

***HM Inspectorate of Court Administration***

***Children and Family Court Advisory and Support  
Service (CAFCASS)***

## **First Line Management**

**Report of an inspection carried out during  
February 2005**

# HM Inspectorate of Court Administration

At the time of this inspection and until the end of March 2005, Her Majesty's Magistrates' Courts Service Inspectorate (MCSI) had a remit to inspect and report to the Secretary of State in the Department for Education and Skills (DfES) on CAF/CASS and to the Lord Chancellor on the administration and management of magistrates' courts in England and Wales.

From April 2005, Her Majesty's Courts Service (HMCS) was established under the Courts Act 2003 to create a unified court administration across England and Wales. At the same time, MCSI ceased to exist and became HM Inspectorate of Court Administration (HMICA). Its aims and responsibilities encompass those of MCSI, but also extend them to the higher courts.

HMICA's powers to inspect CAF/CASS and HMCS are set out in the Courts Act 2003 at Section 59(1) (as amended), which states:

"It is the duty of inspectors of court administration to-

- (a) inspect and report to the Lord Chancellor on the system that supports the carrying on of the business of the courts...
- (b) inspect and report to the Secretary of State on the performance of CAF/CASS functions
- (c) discharge any other particular functions which may be specified in connection with –
  - (i) the courts...
  - (ii) CAF/CASS functions or related functions of any other person in a direction given by the Secretary of State."

*First Line Management* is the seventh inspection of CAF/CASS, since January 2004, in the current Phase 3 programme. The following members of the Inspectorate were involved in the inspection:

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## Chief Inspector's Foreword

The delivery of a successful social work service for children who are the subject of family proceedings is highly dependent on the quality of frontline practitioners in CAFCASS and the effectiveness of their Service Managers, that is, first line management. The particular issues we examined in this inspection include how well:

- CAFCASS plans its strategic approaches to service management, as part of its drive for increased decentralisation to local areas
- Service Managers develop and use practitioners to ensure cost effective services
- Service Managers ensure that CAFCASS is child-focused.

We highlight both the strengths of the current arrangements but also some inherent weaknesses that will need to be addressed as part of CAFCASS's plans for first line management.

CAFCASS benefits from having experienced, hard-working and highly committed Service Managers. They carry out a wide variety of demanding tasks. At the time of the inspection, CAFCASS had begun a major re-organisation that involves how its resources are deployed and managed but also, more fundamentally, a change of culture that includes greater decentralisation to Regions and local areas. Understandably, against this background, the inspection showed a good deal of uncertainty about the focus for first line management. Since the inspection fieldwork, CAFCASS has taken a number of steps that are aimed at addressing issues raised in this report.

We are pleased that CAFCASS accepted our eight recommendations and believe these will help the organisation move forward with its agenda for first line management.

I would like to thank all those in the Regions and at CAFCASS central who took part in the inspection and, in particular, Frankie Good from the Leeds office, who acted as the liaison link. She provided invaluable support to the Inspectorate and made many of the practical arrangements for our fieldwork.



**Dr Stella Dixon**  
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**Inspectorate of Court Administration**  
**July 2005**

# Organisational Context

CAFCASS was established in April 2001 and brought together over 100 locally-run services. It started operating mainly as a decentralised service. This later changed towards a more centralised approach. In their overview report, *Towards Year Three* (April 2004), Inspectors stated that they consider the role of Service Managers leading teams of practitioners to be particularly demanding and, therefore, one that will need significant input of training and development.

With the appointment of a new Board in April 2004 and a new Chief Executive five months later, there emerged a vision of devolved service delivery based on local teams and supported by ten Regions across England. This is being implemented during 2005. This inspection was undertaken early in the process of change. As such, many key issues, including how best CAFCASS should provide nationally-, regionally- or locally-managed services, were being worked through.

CAFCASS has an explicit mission to serve children and families. However, as previous Inspectorate reports have shown, there is an inherited, powerful culture of providing a service to the courts, rather than to children and families. This legacy is now undergoing rapid change. Courts, CAFCASS and other key agencies in the family justice system are moving increasingly to collaborative arrangements. Examples of this include the roll-out of the Public Law Protocol and the Private Law Programme. These are aimed at speedier resolution at court and, in private law, diversion of the proceedings away from formal court hearings, wherever possible.

But there are also other important developments that are beginning to change the organisation of family justice at a local level and CAFCASS's working relationships with the justice system. These include, for example:

- the establishment of the administration of courts as HMCS in April 2005
- the new Family Justice Council and its local committees, set up from Autumn 2004 onwards
- Government policy, where parents are in dispute about contact and residence for their children<sup>1</sup>
- arrangements for the co-ordinated planning of children's services, led by directors of children's services under powers in the Children Act 2004.

Crucially, all these changes connect with CAFCASS and its externally-facing roles. Local Service Managers, in particular, undertake the vital interface between CAFCASS and the courts, local authorities and other stakeholders.

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<sup>1</sup> Parental Separation: Children's Needs and Parents' Responsibilities – Next Steps (January 2005).

# Inspection Findings 1: Strategic Approaches to Service Management

The first part of this report assesses the degree to which CAF/CASS ensures the establishment of a pertinent direction in relation to service management.

In order to fulfil this key function, it is expected that CAF/CASS will address the following three defining elements:

- CAF/CASS has determined and communicated the role of Service Managers in its strategic direction
- Service Managers are capable of meeting the demands of the role
- Service Managers have established effective links with strategic stakeholders.

## ***Overall assessment***

The role of first line service management to meet changed service objectives and priorities has not yet been defined clearly within CAF/CASS. Ineffective communication has resulted in varied expectations about Service Managers' role and working practices. Service Managers' capability is not well developed to meet the considerable demands of their tasks. Further, there are unclear working relationships with local courts, reflecting a lack of national direction. The role of Service Managers in CAF/CASS partnership arrangements also varies in its effectiveness. Priorities are heavily influenced by powerful internal demands, as well as high-profile external stakeholder expectations. In combination, these kinds of factors do not help Service Managers focus consistently on delivering quality services to children and families.

## **CAF/CASS has determined and communicated the role of Service Managers in its strategic direction**

### **Service Managers - job title and description**

- 1.1 Service Managers operate at the second tier of each Region of CAF/CASS. The number of Service Managers in each of the ten CAF/CASS Regions varies, and reflects the size of each Region and its workload. There are over 100 Service Managers in CAF/CASS. In bringing together most practitioners from two organisations with different roles, CAF/CASS has experienced several unsettling changes to its organisational structure. Since the setting up of CAF/CASS in 2001, the range of tasks undertaken by Service Managers has increased to include more responsibility for estates' management and budgets. In practice, much of this newer work is being undertaken by business support staff. The job title also changed from Team Leader to Service Manager in 2003. CAF/CASS, through regional conferences and other means, sought to clarify what this change meant. However, as discussed in paragraph 1.6, some Service Managers are still unclear about the main focus and priorities within the job description, as applied to their local circumstances.

- 1.2 The generic job description for Service Managers in CAF/CASS outlines a very wide range of responsibilities, including:
- contributing to CAF/CASS nationally
  - contributing to the strategic direction of the Region
  - performance management
  - team leadership
  - establishing working relationships with key stakeholders
  - managing premises
  - budget management.
- 1.3 The current job description has some weaknesses so that, for example:
- it includes a reference to diversity, but this is principally in terms of avoiding discrimination and there is no mention of promoting diversity issues, as is statutorily required
  - although it refers to the task of implementing quality assurance systems, there are no agreed CAF/CASS-wide systems for Service Managers to use, although there are some local ones (since the inspection fieldwork, CAF/CASS has issued a performance framework that is intended to address these issues)
  - the management of business support staff is not included
  - although there is a reference to gaining stakeholders' views to improve services, there is insufficient mention of wider responsibilities for improvements in service delivery.

Without changing the job description, in a number of Regions, teams have agreed that Service Managers should manage business support staff.

## The role of Service Managers

- 1.4 Inspectors found that Service Managers, Regional Managers and Corporate Directors have widely differing views on the indicators of successful working by Service Managers. There is some agreement on throughput of cases as one possible indicator.
- 1.5 Some Service Managers take part in national working groups although, overall, CAF/CASS's reliance on such groups has significantly reduced. Some group tasks have been appropriately shifted away from being primarily London-based. This eases the time pressure on those Service Managers who wish to participate and who normally work at some distance from London.
- 1.6 At a local level, allocation of new work, dealing with complaints and providing support to staff are often high priorities for Service Managers. These kinds of priorities are often clearly identified through Region-wide discussion, alongside a message from the centre to prioritise support to staff. Even so, Inspectors were told by one Service Manager that "what to prioritise is up to individual Service Managers". Although there will be a proper need for local variations, it would be helpful were CAF/CASS to set out its expectations of how its national priorities for Service Managers should be addressed, within the wide range of tasks contained in the job description. Some steps have been taken – for example, to establish specialists to handle complaints.

- 1.7 Inspectors also found that some Service Managers were hampered in carrying out key management tasks by the lack of certain management tools, such as:
- agreed practice standards
  - practitioner and Service Manager competencies
  - procedures, such as for supervision.
- Service Managers also had concerns about the lack of policies covering sickness absence and capability. Draft policies were in use and the final version was due to be implemented in March 2005.
- 1.8 Some managers expressed concern that, where certain local policies have been developed, these may sometimes be overtaken by national guidance, resulting in what is seen as wasted effort. This can act as a disincentive to finding local solutions.
- 1.9 At a time of organisational change within CAFCASS, Inspectors found that Service Managers are not entirely clear about their role. One Regional Manager said “organisationally, I think we have lacked a clear focus for the Service Manager role”. There were numerous, similar comments made to Inspectors, including that of one Service Manager who asked “what does this organisation really want us to do?”
- 1.10 At a national level, CAFCASS does not have in place mechanisms that provide detailed information on how tasks such as supervision are carried out on a day-to-day basis. Similarly, there is no central system for identifying and promulgating best practice in service management, drawn from a range of local arrangements.
- 1.11 As a consequence of both organisational factors and local variations, other key service management tasks are sometimes marginalised and are not being undertaken consistently. Examples include the quality of practitioners’ work, links with service users, building stakeholder relationships and other service developments. The overall impression given in this inspection is that many Service Managers are extremely hard-working but are also reactive and focused on processes, internal customers and the courts. This makes it more difficult for them to concentrate on outcomes for children and families, and stakeholders other than the courts.
- 1.12 The responsibilities for the quality of practitioners’ work and engaging with service users are included in the job description, but it appears that, in practice, there are no powerful organisational drivers to make these aspects of the role a particular focus for service management. Rather, Inspectors found that an emphasis on throughputs appears to act as an unintended disincentive to focusing on quality (see also paragraph 3.7 below).
- 1.13 The Inspectorate survey<sup>2</sup> shows that supervision takes up to a fifth (17-20%) of Service Managers’ time. The same survey shows that the allocation of new cases takes up to a tenth of their time. CAFCASS has not yet reached a view about which national models of allocation should be adopted or agreed guidance about best practice that might help Service Managers address what may be differing needs at the local level.
- 1.14 Allocation is included in the job description and there is some CAFCASS guidance on priorities for new work. There is wide variation in how this is carried out, which may also reflect where there are particular problems with backlogs of new referrals. For example, there are self-

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<sup>2</sup> See Annex A – Methodology.

allocation systems operated by practitioners and arrangements where Service Managers allocate all new work because they argue that they must make a risk assessment. In other areas, business support staff undertake allocation and this is overseen by Service Managers. Such innovative approaches need careful evaluation. There is a need to better share understanding across CAF/CASS of the issues that allocation and associated risk management raise, where work on new referrals cannot be started promptly.

## Span of control

- 1.15 Inspectors were told of an expectation in CAF/CASS that each Service Manager should manage 12 whole-time equivalent (wte) staff. The national average for Service Managers is nearly 14 wte and there are some Service Managers who manage substantially more, with figures of over 20 reported in interview. CAF/CASS states that, in general, ratios have come down considerably.
- 1.16 There is a widespread perception among Service Managers that the 12 wte figure is unfair, since some Service Managers will be managing much higher numbers of part-time staff who still need a level of supervision relevant to their experience. These issues are recognised by CAF/CASS at a national level.
- 1.17 Recent developments in some CAF/CASS Regions mean that a Senior Administrator manages business support staff. These developments have been positively received by Service Managers. They relieve them of some supervisory tasks, reduce their span of control and free up time for other tasks.

## Service Managers as leaders

- 1.18 Inspectors found that CAF/CASS, at a national level, is widely seen by Service Managers and some Regional Managers as having been lacking in leadership, although there are more positive comments that this is improving. Other perceptions of the centre are that it is remote, inconsistent and primarily interested in getting reports through the system, rather than focused on quality and service to children and families.
- 1.19 However, there is also a degree of ambivalence in the range of views. Service Managers commented frequently on the need for a national lead on management issues, but they also commented negatively on the number of policies and procedures that come from CAF/CASS nationally, with which they are expected to comply.
- 1.20 Compliance by Service Managers with national policies and procedures is not consistent. For instance, in one office, the Service Managers have agreed the office priorities, contrary to national priorities regarding the allocation of cases. Another Service Manager commented that “there are national policies that impinge on me that I ignore”. Inspectors recognise that managers in many organisations might express similar views and that, although these comments were in the minority, they raise issues about individual accountability and corporacy.
- 1.21 There is occasional evidence, from interviews and the survey of Service Managers, about identifying with CAF/CASS as a national organisation. A practitioner commented that “my Service Manager is committed to CAF/CASS”. However, more frequent comments to Inspectors from Service Managers included messages such as “National Office is a disabler”; “CAF/CASS is not me”. Among a few counter-balancing, positive comments about Headquarters given to Inspectors, the national programme of training on legal issues and research developments were highlighted.

- 1.22 Many Service Managers have moved from a local to a national organisation. They may have experienced some loss of autonomy and established ways of working. Although some disaffection might be expected, the depth, number and consistency of such comments to Inspectors are of concern. However, many Service Managers responded positively to the appointment of a new Chief Executive in September 2004 and the emerging, new strategic direction for CAF/CASS, with implications for the Service Manager leadership role at the area level.
- 1.23 Whilst Service Managers have a strong commitment to the local teams that they manage, their commitment to their Regions is more variable. Although a few Service Managers try to safeguard their better-performing teams when resources are needed in teams with significant delay, some Regions, such as the North West and South West, have developed useful regional structures. These help ensure that practitioner posts are redeployed to areas of greatest need, on a temporary or permanent basis. This, in turn, allows the equitable delivery of services across all parts of the Region.

### Good Practice

**In the North West Region, under skilled leadership, a strong sense of enthusiasm, corporate pride and corporate responsibility has been developed in the Service Manager group.**

## Service Managers and work pressures

- 1.24 Many Service Managers work long hours, with one in five (20%) reporting weekend working and more than one in ten (11%) working over 50 hours per week. As such, high degrees of fatigue and stress were reported. For example, one Service Manager said “I keep juggling [work] and waking up at night worrying”.
- 1.25 There appear to be a number of contributing factors to such stress, including:
- staff shortages, which Service Managers may attempt to cover
  - managing delays in allocating new work
  - where some Service Managers experience personal responsibility for new duties, such as budgets or convergence<sup>3</sup>.
- 1.26 The stress levels of Service Managers are acknowledged at a senior level. CAF/CASS does not systematically interview all Service Managers when they leave, in order to gather their views on the organisation, their role, and reasons for leaving. Some regional data on sickness absence is reported to the Board as a performance indicator, but its other uses are unclear.

## CAF/CASS’s view of the Service Manager role

- 1.27 At all levels in CAF/CASS, there is an acknowledgement of the unsatisfactory aspects of the current Service Manager role. Some important actions have been taken, such as providing training in public and private law for all Service Managers. A training needs audit has been completed, with a view to establishing a renewed focus on this key group of staff. The Chief Executive now has service management as part of his portfolio of responsibilities, signalling its importance more widely across the organisation. However, at the time of the inspection, the changes suggested to service management do not appear to have arisen from a systematic

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<sup>3</sup> Converged practice in CAF/CASS is the ability to undertake or manage both public and private law work.

review and analysis. As already commented in this report, Inspectors found, at the time of the inspection, that there is little agreement, at senior management or other levels in CAF/CASS, about the role of first line management currently, or how it needs to change within a new organisational structure.

- 1.28 Senior managers face considerable difficulties in encouraging Service Managers' positive identification with CAF/CASS, while also challenging weaknesses in their existing practice. Inspectors suggest that a key challenge is to help re-focus Service Managers towards the *Every Child Matters* (2004) outcomes agenda for children and families, and improvements in the delivery of quality services. Inspectors found that many Service Managers would strongly welcome such re-focusing. In the longer term, CAF/CASS may wish to consider a more fundamental review of the Service Manager role and, in particular, to assess whether it offers the optimum means for supporting the delivery of high quality, outcome-focused services.

### The use of Service Manager time

- 1.29 Management and team meetings are regular activities within Regions and take up significant amounts of time. Inspectors found that such meetings have no nationally agreed and defined purpose. Inspectors saw some instances, in the minutes of regional management meetings, of useful feedback on training attended or updates on legal issues. However, some meeting minutes focused on information-giving and internal procedures, rather than service delivery, even in Regions with problems with allocation and delay. Some regional management meetings take all day. They may cost up to £1,500 each and there is no evidence that they represent good value for money<sup>4</sup>. As with regional management meetings, there is little evidence of a strong focus on service delivery in team meetings.
- 1.30 Service Managers may sometimes spend time on basic administrative tasks, including checking telephone bills or estates-related tasks, such as finding a tradesperson to carry out repairs. And there are some inevitable pressures on how Service Managers use their time, such as addressing backlogs, which can also lead to them covering court duty. However, amongst the wide range of tasks within the Service Managers' remit, it is apparent that where the quality assurance role involves challenging frontline practice, such challenges may be not be tackled. Inspectors have sympathy with the view of one Regional Manager who commented "there is a need to challenge the priorities some Service Managers choose, as they choose what they want to do rather than what needs to be done".

#### ***Recommendation 1: that, in order for Service Manager activities to be aligned to organisational needs, CAF/CASS:***

- ***ensures that the job description reflects its view of the Service Manager role***
- ***identifies and provides the necessary standards, guidance, competencies and procedures, that enable Service Manager tasks to be carried out effectively***
- ***ensures that Service Manager time is focused on the organisation's priorities***
- ***establishes a system for identifying and promulgating best practice.***

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<sup>4</sup> This estimate is based on an hourly rate for Service Managers' pay, assuming ten Service Managers attend for six hours, plus travel and subsistence.

**Recommendation 2: that, to improve its care of Service Managers, CAFCASS:**

- **implements robust procedures for dealing with first line managers under stress and its duty of care.**

## **Service Managers are capable of meeting the demands of the role**

### **Recruitment and induction of Service Managers**

1.31 Inspectors found that Service Managers are usually very experienced in relevant areas of practice.

#### **Good Practice**

**The experience levels of recently-recruited Service Managers usually considerably exceed that stated in the person specification.**

- 1.32 There is an over-representation of men at Service Manager level, when compared with the gender balance at practitioner level. Inspectors are also concerned that there is an under-representation of persons from ethnic minority backgrounds at Service Manager level, although in some Regions, such as West Midlands, this has been successfully addressed. The general picture is consistent with the under-representation of persons from ethnic minority backgrounds among practitioners and indicates deficits in the effectiveness of equal opportunities practice in the recruitment of staff<sup>5</sup>.
- 1.33 CAFCASS does not yet have a recruitment and retention strategy for Service Manager posts. Its figures show that Service Manager turnover is low, at about 7% per annum. However, in some Regions, there are satisfactory numbers of applicants for vacant posts and, in others, the figures are low. This may reflect the wider picture across the social care workforce. Although CAFCASS has appointed Service Managers internally from among practitioners, it also relies on expertise from outside the organisation in its recruitment.
- 1.34 High-performing practitioners have some opportunities, through the use of temporary vacancies, to take on increased responsibilities and to develop relevant Service Management skills. Even so, most experienced frontline practitioners do not strictly meet the requirements of the person specification to become a Service Manager, because of their lack of management experience. However, Regions interpret this requirement variably. This means, in practice, that, in some Regions, it does not form part of the person specification.
- 1.35 CAFCASS has not yet defined Service Manager competencies, or the standards expected of them, for use in the interviewing process. It has an agreed, nationally-used and satisfactory application form to gather basic information from applicants. The interviewing procedures rely on regionally-organised methods. A CAFCASS-wide menu of interview tools that could be used for these posts would be a useful development. Some pertinent and penetrating methods are employed in interviewing although, sometimes, selection is reliant on traditional methods of interviews and presentations. Key aspects of the job, especially in quality assuring reports and managing performance, are not routinely addressed in recruitment and selection processes. There is also a need to ensure that references test the qualities defined in the person specification.

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<sup>5</sup> Recruitment for Service Delivery (March 2005), paragraphs 17-24.

## Good Practice

**In Wales, recruitment panels use a demanding, time-limited in-tray exercise to test candidates' abilities to make speedy and appropriate decisions.**

- 1.36 CAFCASS has a standard induction package for most new staff. Inspectors were told that this is variably implemented and does not contain components dedicated to the Service Manager role. New Service Managers with specific needs commented that these were not consistently addressed through induction. In recognition of this problem, CAFCASS is working to develop its induction process.
- 1.37 Inspectors also note that, as CAFCASS does not have a probationary period for Service Managers, it would have to rely on its performance and conduct policy to manage difficulties, if performance subsequent to appointment was unsatisfactory.

## Supervision and appraisal of Service Managers

- 1.38 Nationally, CAFCASS does not yet have an agreed system for the supervision of Service Managers. Inspectors found that their supervision is highly variable in terms of frequency, length and content, but it is usually carried out at satisfactory intervals. About half (57%) of Service Managers rated their supervision by Regional Managers as excellent or good, nearly a third (29%) as satisfactory and about one in seven (14%) as poor.
- 1.39 The lack of national competencies for Service Managers has been unhelpful to CAFCASS in its efforts to create an effective supervision framework. Although development work has been undertaken to establish agreed competencies, it appears that cost effectiveness, quality or delay are not routinely discussed with Service Managers. One Regional Manager commented "I don't look at outcomes". There is a view in CAFCASS that poor supervision practice has allowed significant weaknesses in some Service Managers' performance to continue. Regional Managers gave some instances when they were unable to ensure their priorities and instructions to Service Managers are carried out. A Regional Manager commented on how difficult is it to "put pressure on vulnerable people [Service Managers] who may go off sick or take out grievance procedures". Until recently, the lack of a capability procedure in CAFCASS may have also inhibited challenge to Service Manager practice. At a more practical level, Inspectors found that notes of supervision meetings between Service and Regional Managers do not always refer to previous meetings and there is often no core agenda, even within the same Region.
- 1.40 About a fifth (21%) of Service Managers report not having had an appraisal in the past year and a third (31%) rate appraisal as excellent or good. At a senior level in the organisation, the appraisal system was widely acknowledged as flawed. As with supervision, the lack of national standards and competencies hampers the implementation of an effective system. This is expected to be re-issued in June 2005.
- 1.41 Some of the unsatisfactory aspects in the supervision and appraisal of Service Managers are mirrored in the way in which Service Managers manage practitioners. This touches on important issues about clear accountability for frontline practice within CAFCASS.

## Service Manager capability

- 1.42 There is evidence of a growing, positive culture of peer support between Service Managers. Many Service Managers have arrangements to support other Service Managers who may lack experience in some areas of the work undertaken by their team. There are some indications that, in teams where Service Managers share offices, mutual support works better, although such examples appear localised and unsystematic.
- 1.43 A recent training needs analysis for Service Managers was undertaken by CAFCASS. An important further step is for training to be systematically linked to identified needs, roles and capabilities of Service Managers. Training provided by CAFCASS is rated well, overall, with nearly two-thirds (63%) of Service Managers rating training as excellent or good. Training in finance and health and safety has been prioritised over training in legal and practice issues. Less than one in five (15%) have had training in safeguarding, diversity or quality assurance. While some Service Managers have had supervision training, this was seen by over half (54%) as poor, with less than one in five (18%) rating it as excellent or good.
- 1.44 Service Managers are often now managing teams with both public and private law practitioners. Some managers have concerns about their ability to monitor practice where they lack experience in that particular area of work. This concern tends to arise more in public than in private law. Four out of five Service Managers (80%) rate themselves as excellent or good in private law, but less than half (45%) do so in public law. This disparity reflects similar ratings by Regional Managers and practitioners. On the other hand, there is a view held by a number of Regional Managers, that supervision is a management task and that the key issue for Service Managers is their confidence and support for them. It would be helpful were CAFCASS to have an agreed approach to these issues.

### ***Recommendation 3: that, in order to improve recruitment practices, CAFCASS:***

- ***agrees the role of Service Managers and the competencies required***
- ***ensures the recruitment process tests the competencies required by Service Managers and promotes equal opportunities.***

### ***Recommendation 4: that, in order to improve Service Manager capability, CAFCASS:***

- ***develops a Service Manager induction package to address Service Managers' general and individual needs on appointment***
- ***implements findings arising from its training needs analysis, to ensure Service Managers' needs are met***
- ***identifies and promulgates best practice.***

### ***Recommendation 5: that, in order to improve Service Managers' supervision and appraisal, CAFCASS:***

- ***develops and agrees national approaches to supervision and appraisal***
- ***ensures that these are implemented and evaluated.***

## Effective links between Service Managers and strategic stakeholders

### Service Managers and the courts

- 1.45 Inspectors were pleased to note several recent good examples of Service Managers, usually with Regional Manager backing, asserting a more appropriate relationship and establishing genuine partnerships with the judiciary. In London, for instance, this has resulted in more appropriate court arrangements for children. One Service Manager commented that “the relationship is more equal than it was.....the agenda is set by both sides”.
- 1.46 However, CAFCASS is still influenced by the culture that existed prior to it being set up in 2001, where social work provision in family proceedings was seen as a service to the courts, rather than to children and families. This culture continues in many Regions. Although, formally, the courts are seen as one group of stakeholders, in practice, they exercise a large influence over many Service Managers. This influence is not explicit or formalised but it is strong and, as a Service Manager commented, “the judiciary does mould the local practice”. One forum for discussing these issues is the Family Court Business Committees (FCBCs), which two-thirds (66%) of Service Managers attend.
- 1.47 The influence of the judiciary can lead to CAFCASS practices that:
- are variable
  - are not based on rigorous evidence
  - over-emphasise throughputs
  - cloud the focus on children and families as the primary customers of its services.

#### Good Practice

**In one court, the Service Manager took a leading role in writing the Domestic Violence Protocol.**

- 1.48 Working relationships with courts are also highly dependent on personal relationships, rather than agreed ways of working. Service Managers who do not fit in with custom and practice, such as informal lunchtime meetings, find it difficult to establish effective working relationships.

### Service Managers and other stakeholders

- 1.49 Inspectors found that Service Managers’ work with stakeholders, other than the courts, is not prioritised. Links with service users are patchy. However, with other strategic stakeholders, such as local authorities, there are often regional meetings with the Association of Directors of Social Services. A Service Manager commented “it is easy to let stakeholders drop off the end” and Regional Managers consistently identified this issue as an area of work needing development.
- 1.50 Service Managers are under-using stakeholder feedback to improve services in a systematic way. Some Service Managers appear to rely inappropriately on stakeholders, and especially the courts, as their main quality assurance system. Similarly, in some Regions, there appears to be reliance on feedback from stakeholders to identify concerns about practice or practitioners.

## Good Practice

In Yorkshire and Humberside, local protocols are being developed with one local authority and are to be rolled out to the rest of the Region.

- 1.51 Nearly all (92%) Service Managers attend Area Child Protection Committees (ACPCs) but their role and status in these Committees varies. Unlike in CAFCASS, most ACPC members from other agencies do not have operational responsibility. This means that the presence of Service Managers in some areas is seen as anomalous. Some Service Managers are on the main ACPC, others on sub-committees, but this appears based on local custom and practice, rather than on an agreed CAFCASS-wide approach.

***Recommendation 6: that, in order to improve effective working relationships with strategic stakeholders, CAFCASS:***

- ***takes all reasonable steps, at a national level, to clarify its relationship with the courts***
- ***ensures that Service Managers are clear about the expectations of partnership arrangements with other strategic stakeholders and promulgates best practice.***

## Inspection Findings 2: Management of Human Resources

This part of the report assesses the degree to which CAFCASS provides and deploys practitioners capable of delivering its objectives cost effectively.

In order to fulfil this key function, CAFCASS is expected to ensure that:

- practitioner resources are used effectively to enable the cost effective delivery of services
- practitioner capabilities are identified, sustained and developed.

### ***Overall assessment***

CAFCASS lacks effective systems for monitoring and improving the cost effectiveness of practitioners. Although some useful data is available, this is under-used. Consequently, the cost effectiveness of practitioners is not generally being monitored and improved by Service Managers. The development of staff capability and performance management is not yet satisfactory and could be improved if more basic human resource management tools were made available. The emphasis on throughput of work and the provision of support to practitioners within the Service Manager role is not yet balanced with other unmet needs, including the introduction of a robust quality assurance system for practitioners.

### **Service Managers ensure that practitioner resources are used effectively to enable the cost effective delivery of services**

- 2.1 Four-fifths (82%) of CAFCASS's budget is spent on staff costs. Although monitoring and improving cost effectiveness is not yet generally part of the CAFCASS system, Inspectors noted one Regional Manager's refusal of further resources to a Service Manager until productivity had increased in the team. Workforce and Delivery Plans make little reference to cost effectiveness. Regional management meetings, team meetings, supervision of Service Managers and supervision of practitioners rarely refer to this area, except in the contract reviews of self-employed staff. Neighbouring teams may have striking differences in productivity and costs.
- 2.2 There is some indication that the productivity of self-employed staff has deteriorated in some areas, although it may have increased in others. There is a lack of clarity regarding expectations of staff productivity, which makes it difficult to deal with the complexities involved in the management of cost effectiveness. CAFCASS has performance figures for expected reports per year, such as the Family Court Adviser Guidelines and Workload Policy, although some Regions do not use this kind of information to sufficiently help them improve cost effectiveness.
- 2.3 Inspectors suggest that there is a tension in CAFCASS around improving the cost effectiveness of frontline practice, because of a perceived over-emphasis on the provision of support to practitioners by Service Managers and a low profile given to challenging existing practice. For some Service Managers, it appears that there is a reluctance to focus on productivity and cost effectiveness, perhaps particularly with those practitioners who are close to retirement. Service Managers also have mixed views of the value of the available productivity data and

this means that the potential value of this data is not fully utilised. There are high hopes that the new case recording system (CRS) will provide better data on performance when it is rolled out late in 2005, after its pilot stage in CAFCASS South West Region. However, as existing data tends to be under-used by Service Managers, better data alone may not be sufficient to improve performance management, unless there is also more investment in training.

- 2.4 There are positive, related developments in some Regions where, for example, a Contract Manager is taking on a specific role that includes cost effectiveness. It is too early to assess if these appointments have led to significant improvements.

## **Practitioner capabilities are identified, sustained and developed**

### **Supervision of practitioners**

- 2.5 CAFCASS developed a Supervision Policy in 2004 but then, more recently, withdrew it, as it was considered unsatisfactory. This left a vacuum. Service Managers use a wide variety of systems for supervising staff formally. These vary, even within Regions. Regrettably, four years after CAFCASS was set up, Service Managers do not have a national policy, format and guidance on supervision. A new Service Manager commented how “shocked” they were about this. Such management tools are relatively simple to devise and robust systems are widely available in social services and the voluntary sector.
- 2.6 There is evidence of continuing resistance to the concept of supervision by some public law practitioners, who argue that they are responsible to the court rather than CAFCASS. CAFCASS has not resolved this important and sensitive issue. Terms such as ‘consultation’ rather than ‘supervision’ are used at times by some Service Managers for different groups of staff. There is greater clarity in private law, where convergence has helped reduce the resistance to supervision. It has also enabled some practitioners to see all the children with whom CAFCASS works as ‘children in need’<sup>6</sup>.
- 2.7 Service Managers spend significant amounts of time on supporting frontline practitioners through both formal and informal arrangements for supervision. Four out of five practitioners (83%) rate accessibility to their manager as good or excellent. However, there are variable expectations within CAFCASS about the support of practitioners. One widely-held view is that frontline staff are ‘senior practitioners’ who can operate with a high degree of professionalism and autonomy. But there is also an expectation, borne out in the Inspectorate survey, that Service Managers have to be constantly available to support them.
- 2.8 Frequency of formal supervision is variable. Nearly a third (28%) of practitioners report having formal supervision less than once every three months. There are some indications that home-based staff are seen less frequently than office-based staff. Private law practitioners rate these meetings more highly than public law practitioners. One private law practitioner described his Service Manager as “experienced, approachable and professional”. Overall, formal supervision is not rated highly. Nearly a half (46%) of practitioners rate formal supervision as excellent or good. Practitioners rate peer support more highly than supervision.

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<sup>6</sup> ‘Children in need’ are defined in section 17 of the Children Act 1989.

## Good Practice

**In some Regions, Regional Managers have usefully laid down supervision guidelines for Service Managers.**

### Practitioner appraisal

- 2.9 The current CAFCASS appraisal system has weaknesses. Over a third (35%) of practitioners reported not having had an appraisal in 2004. Of those who had, a third (33%) rated their appraisal as excellent or good; half (51%) as satisfactory; and about one in eight (13%) as unsatisfactory<sup>7</sup>.
- 2.10 Practice development is not a consistent focus for Service Managers, given their understanding of the need to give priority to throughputs. For example, Inspectors found little evidence of practice development being encouraged through Service Managers' direct observation of practice.
- 2.11 On the other hand, nationally, CAFCASS has created a useful website to encourage practice development. A country-wide programme of training events on legal issues, led by CAFCASS Legal, has been widely perceived by Service Managers as being of high quality.

### Practitioner capability

- 2.12 Where Service Managers need to consider practitioners' capabilities, there is an unhelpful lack of a CAFCASS-wide system setting out competencies, standards and capability procedures. Sometimes, Service Managers appropriately address capability issues with the backing of Regional Managers. However, many Service Managers expressed disquiet to Inspectors about addressing capability issues without national policies and procedures being firmly in place. Often, when challenging practitioners, Service Managers feel dependent upon their own expertise, against that of the practitioners. Instead, they need to expect practice of a quality that reflects CAFCASS-owned and evidenced-based standards.
- 2.13 As with the supervision of Service Managers, supervision by Service Managers of practitioners emphasises the need for support. As mentioned in paragraph 2.3, it appears that accountability and development issues are under-emphasised. CAFCASS does not yet have an agreed system of quality control of practitioner court reports. Some practitioners' reports are only viewed at the time of annual appraisal. Instances of Service Managers monitoring practice, for example in interviews, are very rare. While there is widespread reliance on peer reading of court reports, these are local and inconsistent systems. Service Managers also described to Inspectors worrying instances where these arrangements did not prevent poor reports reaching the courts. Court reports are also discussed in the next part of this report. Examples of useful practice development discussions in some team meetings were noted.

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<sup>7</sup> A small number did not grade their response.

**Recommendation 7: that, in order to improve the management of practitioners, CAFCASS:**

- ***clarifies its expectations regarding Service Managers' responsibilities for staff accountability, cost effectiveness, productivity and practice development***
- ***ensures that there are agreed systems for supervision, appraisal and quality assurance of practitioners' work, that focus on meeting the needs of children and families.***

## Inspection Findings 3: Welfare of Children

This part of the report assesses the degree to which CAFCASS ensures, through service management, that all its professional practice is aimed at safeguarding and promoting the welfare of children who may be the subject of family proceedings, or who are in receipt of other CAFCASS services.

In order to fulfil this key function, Service Managers are expected to:

- contribute towards CAFCASS being a child-focused organisation; be pro-active about preventing exclusion from services, for whatever reason – gender, race, religion, and disability; and implement CAFCASS policies and procedures that safeguard and promote children’s welfare.

### **Overall assessment**

CAFCASS lacks the procedures to enable it to be assured that Service Managers and practitioners are consistently carrying out their responsibilities for safeguarding children. There has been insufficient attention paid at all levels of management to addressing longstanding weaknesses in aspects of CAFCASS practitioners’ work with children and families. Service Managers do not consistently use diversity information effectively in meeting the needs of different groups. The delivery of a prompt service to children is not consistent across Regions.

## **Service Managers ensure that CAFCASS is a child-focused organisation**

### **Contribution to CAFCASS being child-focused**

- 3.1 As already noted in this report, Service Managers widely commented on how throughputs, rather than quality, are the priority for CAFCASS: “the bottom line is throughput, not the best interests of children”; “the organisation is about number crunching”; “there has been a shift from high standards to getting the work done”.
- 3.2 Whilst there is wide and genuine commitment to a service for children and families, the reactive, demand-led nature of how many Service Managers appear to carry out their role impedes a focus on children and families. More broadly, CAFCASS is not yet able to reliably assure itself that children being dealt with are being adequately safeguarded. A Service Manager commented, with regret, that Service Managers’ customers are CAFCASS, then the courts, then staff; “ideally it should be service users”.
- 3.3 CAFCASS has no systematic arrangements to gather the views of service users regarding their experience of the service. Earlier Inspectorate reports have highlighted some examples where steps have been taken to learn lessons arising from a complaint<sup>8</sup>. In this inspection, evidence was not forthcoming about how information from service user complaints is being used systematically to improve services. Service Managers report that their external contacts with service user groups are much lower than with FCBCs or ACPCs<sup>9</sup>.

<sup>8</sup> For example: MCSI, Inspection of South West Region (October 2004), paragraph 2.7.

<sup>9</sup> Family Court Business Committees & Area Child Protection Committees.

## Preventing exclusion

- 3.4 Service Managers' knowledge of the diversity characteristics of the local populations and service users is often variable, impeding their ability to plan to meet those diverse needs. There is no agreed system for using such information as part of delivery or workforce planning.
- 3.5 As already noted in paragraph 1.23, Service Managers have contributed to significant and welcome improvements in reducing backlogs in some Regions, by redeploying team resources. This has enhanced the equitable delivery of services across that Region. However, there are continuing difficulties in ensuring the prompt allocation of cases in parts of some Regions, that CAFCASS is actively addressing.
- 3.6 Service Managers are often involved in planning new accommodation that is usually of a high standard. Through increasing compliance with the Disability Discrimination Act 1995 (Amendment) Regulations 2003, this improved accommodation is helping to reduce exclusion.

## Quality of reports to court

- 3.7 Service Managers do not regularly observe practice or sample reports. One consequence of the weak quality assurance systems and an over-emphasis on throughputs of cases concerns the quality of reports. About one in eight (13%) private law reports and rather more, (15%), public law reports were identified in a 2004 inspection report as poor<sup>10</sup>. In a 2005 report for a different Region<sup>11</sup>, the respective figures were better, at 11% and 8%. The 2004 report showed that up to one in five (20%) private law reports dealt inadequately with children's wishes and feelings regarding past events and what should happen in the future. The 2005 report showed a much better figure of 5%. Although there are some variations in these findings in inspections of different Regions, such figures are broadly consistent across all MCSI inspections of CAFCASS since 2001.
- 3.8 Based on this percentage, Inspectors conclude that there is a risk that, overall, up to 5,600 poor quality private law and 1,700 poor quality public law reports each year are being produced by CAFCASS<sup>12</sup>. Reports from CAFCASS are vital sources of advice and information to courts when making decisions involving children, and poor quality may have a negative impact on decision-making regarding those particular children and families.
- 3.9 CAFCASS has been aware of these quality problems since it was first inspected by MCSI. Effective action has yet to be taken, although a new quality assurance system is due to be introduced later in 2005. CAFCASS needs to have arrangements for Service Managers to sample reports routinely, prior to filing with the court, so as to improve quality. But this has to be achieved without causing overall delay.

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<sup>10</sup> MCSI, Inspection of South West Region, October 2004.

<sup>11</sup> MCSI, Inspection of Eastern Region, March 2005.

<sup>12</sup> Based on figures for annual production of reports in CAFCASS Annual Reports.

***Recommendation 8: that, in order to improve its child-focus and quality of service delivery to children, CAFCASS:***

- ***devises and implements plans to ensure that reports written to agreed formats are regularly sampled***
- ***identifies and disseminates information arising from such sampling***
- ***takes action to ensure issues are addressed.***

## Annex A

### Methodology

- The inspection of CAF/CASS first line management was conducted by a team of four Inspectors and an inspection assistant. CAF/CASS was given six months' notice of the start of the main fieldwork and of the topics to be inspected.
- CAF/CASS Headquarters and all Regions in England provided the inspection team with documentary evidence.
- A survey and time-logging exercise were sent to all Service Managers, of whom 53 replied.
- A second survey was sent to all Regional Managers, of whom eight replied.
- A third survey was sent to 438 practitioners; 118 replies were analysed.
- The analysis of the three surveys was reported to CAF/CASS in February 2005, prior to the main fieldwork period.
- The inspection team visited CAF/CASS Headquarters and held meetings in some Regions.
- A series of structured interviews with senior management at CAF/CASS Headquarters, with 34 Service Managers and six Regional Managers (now known as Regional Directors), was undertaken.
- HMICA reports do not normally record the views of identifiable individuals.
- CAF/CASS has seen this report in draft form. Any comments on factual inaccuracies have been taken into account in this final version.

# HMICA Recommendations and CAFCASS action plan

## 1. *HMICA recommendation:*

*In order for Service Manager activities to be aligned to organisational needs, CAFCASS:*

- *ensures that the job description reflects its view of the Service Manager role*
- *identifies and provides the necessary standards, guidance, competencies and procedures, that enable Service Manager tasks to be carried out effectively*
- *ensures that Service Manager time is focused on the organisation's priorities*
- *establishes a system for identifying and promulgating best practice.*

### **CAFCASS response**

CAFCASS will:

- revise the current job profile to incorporate the key findings from this inspection and concerns being expressed by Service Managers themselves
- consult with Service Managers on key priorities and publish these
- use the existing learning sets and the Service Manager development programme to identify and promote best practice.

**Overall improvement target:** Role clarity achieved and key priorities determined.

**By:** January 2006

## 2. *HMICA recommendation:*

*To improve its care of Service Managers, CAFCASS:*

- *implements robust procedures for dealing with first line managers under stress and its duty of care.*

### **CAFCASS response**

CAFCASS will:

- ensure strong emotional and psychological support is available through supervision and mentoring
- work with individual Service Managers to reduce their stress levels by removing the problem, sharing it or minimising its impact
- ensure new professional strategy includes a range of strategies to support the Service Manager task and make it manageable.

**Overall improvement target:** Ensure manageable workloads and lower stress levels.

**By:** October 2005

3. *HMICA recommendation:*

*In order to improve recruitment practices, CAF/CASS:*

- *agrees the role of Service Managers and the competencies required*
- *ensures the recruitment process tests the competencies required by Service Managers and promotes equal opportunities.*

**CAF/CASS response**

CAF/CASS will:

- customise current general management competencies to match the revised Service Manager role
- use the appraisal process to identify skills gaps and bridge any gaps through the Service Manager development programme
- use the new competencies in a strengthened recruitment process.

**Overall improvement target:** Use competencies throughout the recruitment process.

**By:** December 2005

4. *HMICA recommendation:*

*In order to improve Service Manager capability, CAF/CASS:*

- *develops a Service Manager induction package to address Service Managers' general and individual needs on appointment*
- *implements findings arising from its training needs analysis, to ensure Service Managers' needs are met*
- *identifies and promulgates best practice.*

**CAF/CASS response**

CAF/CASS will:

- customise the existing induction programme to fit the Service Manager role
- use existing training needs analysis of Service Managers to support the key priorities identified
- embed key areas of knowledge required in the new Learning, Knowledge and Development Strategy.

**Overall improvement target:** Ensure Service Managers' knowledge base is fit for purpose.

**By:** January 2006

5. *HMICA recommendation:*

*In order to improve Service Managers' supervision and appraisal, CAFCASS:*

- *develops and agrees national approaches to supervision and appraisal*
- *ensures that these are implemented and evaluated.*

**CAFCASS response**

CAFCASS will:

- produce a clear Supervision Policy
- implement the revised appraisal framework
- monitor compliance with supervision and appraisal at the national level.

**Overall improvement target:** Produce supervision and appraisal documentation.

**By:** January 2006

6. *HMICA recommendation:*

*In order to improve effective working relationships with strategic stakeholders, CAFCASS:*

- *takes all reasonable steps, at a national level, to clarify its relationship with the courts*
- *ensures that Service Managers are clear about the expectations of partnership arrangements with other strategic stakeholders and promulgates best practice.*

**CAFCASS response**

CAFCASS will:

- clarify procedures and protocols with HMCS, including in dispute resolution
- as part of the work on role clarity, set out minimum standards for partnership working
- promote best practice approaches through the learning sets.

**Overall improvement target:** Clarify our inter-agency relationships with respect to the Every Child Matters agenda and the Private Law Programme.

**By:** April 2006

7. *HMICA recommendation:*

*In order to improve the management of practitioners, CAFCASS:*

- *clarifies its expectations regarding Service Managers' responsibilities for staff accountability, cost effectiveness, productivity and practice development*
- *ensures that there are agreed systems for supervision, appraisal and quality assurance of practitioners' work, that focus on meeting the needs of children and families.*

**CAFCASS response**

CAFCASS will:

- cover the Service Manager role in management of salaried staff and self-employed contractors against cost effectiveness and accountability criteria in the development of the new professional strategy
- consult widely on the new performance management strategy, quality assurance and competencies framework
- implement the new framework fully.

**Overall improvement target:** Implement new professional strategy from April 2006.

**By:** April 2006

8. *HMICA recommendation:*

*In order to improve its child-focus and quality of service delivery to children, CAFCASS:*

- *devises and implements plans to ensure that reports written to agreed formats are regularly sampled*
- *identifies and disseminates information arising from such sampling*
- *takes action to ensure issues are addressed.*

**CAFCASS response**

CAFCASS will:

- clarify internal inspection and auditing arrangements in the new professional strategy
- develop a mechanism for feeding back findings into professional practice
- use the upcoming consolidated improvement plan from HMICA to drive forward and monitor service improvements.

**Overall improvement target:** Have in place an auditing process for professional standards in casework.

**By:** April 2006