my son that she would tell his dad what he had said. The damage was awful. My ex-husband has brought several Children Act applications in the last 2.5 years. The first set had no Cafcass involvement. The outcome of the hearings was favourable but I was appalled by Cafcass’s delays and inaccuracies. I am a lawyer and feel that all the hearings have been fair; I am genuinely appalled at the Cafcass service with no axe to grind about my situation or court process.’

Domestic violence and safeguarding

‘My case is now a child protection issue but the Cafcass practitioner felt contact should go ahead despite the questionable behaviour of their father (including suspected sexual abuse) – however, thankfully, this was not the view of the court.’

‘She (Cafcass) disregarded that my son’s father is aggressive and has been arrested for assaulting me and my son.’

‘Not taking my worries into account ... which has led to my son’s father contacting me. I’m supposed to be in hiding.’

‘Despite the fact that I had been assaulted three times by my ex-partner, she [Cafcass] chose to side step this damage witnessed by the children using words like “altercation”.’

‘The Cafcass officer didn’t listen to my fears.’

‘I have to say that the Cafcass aspect of the whole court process for me, as someone who suffered seven years of domestic violence, was the most traumatic and upsetting experience of all. I felt totally despondent and could not sleep for weeks after my interview as a result of the aggressive and accusatory questions asked of me.’

‘Cafcass released my address to my violent ex-partner.’

Delay

‘Delays in the service led me to opt out and agree to more extensive contact than I feel appropriate as my only way out of an untenable situation.’

‘I had to wait a long time for a visit and then the report was completed in a hurry.’

‘I personally felt it took far too long and put a strain whilst waiting to see anyone, then the case was delayed over a very trivial thing, prolonging yet another long wait before yet another appointment could be made.’

Accountability

‘The maxim that “those working in an organisation that is failing are the last to realise that there is a problem” is certainly true in this case. Everyone is complacent about the whole system.’

‘In a professional organisation there is a fair system of auditing performance and customer satisfaction. This is not the case with Cafcass. They are unregulated and it is clear that they are not capable of self-analysis or criticism.’

‘My complaint was ignored. I was deliberately misrepresented and Cafcass was allowed to get away with it.’

Poor practice

‘The practice of not making notes or recordings during interview led to many mistakes [in the accuracy of the report].’

‘Unauthorised disclosure about my health was made to my abusive ex-husband. It became apparent to me that I was just another case.’

Diversity issues

‘I don’t think Cafcass was interested because we are middle class and not unintelligent – he [Cafcass] decided we did not have a problem. A waste of space!’

‘My solicitor told me if I made a complaint about the Cafcass interview it would reflect badly against me. The complexity of a lesbian family was not understood.’

The quality of practitioners' work with children and families continued

The experience

'I felt it was all a bit detached and esoteric – the sorts of problem you appear to be there to resolve are practical and relatively clear to identify. I felt the structure of the process got in the way of any effective solution. [There was] too much structure and not enough practical solution. Our particular situation as grandparents in dispute with our daughter was, I guess, more testing of the service.'

'I got a report describing the problem but no information on the solution or any progress towards a solution.'

'I feel walked over.'

'It was the worst experience of my life.'

'Cafcass offer no benefit or added value – it's a waste of time.'

'Cafcass was only interested in what the father said and wanted.'

'The Cafcass officer had previously dealt with my son's father on another court case, between myself and his ex-wife. So I felt she had already established relationships and was in favour of his case and had not dealt with issues that were of importance to my family.'

'The Cafcass officer was completely taken in by my ex.'

'I felt like I was being treated like a little school girl – Cafcass had already made their mind up about me. My ex is manipulating my son to keep a hold over me. His controlling was one of the many reasons I wanted to divorce him.'

'The questions [asked by Cafcass] were set questions and they did not have time or opportunity for my children to express their views. The attitude of the officer against me was unfair and prejudiced against me.'

78 It is of concern that many young people and adults said that things had not improved after Cafcass was involved in their case. Whilst over a third thought there had been an improvement, a third said things were worse and the rest thought there had been no change. This is inadequate. Much further analysis is needed by Cafcass to identify better what service users want and Cafcass needs to be clear about the extent of its remit in order that service users do not have unrealistic expectations.

Systems to support and assure work with children and families

General assessment

Overall, the systems that support and assure work with children and families are inadequate.

Local leadership has been inadequate in its quality assurance functions. The absence of systematic supervision and appraisal is unacceptable. Whilst there is evidence of some good practice, this is not delivered consistently, which is unfair to children and families. The region has strength in financial management and complaints handling. It delivers well on some key performance indicators. However, it has yet to extend success to the full range of its activities, and where the region does not provide the service to children and families required by statute, it is failing.

Quality assurance

79 In this section Ofsted assesses the south east region's performance in assuring the quality of the work of its practitioners to ensure that practice is delivered to at least minimum acceptable standards and to help drive improvement in outcomes for children and young people.

80 Cafcass has a range of quality assurance mechanisms including a report reading form (QA6), practice observation, supervision and appraisal: the latter two are addressed later in the report.

81 Inspectors found that, although the region's use of these quality assurance processes aspires to good practice, the evidence shows that, in reality and where it is used, the system does not work. As noted in the previous section, the sample of reports read by inspectors was of mixed quality and the majority of private law reports were inadequate.

82 Inspectors also looked at a sample of 92 completed report reading forms, which included those from the report sample; 19 were completed by a service manager and the remaining 73 by a peer Family Court Adviser. The report reading form requires the person completing it to state whether pre-defined issues have been satisfactorily dealt with. It also provides an opportunity for written comment. Of the sample of 92 completed report reading forms, 44 had no written comments, 11 had comments that were constructively critical, and the remaining reports had comments that were positive and validated the content of the report.

83 In total, this sample of 92 report reading forms provided in excess of 1,200 opportunities to comment on the quality of reports. Among the 48 report reading forms that recorded any views, there were only 11 critical comments. In contrast, inspectors³⁶ found serious deficits in the same reports.

84 It is not possible to establish, despite the report reading form being called pre-court, how many of the reports were read ahead of their filing with the court and therefore how many had an effect or made changes to the actual report used by the court. In one case referred to the regional director due to significant concerns, the report reading form had not been completed.

85 Inspectors conclude that the report reading form process is not effective and where used it mainly involves 'rubber-stamping' the report. The majority of comments are positive and do not help improve the overall standards of report writing. None of the managers and practitioners interviewed by inspectors supported the current arrangement for assuring reports. All agreed that it simply did not work.

³⁶ and Cafcass senior managers (see page 24 above)

Systems to support and assure work with children and families continued

86 In line with Cafcass-wide expectations, it has been determined at regional level that each Family Court Adviser should be the subject of a practice observation by a service manager. Inspectors found evidence that this practice had begun, which is good. However, because the written observations were generally positive in tone, inspectors conclude that this process tends more to validate current practice than to encourage improvement through appropriate constructive criticism and challenge. An exception was demonstrated by one service manager who appropriately challenged poor practice.

87 Overall, Ofsted's assessment of quality assurance in the region is that it is **inadequate**.

Recommendation 6

In order to strengthen the quality assurance of reports to court and to raise overall reporting standards, Cafcass should review its use of peer participation and introduce more robust arrangements, including an increased role for senior managers.

Performance management

88 In this section Ofsted assesses the management of the performance of Cafcass's key functions in the south east region.

89 Cafcass performance is measured against agreed key performance indicators. Linked to these are policies to ensure that staff are subject to supervision and appraisal.

90 The region performs well against two out of eight key performance indicators. These are for allocation of public law work and diversity monitoring. Performance against other key performance indicators, such as the allocation of private law work and the completion of appraisals, have not been met.

91 Inspectors scrutinised a sample of 28 supervision records, contract reviews and appraisals, together with those aspects of case files, such as case plans, which give insight into the quality of management oversight. Inspectors assessed supervision records, where completed, as significantly deficient in the following areas:

- as a source of advice
- improving staff performance
- Cafcass standards and competencies being achieved
- supporting quality assurance
- ensuring accountability and productivity
- focus on continuous practice improvement
- providing evidence when challenging performance and practice judgement
- contributing to staff learning
- promoting self-reflection.

92 Cafcass has given priority to developing supervision practice and invested in good quality training for all service managers. However, inspectors found that the culture of supervision in the region mainly functions as a support mechanism, although, as Cafcass's policy recognises, support is only one of the dimensions of supervision.³⁷ The region's approach to supervision discourages constructive criticism or challenge, leading to complacency and a lack of focus on practice improvement, which is inadequate.

93 In addition, inspectors found that supervision is inappropriately supervisee led: Family Court Advisers determine which cases they take into supervision. Inspectors saw a number of cases that they judged needed discussion with a manager but had not been taken into supervision by the Family Court Adviser. This led inspectors to conclude that there is insufficient rigour to supervision.

94 In two offices in the region, staff are not supervised regularly and there are gaps between supervision sessions of over four months.

³⁷ The Cafcass supervision policy defines the purpose of supervision as: to ensure that staff feel supported in delivering appropriate services to children and families; to improve the performance of every member of staff, ensuring Cafcass's objectives and standards are achieved; to ensure that every member of staff receives strong emotional and psychological support; to focus on solutions to any issues concerning the member of staff being supervised; to support quality assurance and ensure accountability; to ensure appropriate workload and productivity; to both

inform and ensure the delivery of the staff member's personal development plan; to provide a further channel of communication for Cafcass and all staff.

95 Similarly, there is evidence of poor performance in appraising staff by some managers, including senior managers. The key performance indicator sets a target of 95% completion and the region has achieved only 22%. Appraisal does not have a high profile across Cafcass as a whole, with a national average of only 49% completion. A poor example is set by Cafcass senior managers in that the regional director had not been appraised for over two years.

96 Where appraisals are completed they are process driven rather than based on SMART objectives that are monitored through the collection of systematic evidence.³⁸ Appraisals completed tended to be based on self-report by the person who was being appraised. Inspectors found that the accuracy of such self-reports could not be assured.

97 Cafcass nationally acknowledges that appraisal is crucial to improving staff performance and accountability. It has reported that in the best performing teams:

‘appraisal is seen as integral to the work of the team in the same way that case planning is integral to casework ... there is a clear correlation between the quality of work delivered and regular supervision and appraisal’.³⁹

98 Inspectors agree that regular supervision and appraisal does contribute to the quality of the work produced. The lack of these two cornerstones of performance management is a serious failure in this region.

99 The inspectors conclude that most supervision and appraisal fails to affect performance. Ofsted’s judgement is that the use of performance management systems is **inadequate**.

Recommendation 6

In order to improve management of performance and quality of practice, Cafcass should review and strengthen its guidance, particularly around the role and responsibilities of managers, in support of the supervision policy.

Feedback and complaints

100 In this section Ofsted assesses the effectiveness of the region’s complaints process, its ability to take complaints seriously and learn lessons from them to improve services, and its practice in seeking the views of children, young people and adult service users.

101 Cafcass nationally has a comprehensive comments, compliments and complaints procedure to be used by all regions. Inspectors found evidence of compliance with the complaints procedure and some very good aspects of performance in response to complaints.

102 Through scrutiny of complaints records and interviews with key personnel, inspectors found examples of good practice, including a demonstrated commitment to learning from complaints through analysis and a more customer focused approach to service users. These positive developments seem to have been achieved through the effective decision by Cafcass to create a specialist management position to deal with complaints and training issues. Inspectors note that the current post-holder has been instrumental in driving forward positive change in responding to customer feedback.

103 Cafcass reports that all service users are sent a complaints leaflet at the outset of their case. However, almost half of service users reported, through the Ofsted postal survey, that they had not been told how to complain. Inspectors recognise that, given the stress of the proceedings, it is possible that some users may have forgotten that they had been told.

104 Overall, the region’s complaints service is **good** and learning from complaints is contributing to some improvements. Inspectors recognise that an ambitious programme to improve communication with service users is due to be introduced across Cafcass in the coming months.

³⁸ SMART objectives are specific, measurable, achievable, realistic and timely.

³⁹ Channel C: Cafcass’s monthly staff bulletin, January 2008, page 7.

Systems to support and assure work with children and families continued

Race and diversity

105 In this section Ofsted assesses how the Cafcass south east region fulfils its duties under race and diversity legislation and addresses the diverse population it serves.

106 Cafcass has a system for collecting diversity information about its service users. Diversity monitoring is subject to a key performance indicator and, historically, Cafcass has performed poorly against this, nationally and regionally.

107 However, Cafcass south east region has made a concerted and successful effort to improve diversity monitoring performance, which at 96% is now at an **excellent** level of compliance.

108 There is a general duty in the Race Relations (Amendment) Act 2000 that a public body such as Cafcass must identify where the Act is relevant to what it does and check how its policies and practices impact on different racial groups. This process is known as impact analysis.

109 Since many policies and procedures are organisation-wide in Cafcass, any such analysis will be the responsibility of its national office. However, the region still has a duty to assess the impact of local policies and practices. Inspectors found no evidence of such activity and an impact analysis of the waiting list in private law needs to be completed immediately.

110 The region has not established links with Race Equality Councils and there was little evidence beyond diversity monitoring that race and diversity issues had a high enough profile in Cafcass south east. This is **inadequate**.

Recommendation 7

In order to ensure that delay does not impact disproportionately on service users from minority groups, Cafcass should undertake an equality impact analysis of its policy on managing delay in the south east region.

Local leadership and management

111 In this section Ofsted assesses the effectiveness of local leadership and management in the south east region.

112 At the time of this inspection a regional director managed the region with the support of a business manager. The professional staff that provide the social work service to the family courts are managed by six service managers and organised in geographical teams. This team structure is unaffected by the restructure.

113 Since it began in 2001, Cafcass has faced the challenge of consolidating a number of organisations into a single one. This includes progress towards Cafcass becoming a more managed service. The evidence from the south east region is that there is a long way to go before the need for closer management is accepted. This is because the culture of the traditional, self-directed practitioner is still very influential. This was evidenced in interviews with Family Court Advisers and scrutiny of case files, court reports, supervision and appraisal records.

114 The region has completed the business planning required by Cafcass. Whilst this exercise demonstrates that the corporate requirement to complete the planning process has been met, the plans themselves fail to identify appropriately the key priority, namely focusing on service provision to children and families, specifically the level of delay in private law proceedings. Inspectors conclude that where Cafcass does not provide the service to children and families required by statute, it is failing.

115 Service managers told inspectors that their workloads were unmanageable.⁴⁰ A previous inspection report about the service manager role in Cafcass reported that priorities needed to be set because they were:

'heavily influenced by powerful internal demands, as well as high-profile external stakeholder expectations [which] do not help Service Managers focus consistently on delivering quality services to children and families'.⁴¹

⁴⁰ One objective of the reorganisation is to allow service managers to concentrate on front line practice; other administrative functions are reassigned elsewhere.

⁴¹ *First line management*, HMICA, 2005.

116 Overall, set against the delay in private law, inadequate front line practice and quality assurance detailed elsewhere in the report, leadership and local management is **inadequate**.

Recommendation 8

Cafcass should ensure that service delivery is prioritised appropriately.

Recommendation 9

In order to deliver services to children and families systematically, Cafcass should take steps to ensure that managers have the capacity to meet all priorities set.

121 Cafcass has designated the Chatham office 'not fit for purpose'. There is little that Cafcass can do to bring the Chatham office up to a standard where it is fit for purpose for staff and service users. It should be closed as soon as it is possible to do so. In the meantime, alternative arrangements should be taken to interview service users away from the Chatham office.

Recommendation 10

In order to provide appropriate facilities for children and families Cafcass should close the Chatham office.

Resources

117 In this section Ofsted assesses how well the south east region deploys and manages its financial and other resources.

118 There is good financial control in the region and the budget deficit in 2005/06 was turned round successfully. All budgets have been devolved to local service managers, who are expected to manage their own finances. Service managers are well supported by the business manager and regional finance staff. Internal and external audits of the region provide substantial assurance of strong financial systems and performance.

119 Overall, Ofsted concludes that financial management of the region is **good**.

120 The region has a good understanding of the strengths and weaknesses of its accommodation and offices. Three of the six offices do not meet the standards set by Cafcass and Disability Discrimination Act regulations.⁴² Steps to rectify these and other issues were thwarted by budget constraints in the last financial year. A number of health and safety concerns about premises were raised by inspectors with the region and appropriate steps were taken immediately. These included dealing with issues hazardous to children and moving confidential information away from public access.

⁴² Disability Discrimination Act (1995) sets out a range of provisions regarding people with disabilities, including access to services.

Prospects for improvement

122 In this section Ofsted explores the prospects for the region to achieve improvement. Inspectors conclude that there is potential for improvement in the following areas:

- implementing fully a recovery plan for the region, including tackling delay
- restructuring
- ensuring accountability
- learning from complaints.

Implementing a recovery plan

123 As a result of this inspection Cafcass will introduce a recovery plan that includes:

- reviewing with courts the cases on the waiting list
- commissioning a partnership organisation to complete 100 private law cases on the waiting list
- updating Cafcass national office and courts monthly on progress made to tackle delay
- close supervision of rule 9.5 cases
- introducing new ways of working in private law, in line with the President's Private Law Programme
- increasing temporarily capacity at service manager level to undertake contract reviews and supervision of public law practitioners
- advertising externally for vacant heads of service posts in the region
- introducing into the region an intervention team, led by a corporate director, comprising senior and specialist managers. That team to take specific measures regarding team development, practice improvement, safeguarding supervision and quality assurance of reports
- introducing competency testing for service managers.

124 Ofsted will monitor closely progress made against this recovery plan.

Restructuring

125 The impact of the current reorganisation is to focus more management resources to improve front line practice.

Ensuring accountability

126 Cafcass nationally and regionally has recognised that ensuring accountability is a key priority. With the aim of identifying best practice, the Cafcass chief executive has commissioned an accountability review that explores a wide range of issues relating to accountability for Cafcass as an organisation and for individual practitioners and managers.

127 The current legal context is unhelpful. In public law, courts appoint individual Cafcass staff for the duration of the proceedings. In private law, courts request a service without the need for an individual practitioner to be appointed. Practice in Cafcass contrasts with the practice of social work in local authorities where it is governed by Secretary of State guidance. This guidance provides a clear statement of requirements.

Learning from complaints

128 The regional complaints processes are well embedded and learning from complaints is evident. The positive inspection findings in this area lead Ofsted to consider that this is an area that gives the region capacity to improve further, through continuing to ensure that lessons learned from complaints lead to service improvement.

Summary

129 On the basis of the evidence gathered and reported in the previous sections of this report and the issues explored in this section, inspectors conclude that, while many of the judgements from this inspection are inadequate, there are some prospects for improvement in the region if the recovery plan is successful. The challenge for the organisation is to make certain that managers can exercise appropriate leadership, and there is shared responsibility by practitioners to improve the quality of work. This was not evidenced at the time of the inspection and therefore prospects for improvement can only be judged adequate on the basis of the recovery plan and the commitment of senior managers to drive improvement.

Annex A. Responses from Cafcass to the recommendations

Recommendation 1

Cafcass should take immediately effective steps to eradicate delay in the provision of its services to all children and families referred.

Cafcass response

Cafcass will:

- review the initial response team to consider inclusion of private law
- allocate all incoming referrals to all staff in order to provide an integrated service
- commission and contract with an external agency for work on the backlog of private law cases
- regularly review workforce plans to ensure staffing levels appropriate for the workloads.

Overall improvement target

Eradicate all delay in provision of a service to all children and families in line with the Cafcass key performance indicators.

By: October 2008

Recommendation 2

Cafcass should take steps to ensure a good quality of case planning and case recording and that accountability is demonstrable through effective management oversight.

Cafcass response

Cafcass will:

- ensure that all staff adhere to the case recording policy
- ensure that service managers will read, quality assure and sign off all case plans
- ensure access to external consultation for service managers and enhanced practitioners to help accredit their work as reviewers of case planning and report writing
- ensure that a ratio of 10 Family Court Advisers to one service manager is in place
- ensure recruitment, where appropriate, of enhanced practitioners to provide practice supervision
- establish robust local management through contracting some interim service managers with a brief to raise practice standards and ensure professional accountability
- ensure improvement in the quality of supervision through coaching/mentoring/training for service managers
- ensure that service managers' competencies are reviewed so that they are up to date with new job descriptions
- ensure that a scheme for testing service managers against the competencies is in place
- ensure a process of internal audit to verify that the above are in place
- establish an external multi-disciplinary team consultancy for an identified group of practitioners.

Overall improvement target

Achieve a good quality of case planning, case recording and effective, accountable management oversight.

By: June 2008

Annex A. Responses from Cafcass to the recommendations continued

Recommendation 3

Cafcass should develop practice guidance including the criteria to be used for making assessments for the observation of adults, children and young people.

Cafcass response

Cafcass will:

- ensure that guidance for observation of contact is developed and introduced and that training in its implementation is provided to all staff.

Overall improvement target

Develop and implement practice guidance for staff in respect of observation of contact.

By: September 2008

Recommendation 4

Cafcass should provide clear guidance and training about the provision of reports to court in cases where the welfare of children is or may be in question including the application of the 'no order principle'.

Cafcass response

Cafcass will:

- ensure that acceptance of work is rigorously based on welfare issues only and is escalated to senior managers to be referred on to the local authority as appropriate
- ensure that all reports are quality assured by a service manager or enhanced practitioner (practice supervisor) and in each case the process will include a focus on the 'no order principle'.

Overall improvement target

Reports will only be prepared where there are clear issues relating to the welfare of children. All reports filed with the courts will address the 'no order principle'.

By: June 2008

Recommendation 5

In order to safeguard children, Cafcass south east region should conduct a thorough audit of the work of all teams to ensure that Cafcass child protection and safeguarding practices are of an adequate standard and that this work is subject to rigorous quality assurance and is compliant with statutory and other guidance to protect children from harm.

Cafcass response

Cafcass will:

- ensure that each team in the south east is subject to an internal safeguarding audit, led by the head of safeguarding
- ensure that safeguarding issues are addressed by all practitioners, including self-employed contractors in all reports
- ensure that all reports are rigorously quality assured in respect of the primary focus of protecting children from harm.

Overall improvement target

All children receiving a service from Cafcass in the south east are adequately protected from harm.

By: September 2008

Recommendation 6

In order to improve management of performance and quality of practice, Cafcass should review and strengthen its guidance, particularly around the role and responsibilities of managers, in support of the supervision policy.

Cafcass response

Cafcass will:

- ensure that all reports are quality assured by a service manager or enhanced practitioner (practice supervisor)
- set up a contractual arrangement with an external social work agency for the purpose of verifying that the quality assurance process is robust and focused on good practice
- ensure that the ratio of service manager to practitioner is no more than 1:10 and, where this is exceeded, additional capacity to provide practice supervision will be put in place.

Overall improvement target

All reports will be quality assured by a service manager or a practice supervisor and the overall reporting standards to be raised to adequate.

By: April 2008

Recommendation 7

In order to ensure that delay does not impact disproportionately on service users from minority groups, Cafcass should undertake an equality impact analysis of its policy on managing delay in the south east region.

Cafcass response

Cafcass will:

- undertake an equality impact analysis of its policy for managing delay in the south east.

Overall improvement target

Any delay in service delivery will not impact disproportionately on service users from minority ethnic groups.

By: September 2008

Recommendation 8

Cafcass should ensure that service delivery is prioritised appropriately.

Cafcass response

Cafcass will:

- ensure that a fair system of case allocation is in place for all children and families regardless of the nature of the court proceedings
- ensure that, in the event of any delay in allocation, all referrals will be assessed for risk, prioritised and managed by the service manager.

Overall improvement target

A fair system of allocation for all children and families regardless of whether the proceedings are public or private law.

By: May 2008

Recommendation 9

In order to deliver services to children and families systematically, Cafcass should take steps to ensure that managers have the capacity to meet all priorities set.

Cafcass response

Cafcass will:

- ensure that service managers have supervisory responsibility for no more than 10 whole time equivalent practitioners (including contract management)
- recruit practice supervisors where needed to establish the 1:10 ratio
- ensure that service managers have regular supervision and appraisal in order to monitor workloads and set priority targets.

Overall improvement target

Managers receive good and regular supervision in order to be able to meet their work priorities and keep to targets.

By: April 2008

Annex A. Responses from Cafcass to the recommendations continued

Recommendation 10

In order to provide appropriate facilities for children and families Cafcass should close the Chatham office.

Cafcass will:

- ensure that a new office is identified and funding agreed for a new, fit for purpose office in the west Kent area
- ensure that alternative arrangements are in place for interviewing children and families in the local area, pending an office move.

Target for improvement

A new office in the west Kent area.

By: April 2009

Annex B. Inspection methodology

The inspection of Cafcass south east included:

- self-assessment and pre-inspection information from Cafcass (180 documents)
- court report reading exercise by inspectors (33 private law and 31 public law reports)
- court report reading exercise by Cafcass senior managers (six private law and six public law reports)
- case file reading exercise (37 files)
- meetings with stakeholders: judiciary, local authorities, Women's Aid and a local Race Equality Council (11 meetings)
- scrutiny of complaints (13 records) and quality assurance (92 QA6 forms)
- surveys of Cafcass staff (61 responses), adult service users (189 responses) and children and young people (79 responses)
- scrutiny of supervision, contract review and appraisal records (28)
- inspection of Cafcass offices/buildings (five) and facilities
- interviews with individual Family Court Advisers (five)
- interviews with human resources, training and complaints staff
- group discussions with a range of Cafcass staff including: administrators (one meeting), Family Court Advisers (two meetings), contracted children's guardians (one meeting) and service managers (one meeting)
- Her Majesty's Inspector observation of a regional management team meeting
- interviews with the regional director and regional business manager
- interview with the corporate director responsible for the region
- observation of Family Court Adviser practice (12) with service users, children and young people
- discussions with and visits to partnership/commissioned services contact centres (two visits).

Annex C. Children's and adult service users' views

Children's views: Ofsted received 82 responses from children and young people to a short questionnaire about private law cases

Did you understand why the Cafcass worker talked with you? (81 responses)



Did the Cafcass worker help you? (82 responses)



Did you have enough time to talk to your Cafcass worker? (82 responses)



Did what you said make a difference to what happened? (82 responses)



Yes Don't know No

Can you tell us how things have changed since the Cafcass worker came to see your family? (81 responses)



Things are better Just the same Worse

Adults' views: Ofsted received 198 responses from adult service users

I felt that the practitioner listened to me



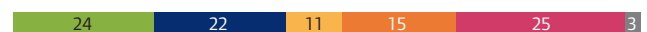
I felt that the practitioner understood my point of view



I was treated fairly by the practitioner



The practitioner knew what they were doing



The practitioner spent enough time talking to my child/children



The practitioner understood the wishes and feelings of my child/children



Cafcass was helpful to me



Strongly agree Agree Neither agree nor disagree Disagree
Strongly disagree No response

How have things changed since the Cafcass practitioner worked with you?

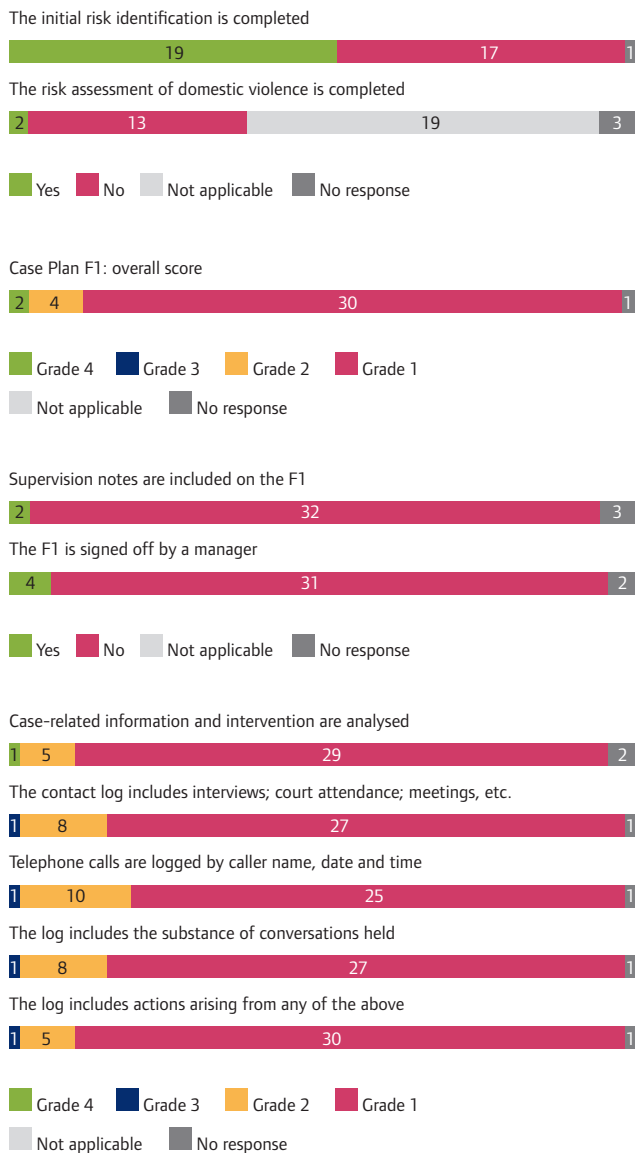


Things are better Just the same Worse No response

Annex D. Other key inspection data

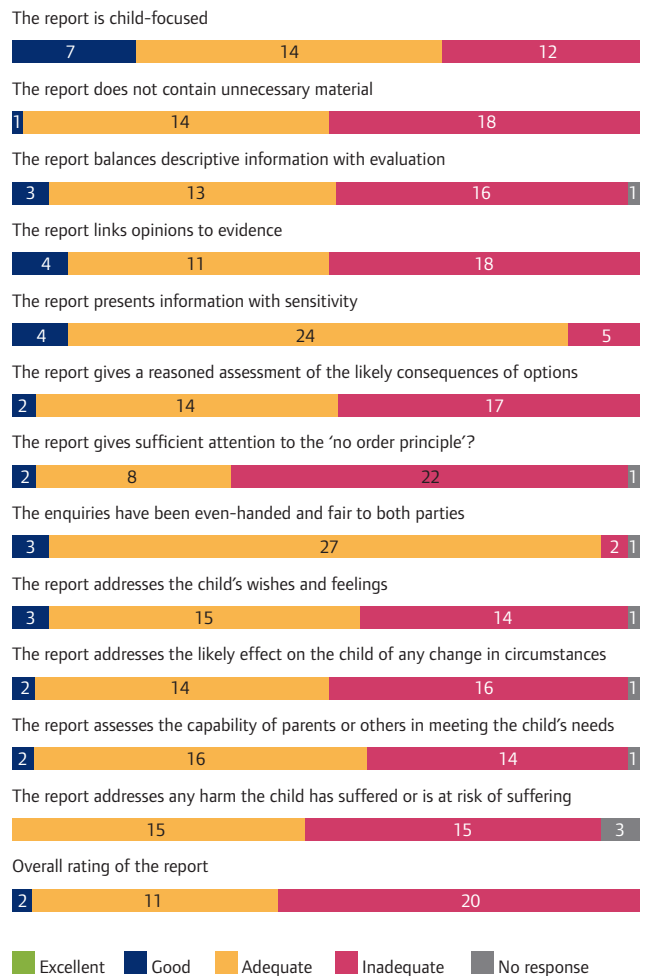
Case files : Inspectors examined 37 case files for the extent to which they were fit for purpose and followed procedures. The grades are shown below.

Quality of contact records and case plans



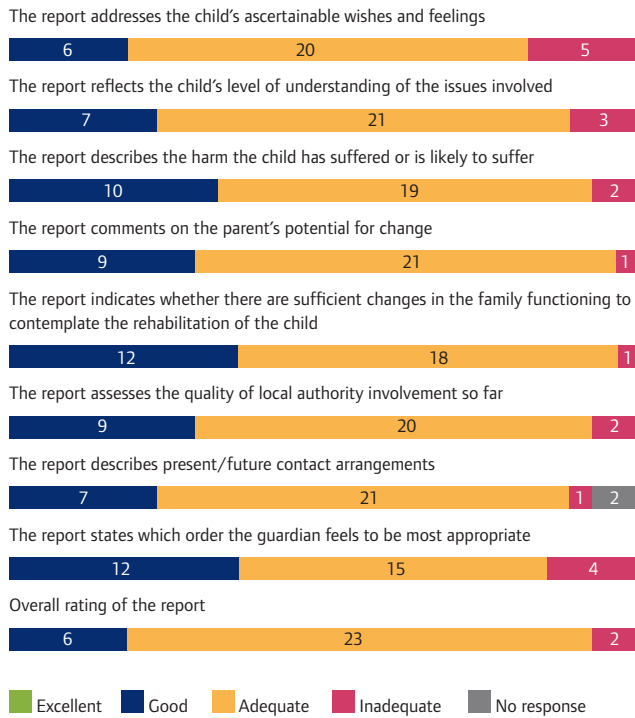
Court reports: Inspectors assessed 33 private law reports and 31 public law reports to see how well they met their key requirements. Some of the grades are shown below.

Private law court reports (section 7)



Annex D. Other key inspection data continued

Public law court reports (section 31)



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