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Anthony Douglas
Chief Executive
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Dear Anthony

**Post inspection review:
Ofsted's inspection of Cafcass south east region**

This letter contains the findings of the final post-inspection review of Cafcass south east region carried out by Ofsted. *Ofsted's inspection of Cafcass south east region* was carried out in November and December 2007 when the region comprised Kent, Surrey, East Sussex and West Sussex. This was prior to the restructure of Cafcass into 21 service areas from April 2008. The South East region is now comprised of service areas S4 (Kent) and S5 (Sussex and Surrey).

The post-inspection review assessed progress made by Cafcass in implementing recommendations arising from the inspection of Cafcass south east region. I would like to thank you and your staff for the assistance you provided to Steve Hunt, HMI, in carrying out this review.

Having considered the evidence provided by Cafcass, Ofsted judges that satisfactory progress has been made in 8 of the 10 recommendations and good progress in one. Inadequate progress has been made in addressing the recommendation regarding equality impact assessment.

Ofsted judges that overall progress is satisfactory.

Outcome of the inspection

The inspection report, published in January 2008, made 10 recommendations to Cafcass:

1. Cafcass should take immediately effective steps to eradicate delay in the provision of its services to all children and families referred.
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.
3. Cafcass should develop practice guidance including the criteria to be used for making assessments for the observation of adults, children and young people.
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. 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
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
- 6a. 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.
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 South East region
8. Cafcass should ensure that service delivery is prioritised appropriately
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
10. In order to provide appropriate facilities for children families Cafcass should close the office in Chatham

Findings of the review

Recommendation 1: Cafcass should take immediately effective steps to eradicate delay in the provision of its services to all children and families referred.



This recommendation arises from the inspection finding that the south east region performed very poorly in the allocation of private law cases in Kent (paragraphs 9-16).

Evidence of progress provided by Cafcass included:

- implementation of duty systems across all teams in S4 and S5
- workforce planning
- outsourcing some work
- improved liaison and strategic work with courts locally
- scrutiny of all rule 9.5 cases

Satisfactory progress has been made against this recommendation. Cafcass has taken effective action to put in place a strategy to tackle the key features that contribute to delay. This includes attention to capacity, productivity, demand and management effectiveness. A robust workforce plan is now in place and more timely Human Resources action has been taken including capability and conduct procedures to raise standards and improve performance overall. Managers have worked closely with local judiciary to develop strategies to manage demand from the court including attention to welfare issues, reviewing the backlog and scrutiny of the time taken on Rule 9.5 cases. Cafcass National office provided resources to fund commissioned work of Greenfinch Charitable Trust to reduce the backlog of private law cases in Kent and the trust received a favourable audit of their work from Cafcass managers.

Despite the action taken to eradicate delay, average filing times do not yet meet the performance targets for private law reports set by Cafcass National Office. However Ofsted accepts that the service areas have taken all practical steps possible in the current circumstances. The Human Resources action has resulted in some reduced capacity because of staff resignations and the close monitoring of others. Some individual action plans have been issued to raise performance. Although recruitment is actively underway and agency staff have been employed, there are shortages of staff qualified in social care throughout Kent and Sussex. Nevertheless the improvement in service delivery is significant and sustained. Average filing times have fallen from a high of 26 weeks in May 2008 to around 16 weeks currently and there has been a continual downward trend over the last 8 months. The implementation of duty systems is a significant step forward to improving safeguarding of children and young people on the waiting list. This system offers an appropriate although limited service to families who are waiting and it ensures that any unallocated cases are subject to risk assessment.

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.



This recommendation arises from the inspection finding that case file planning and recording did not follow the Cafcass policy and there was little evidence of management oversight in most files. In addition where there were records, these were often illegible (paragraphs 17 - 27).

Evidence of progress provided by Cafcass included:

- Effective use of the case management system (CMS)
- Internal audit
- Live observation of practice

Satisfactory progress has been made against this recommendation. CMS ensures the location of all files and that each has a recorded safeguarding check. S5 is now the best performer of the seven service areas in the South sector in meeting the indicators for safeguarding checks. The internal audit found that, with the intensive support of service managers, most casework documents are now completed to the required standard. Appropriate steps have been taken to ensure management oversight. Practitioners are now required to prepare plans for interviews with service users and all have had their practice observed. The Head of Service for Quality Improvement has audited the performance of supervisors and the Children's Right's Director and Children's Rights Change Manager have supported improvement in direct work with children.

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.

This recommendation arises from the inspection findings that the assessment process used by Cafcass was not transparent. Cafcass did not use clearly stated criteria validated by research when observing contact between a child and parent. (paragraphs 28 - 37).

Evidence of progress provided by Cafcass included

- Draft guidance for the observation of contact
- Welcome Pack

Satisfactory progress has been made against this recommendation. Cafcass has taken appropriate steps to increase transparency of its assessment and improve open access for children and young people. It has developed draft guidance for the observation of contact with infants, under fives, primary school children and for young people/teenagers. These assessments are based on research evidence by Simon Hackett in assessing parental capacity and Vera Fahlberg's work on attachment. They are designed to be shared with service users. The letters and DVD in the draft welcome pack explain clearly what Cafcass and the family court do. There are age appropriate versions for children and young people and the link to the



Cafcass website provides good access to articles, video clips and other relevant organisations.

Since the evidence of progress is duplicated across recommendations 4, 5, 6 and 6a, these are reviewed together.

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'.

This recommendation arises from the inspection findings that in the random sample of reports read by inspectors the majority in private law were judged inadequate. This included report preparation where no welfare issue was identified and there was insufficient attention to the 'no order principle'. Almost all public law reports were rated as satisfactory or better. (Paragraphs 38-52)

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

This recommendation arose from the inspection findings that while there was some evidence of good safeguarding practice in the region, this was the exception not the rule. During the inspection five cases with safeguarding concerns were referred for immediate review by the Regional Director including one case with serious deficits. Safeguarding was judged inadequate overall (Paragraphs 53 - 68).

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

This recommendation arises from the inspection finding that the system to assure the quality of reports to court did not work and mainly involved 'rubber stamping' of the report (Paragraphs 79 - 87).

Recommendation 6a: 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.

This recommendation arises from the inspection finding that performance management was weak and in particular supervision discouraged constructive



criticism or challenge, leading to complacency and a lack of focus on practice improvement (Paragraphs 88- 99).

Evidence of progress by Cafcass included

- Liaison with local judiciary by Cafcass Corporate Director
- Practice improvement conferences delivered between March and June 2008
- A series of training events completed
- Internal inspections undertaken in July and October 2009-03-10
- Audit conducted by service managers of every family court adviser's practice in private law
- Improved quality assurance of all reports
- Recruit practice supervisors
- Supervision training

Satisfactory progress has been made against these four recommendations. There has been effective discussion with the judiciary locally with an 'in principle' agreement that reports should not be ordered in private law cases where there are no identified welfare issues. Managers demonstrated leadership through ensuring compulsory attendance at the practice improvement conferences. The training events prioritised appropriately on improvements to practice in private law, domestic violence and case recording. Legal advice was provided to improve section 7 reports. Internal inspection and audits identified accurately strengths and weakness across the service areas and set achievable targets for improvement. Where necessary individual action plans have been initiated or Human Resource procedures have been activated. Quality assurance arrangements have been strengthened through a requirement for all reports to be read by a service manager. Effective action has been taken to train service managers in improved supervision.

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 South East region

This recommendation arises from the inspection finding that the region had not undertaken an analysis of the impact of delay on different racial groups of service users (Paragraphs 105 -110).

Evidence of progress by Cafcass included

- Equality impact assessment is undertaken through the duty system

Inadequate progress has been made against this recommendation.

Although a system has been set up Cafcass has yet to provide evidence that there is no differential impact of delay.

Recommendation 8



Cafcass should ensure that service delivery is prioritised appropriately

This recommendation arises from the inspection finding that business planning failed to identify service provision as a key priority (Paragraphs 111 – 116 92).

Evidence of progress by Cafcass included

- Duty system

Satisfactory progress has been made against this recommendation and appropriate management attention is now given to service delivery. In setting up the duty system, Cafcass has taken effective action to ensure that managers have a daily overview of all referrals and allocate work through a risk assessed prioritisation system.

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

This recommendation arises from the inspection finding that the workloads of first line managers were unmanageable and this was reported in a previous thematic inspection of Cafcass nationally (Paragraph 115).

Evidence of progress by Cafcass included

- Review of service manager capacity
- Recruit additional staff
- Provide external consultancy

Satisfactory progress has been made against this recommendation.

Effective steps have been taken to support and develop first line managers. Vacant management posts have been filled, including some temporary extra provision to support quality improvement across the service areas. The required 1:10 manager/staff ratio has been achieved. Creative action has resulted in the provision of external support to first line managers from Coram and with a local university. Both organisations provide consultation and coaching to enhance performance management and improve practice in private law.

Recommendation 10

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



This recommendation arises from the inspection finding that short of closing it, there was little that Cafcass could do to bring the Chatham office up to standard. Cafcass had designated the Chatham office 'not fit for purpose' (Paragraph 121)

Evidence of progress by Cafcass included

- Review of the accommodation strategy
- New accommodation confirmed

Good progress has been made against this recommendation. The lease has been secured on new premises which staff will move into when the Chatham office is closed in April 2009

A copy of this letter will be sent to the Sponsorship Unit in the Department of Children, Schools and Families.

Yours sincerely



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Divisional Manager Quality and Safeguarding, Children's Directorate

