

Alexandra House  
33 Kingsway  
London  
WC2B 6SE

T 08456 40 40 40  
**Textphone** 0161 618 8524  
enquiries@ofsted.gov.uk  
www.ofsted.gov.uk

Direct T 020 7421 5634  
Direct F 020 7421 6708  
[Anne.Orton@ofsted.gov.uk](mailto:Anne.Orton@ofsted.gov.uk)



23 July 2009

Anthony Douglas  
Chief Executive  
Cafcass  
6th Floor  
Sanctuary Buildings  
Great Smith Street  
London, SW1P 3BT

Dear Anthony,

**Post-inspection review:  
Ofsted inspection of the experience of Cafcass service users in the family  
courts in South Yorkshire 2008**

This letter contains the findings of the final post-inspection review for this inspection carried out by Ofsted. The review assessed progress made by Cafcass in implementing recommendations arising from the inspection *Ofsted inspection of the experience of Cafcass service users in the family courts in South Yorkshire 2008*. I would like to thank you and your staff for the assistance you provided to Dick O'Brien HMI in carrying out this review.

The evidence provided at the November mid-point meeting demonstrated that Cafcass had made satisfactory progress on many areas identified for improvement. However, due to continued concerns about the issues related to delay, assessment frameworks and safeguarding children, the overall progress at that time was inadequate.

Having considered the further evidence provided by Cafcass, Ofsted judges that **good** progress has been made in one of the nine recommendations, **satisfactory** progress has been made in four and **inadequate** progress has been made in four.

**Outcome of the inspection**



The *Ofsted inspection of the experience of Cafcass service users in the family courts in South Yorkshire 2008* was published in July 2008. The inspection report made nine recommendations to Cafcass, covering:

- the quality of case planning and recording
- meeting timescales for the delivery of services and informing service users of any delays
- a transparent common assessment framework
- safeguarding practice
- the quality of private law reports
- information provided to children and adults
- respect for the privacy and dignity of service users
- the quality of information to service users when making complaints
- the timeliness and quality of the Cafcass response to complaints and other comments.

The post-inspection review was undertaken with the senior manager responsible for the area and the head of service. The evidence used to arrive at the judgements includes:

- information, data and practice examples submitted by Cafcass
- scrutiny of recent Cafcass performance data.

### **Findings of the review**

#### **Recommendation 1: Interviews and other work with service users and the consequent assessment of service users' needs and circumstances should be adequately recorded**

This recommendation arises from the inspection finding that case planning and case notes were inadequate in most cases.

#### **Evidence of progress provided by Cafcass included:**

- The implementation of a revised national Cafcass recording policy which covers all areas of Cafcass's work.
- The new Practice and Performance Assessment Framework, Quality for Children, which became operational in October 2008. Auditing of case recording is part of this new system, where service managers are required to look at two case files in each six-weekly supervision session. The outcome of assessments of practitioners' work has resulted in some staff being made subject to both informal and formal action plans to address deficits in recording practice. In addition, staff identified as having weak recording practice have received individual coaching.
- Cafcass Legal has provided workshops aimed at ensuring basic recording standards are met. All staff have attended these – apart from a small number due to sickness.



- Cafcass has assessed 58 examples of record keeping, judging 52 (90%) satisfactory or better, and of these 26 (45%) good.

**Inadequate** progress had been made by Cafcass on this issue. Two of three samples of case recording presented by Cafcass as evidence of good case recordings and therefore improvement were judged by Ofsted to be inadequate. There was a significant shortfall in the quantity and quality of case recording in these examples. Where case recording was evident, it did not demonstrate a consistent approach: for instance, there was a highly variable use of the contact/action log and no evidence of the use of the detailed contact recording tool as required in the Cafcass case recording policy. Case records did not evidence sufficient links to case plans. Analysis of need and risk is still not satisfactorily evident in the recording of interviews with service users and children. However, some records did demonstrate a satisfactory approach to setting aims for interviews, gave sufficient detail of what was said and analysed the content of interviews.

Ofsted has seen evidence of an increase in the management oversight of case recording. Some managers are using the Cafcass quality assurance tools to devise robust, clear and accurate assessments of practice, while others are grading practitioners' work higher than the quality actually reflects, resulting in ineffective challenge to weak or inadequate practice. The grading of 58% of records as satisfactory or better is therefore not supported by the evidence. The quality of the tools used to exercise this oversight is variable: the national case management review tool (which provides a broad means of assessing all of the work in a case) makes insufficient reference to case recording, although the file audit tool (which is focused on the file itself) is a good mechanism for assessing recording and has on occasion been used well.

**Recommendation 2: Cafcass should take effective action to ensure that services are completed within the required timescales and that service users are informed about any delays.**

This recommendation arises from the inspection finding that Cafcass was not meeting its key performance indicator for delivering private law reports to courts in 12 weeks. In addition, service users were not being informed about this delay.

**Evidence of progress provided by Cafcass included:**

- Data from April 2008 to March 2009 shows that in Sheffield, filing dates in private law are 12.7 weeks, in Rotherham 16.1 weeks, in Doncaster 13.1 weeks and in Barnsley 15.5 weeks. This represents a service area average of 15 weeks.
- There is now a willingness in courts in South Yorkshire to examine the volume of work they are demanding of Cafcass, which has reduced for private law (Section 7) report requests from 1,128 in 2007/8 to 918 in 2008/9.



- While requests from courts for private law reports have fallen, there has been increased work for Cafcass in receiving and processing all C100 application forms.

**Inadequate** progress has been made against this recommendation. At the time of the 2008 inspection, Cafcass was working to a timescale of providing private law reports in 16 weeks. During 2008/9, there has been a strong improvement in the Sheffield office, which is now close to the timescale of 12 weeks. However, performance in Rotherham has not improved, while performance in Barnsley and Doncaster has improved, but insufficiently quickly.

Cafcass has provided no evidence to Ofsted of service users being systematically informed regarding delays in Cafcass handling their cases.

**Recommendation 3: Cafcass should ensure that service users are enabled to become active participants in a transparent and consistent process by:**

- **introducing a common assessment framework which is shared with service users**
- **sharing preliminary findings with service users in order that they can comment**
- **making final reports available in a timely way.**

This recommendation arises from the inspection findings that practitioners' work was often guided by practitioners' personal preferences and there was no agreed assessment framework within Cafcass. This resulted in inconsistency in practice and a lack of appropriate information for service users. Service users were not appropriately involved in the process of assessment by the practitioner. Reports were often provided to service users at too late a stage for them to challenge or consider fully their content before the court hearing.

**Evidence of progress provided by Cafcass included:**

- A draft assessment framework being developed which will have separate sections focused on using the framework in private and public law contexts.
- Basing the framework on the *Framework for the assessment of children in need and their families* (Department of Health 2000).
- Making staff training on the assessment framework mandatory.
- A requirement in plans to implement the assessment framework that practitioners consistently share the contents of the report with service users (including children where appropriate) prior to the court hearing.

**Inadequate** progress has been made against this recommendation. The development of a new transparent, validated assessment framework is the responsibility of the Cafcass national office rather than local Cafcass service areas. The assessment framework is not in place and Cafcass acknowledges that service



users are still not consistently informed of the content of reports. While the new assessment framework is planned and based on a government-approved model, at this time Cafcass continues to deliver assessments that lack transparency for service users.

**Recommendation 4: Cafcass should ensure that the safety of service users is consistently provided for by:**

- **ensuring that existing policies and procedures are fully implemented and understood by all staff**
- **ensuring that risk assessments are undertaken in all cases where safety is an issue**
- **ensuring that records note the outcome and actions taken.**

This recommendation arises from the inspection findings that compliance with safeguarding checks was inadequate and that understanding of and responsiveness to the impact of domestic violence on the well-being of children were inadequate overall.

**Evidence of progress provided by Cafcass included:**

- Written briefings to update staff on safeguarding procedures and to reinforce risk assessment requirements have been delivered to practitioners.
- Running refresher sessions on safeguarding in all teams.
- Commissioning and rolling out risk assessment training for all staff.
- Assessing all practitioners' safeguarding practice using the performance framework Quality for Children.
- Assessments of practitioners' work undertaken by service managers during supervision showed that 12% of safeguarding assessments were inadequate. Case file audits showed 3% of assessments of safeguarding were inadequate.
- Where practice has been assessed as inadequate Cafcass has implemented practice improvement plans for all staff concerned.
- Reviewing progress on all above plans to ensure successful completion. A number of practitioners have shown significant improvement.

**Satisfactory** progress has been made against this recommendation. The evidence of training and local audits, along with practice examples provided for the post-inspection review, shows that safeguarding is satisfactory in so far as there were no obvious deficits in safeguarding practice. However, the inadequate quality of some case records sent to Ofsted limits the scope of this judgement. Examples were seen of the appropriate consideration by practitioners of the issues of harm and discussions with the local authority to safeguard children. There is evidence of appropriate management action being undertaken with individual practitioners to improve safeguarding practice. The Cafcass data for April 2008 to March 2009 shows that there remain some further challenges to fully meeting all national targets. These



include ensuring 100% completion of risk identifications in private law (performance was at 94%) and assessing 100% of local authority checks in public law (performance is at 63%). However, the service area is meeting its target in risk identification in public law cases. Regarding the timely sending out of checks to local authorities and the police in private law, the service area is significantly short of meeting national targets.

**Recommendation 5: Cafcass should ensure that private law reports are consistently adequate in addressing the needs of children and young people and adult service users and comply with Cafcass's national standards.**

This recommendation arises from the inspection findings that the majority of court reports lacked a focus on children's wishes and feelings, lacked specific, reasoned and evidence-based recommendations and inadequately addressed the welfare checklist.

**Evidence of progress provided by Cafcass included:**

- Strengthened quality assurance arrangements, including a requirement for all reports to be read by a service manager before filing.
- Workshops delivered in January 2009 to support practice.
- Evidence from internal audits of reports demonstrating improvements in practice. At the time of inspections 50% of reports were rated as inadequate. Cafcass audits now state that only 1% is inadequate and that 78% are good or outstanding.
- Cafcass has demonstrated its commitment to improvement by increasing the number of performance indicators which measure the quality and timeliness of reports and reporting.

**Satisfactory** progress has been made against this recommendation. Cafcass was asked to submit four private law reports for this review, of which Cafcass graded two good and two satisfactory. Three of the reports were assessed by Ofsted as satisfactory and one was good. In this very small sample, the Cafcass self-evaluation of its reports is mostly accurate. Reports have improved in their child focus, quality of analysis, account of investigations undertaken by the practitioner, and in some cases developing a more participatory working style with service users. There remain weaknesses in some reports, including failure to discuss recommendations with service users to ensure that these are practicable, and in evaluating different options that are available to the court.

**Recommendation 6: The courts and Cafcass should work together to provide comprehensive, user-friendly information for children and adults about the whole process in family courts.**



This recommendation arises from the inspection finding that service users were unsure about the role of Cafcass and that some information leaflets were not felt to be appropriate by service users.

**Evidence of progress provided by Cafcass included:**

- A new welcome pack for service users, which has been available since January 2009, which includes a DVD, *My family's changing* leaflets for children in private law, and a leaflet regarding accessing the Cafcass intranet.
- Work within the local family justice system to provide more information to service users, including information tailored to local circumstances.

**Satisfactory** progress has been made against this recommendation. The welcome pack is clear and comprehensive. There is a system in place to ensure that Cafcass sends out this welcome pack to all service users, both children and adults.

**Recommendation 7: Cafcass should ensure that practice consistently respects the privacy and dignity of service users.**

This recommendation arises from the inspection finding that the confidentiality of information was not consistently respected, for instance in unnecessarily providing irrelevant personal information in private law reports.

**Evidence of progress provided by Cafcass included:**

- Revised forms for securing users' consent to seeking information from schools and other agencies.
- Revised quality assurance systems, including monitoring the information contained in reports to ensure that this is appropriate to the focus in the case.
- One office where service user confidentiality could not be assured because interviews could be overheard is no longer used.
- At a national level, the development of data security and sharing policies.
- The introduction of new standards regarding soundproofing in offices.

**Good** progress has been made against this recommendation. All of the deficits identified in the inspection report have been addressed.

**Recommendation 8: Cafcass should ensure that information about complaints procedures is effective in encouraging complaints and comments from service users, especially in public law and from children and young people.**

This recommendation arises from the inspection finding that service users were insufficiently aware of the complaints procedure and received few complaints.

**Evidence of progress provided by Cafcass included:**



- A revised national Cafcass complaints procedure and information pack was implemented in January 2009, partly in recognition of these weaknesses.
- The new policy exemplifies a greater openness to complaints, for instance in the abolition of the category of 'registered' complaints which in the past has tended to discourage Cafcass from looking at a broad range of comments from service users. The new policy also requires managers to consider the conduct of practitioners, including where the case is open.
- The revised welcome pack resulting from this new procedure includes a leaflet on making a complaint and there is a reference in another leaflet to Cafcass complaints procedures.
- There is information in the welcome pack on accessing the HearNow system (which allows service users to comment on Cafcass services online).
- Monitoring of the HearNow service has identified that its usage is limited but is better than the national average in this service area. Cafcass is now differentiating between service users accessing HearNow from private and public law, which means that Cafcass can more accurately measure improvements or otherwise in the usage of this system by different service users.
- Between 2007/8 and 2008/9 complaints increased from 32 to 40 in the service area. Just over half of complaints came from children.

**Satisfactory** progress had been made by Cafcass on this issue. The complaints system provides a variety of methods to make comments to Cafcass. Service users are helpfully given information regarding the provision of advocacy and representation for children and young people where needed. However the leaflet *The role of Cafcass* includes a reference to encouraging service users to raise concerns about the report in court rather than with Cafcass, which is unhelpful since doing so may mean that concerns are not dealt with in a timely manner. Overall, the new leaflets have been attractively designed and give clear information to service users about Cafcass's services. Ofsted notes the increase in numbers of complaints. While it is not possible to judge whether this is positive or negative, Cafcass in South Yorkshire started from a very low base in receiving complaints and the increase in numbers suggests they have been successful in ensuring greater numbers of service users now know both how to complain and are empowered to do so.

**Recommendation 9: Service users should receive a timely, high quality response when raising concerns about the service that they receive from Cafcass.**

This recommendation arises from the inspection finding that there were delays and poor quality responses to complaints made by service managers.

**Evidence of progress provided by Cafcass included:**





- Within the new complaints procedures revised template letters have been written to support the handling of complaints. These include templates for initial acknowledgement, offer of interview and outcome letters which standardise the Cafcass response and make it satisfactory.
- There is a speedier process for responding to complaints which now enables the relevant service manager to have access to the complaint on the day it is received. A customer services and quality manager is also now in post.
- The work of service managers is monitored by the Head of Service Area.
- A national dedicated complaints team has been created to provide a better focus on complaints.

**Inadequate** progress has been made against this recommendation. Timescales in acknowledging the receipt of complaints have improved and are good. However, timescales for completion, while improving, have only been met in 37% of cases in 2008/9. There is no evidence of improved practice in informing service users when there is delay in dealing with their complaint. Cafcass also did not provide evidence on the quality of complaints letters and of service user satisfaction with the process.

The letter to report on this final visit will be published on the Ofsted website by 23 July 2009 and sent to the Sponsorship Unit in the Department of Children, Schools and Families.

Yours sincerely



Anne Orton, HMI  
Divisional Manager Quality and Safeguarding, Children's Directorate

cc:

Annabel Burns, DCSF

Elizabeth Kay, DCSF

Annette Warrick, DCSF

Elizabeth Coe, Assistant Director, Cafcass

Jane Booth, Corporate Director Cafcass

Darren Shaw, Operational Director (North) Cafcass

Anna Lis, HMI, Deputy Director Children's Directorate

Jeremy Gleaden, HMI, Assistant Divisional Manager Quality and Safeguarding

