

*MCSI Inspection of Court Services*

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

**Training and Quality Assurance  
for Service Delivery**

*Report of an inspection carried out during*

*March 2004*

## *MCSI Inspection of Court Services*

MCSI has a remit to inspect and report to the Secretary of State in the Department for Constitutional Affairs. Its legal powers and duties covering inspection of CAF/CASS are set out in section 17 of the Criminal Justice and Court Services Act 2000. Following changes announced in June 2003, departmental responsibility for CAF/CASS moved to the Department for Education and Skills (DfES). Under the Transfer of Functions Order 2003, MCSI reports on CAF/CASS to the Minister for Children, Young People and Families in the DfES.

MCSI's first phase of inspection, from June to December 2001, was summarised in an Overview Report '*Setting Up*' (March 2002). A second Overview Report '*Setting a Course*' (March 2003) covered a programme of six baseline inspections undertaken in 2002 and a third report '*Towards Year Three*' (April 2004) covered all MCSI's inspections of CAF/CASS during 2003.

*Training and Quality Assurance for Service Delivery* is MCSI's second report of a new programme of inspections of CAF/CASS. The report is based on evidence gathered from CAF/CASS Headquarters and two regions, East Midlands and South East. These regions are intended to be illustrative of the state of training and quality assurance for frontline practice within CAF/CASS and, where used in this report, the term 'regional' applies only to the East Midlands and South East regions. The Key Functions inspected were:

- Welfare of Children
- Strategy and Performance Management
- Management of Human Resources.

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## *Chief Inspector's Foreword*

Effective training and quality assurance arrangements are key to the delivery of a service which safeguards children and promotes their welfare. "Training is a vitally important part of the development of any professional; but is particularly important for those dealing with children, where actions taken now can have a profound effect on their development" (*House of Commons Committee on the Lord Chancellor's Department, Children and Family Court Advisory and Support Service, Third Report of Session 2002/03*). The investigations into the tragic deaths of Victoria Climbié and Toni-Ann Byfield highlighted the essential role of a robust quality assurance system in the context of work with children.

The baseline inspections covered training and quality assurance as part of a general overview. Given the fundamental importance of this area, however, MCSI decided the time had come to undertake a more detailed inspection. *Training and Quality Assurance for Service Delivery* is this more detailed inspection, reporting on the training and quality assurance arrangements for frontline practitioners and the service they provide. The focus of the report is on CAFCASS Headquarters and two regions, East Midlands and South East. Many common themes emerge between the regions, which are intended to be illustrative of the situation across the organisation.

MCSI Inspectors found that, although at Headquarters CAFCASS has done a considerable amount of developmental work on professional development and quality assurance, the adoption and implementation of policies has been limited. As a result, the East Midlands and South East regions are operating mainly on the basis of local training and quality assurance arrangements. Despite some examples of good practice, my conclusion is that CAFCASS is unable to demonstrate that these local arrangements are sufficiently robust and effective.

The two recommendations contained in the report seek to enable CAFCASS to assure itself that it is delivering a service which safeguards children and promotes their welfare. I am pleased to note that, since this inspection, CAFCASS has launched its Child Protection Policies and Procedures, which it intends to support with seminars and other training.

I am grateful to staff in CAFCASS Headquarters, East Midlands Region and South East Region for their co-operation throughout the inspection process. In particular, I would like to thank Kaylene Hackett (CAFCASS Headquarters), Kevin Smith (East Midlands Region) and Angela Poingdestre (South East Region), who acted as liaison officers, gathered together the briefing material in advance of the inspection and arranged on-site meetings.



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## *Inspection Findings 1: Welfare of Children*

This section assesses the degree to which CAFCASS ensures co-ordination of professional practice, procedures, policies and strategies throughout the whole organisation, and demonstrates that these elements are all 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, training and quality assurance should:

- ❑ help CAFCASS to demonstrate that it is a child-focused organisation
- ❑ help to prevent exclusion from CAFCASS services for whatever reason – gender, race, religion, disability
- ❑ safeguard children and promote their welfare
- ❑ promote a culture within CAFCASS that ensures that children are respected at all times and their welfare is promoted
- ❑ contribute to compliance with the range of statutory powers and duties when its officers are appointed in family proceedings
- ❑ contribute to achieving better outcomes for children who are in receipt of CAFCASS services
- ❑ ensure that complaints are followed up and practices changed where necessary.

### *Overall assessment*

High-level strategic papers on training and quality assurance point to an increasing emphasis on child-focus within CAFCASS. However, with the exception of the new modular training programme, the adoption and implementation of policies and procedures that reflect this is limited. In particular, there is little evidence of a robust CAFCASS-wide quality assurance framework in place to ensure practices promote the welfare of children, although an appraisal procedure is being rolled out and some preliminary work on a supervision policy has been undertaken. CAFCASS is thus largely dependent upon legacy<sup>1</sup> or local arrangements for the provision of training and quality assurance. Although a complaints policy is in place, complaints are not systematically used to inform improvements in practice.

At the regional level, both the East Midlands and the South East have taken some steps which are indicative of the adoption of a child-focused agenda, in both training and quality assurance. However, quality assurance arrangements are not applied systematically and consistently. As a result, there is insufficient oversight of practice, particularly of self-employed guardians' practice, with managers over-reliant on assumptions of its quality. Furthermore, when the limited quality assurance mechanisms in place do identify training needs, these may be included in regional training plans, but are not yet followed up in any systematic way.

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<sup>1</sup> Legacy arrangements are those brought into CAFCASS from its constituent organisations when it was established in April 2001.

CAFCASS is using training and research to help ensure service users are not excluded on the grounds of their gender, ethnicity, religion or disability. It has also begun to monitor the ethnicity of its service users and seek their views, although it is not clear how this information will be used to monitor and improve practice.

As a consequence:

- the quality assurance mechanisms do not enable CAFCASS to demonstrate that there is a consistent and appropriate standard of professional practice and that the work of all staff effectively safeguards children's interests
- CAFCASS is unable to demonstrate the extent to which staff achieve full compliance with statutory powers and duties
- opportunities to achieve better, consistent service delivery for children are missed
- opportunities to impact on, and further develop, a culture in which children are respected at all times and their welfare is promoted are missed.

### ***Training and quality assurance help CAFCASS to demonstrate that it is a child-focused organisation***

- 1.1 Staff working to the directorates at CAFCASS Headquarters have developed some strategic documents on training and quality assurance: for example, the paper *Policy for Continuous Improvement to Service Delivery* dated June 2003, which point to a child focus. Initiatives, such as Hearing Children, which is looking at how to involve children in training and quality assurance, are also positive indicators.
- 1.2 Generally, however, this strategic agenda is not yet translated into coherent or comprehensive plans for training or quality assurance at CAFCASS Headquarters. Instead, both delay and confusion feature prominently, notwithstanding a few noteworthy exceptions. One of these is the Foundation Unit of the new CAFCASS-wide training programme. This is written from a child's perspective and is due to be delivered across the organisation later this year. Another is the list of Key Performance Indicators (KPIs<sup>2</sup>). These provide information, albeit largely focusing on delay, about the quality of service delivery.

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<sup>2</sup> **Public Law:**

KPI One – 80% of allocations should be within seven days.

KPI Two – The number of cases unallocated after seven days should be no more than 5% of the workload for allocation in the month.

KPI Three – In any one quarter, the ratio of cases allocated against requests should not drop below 95 %.

KPI Five – The ratio of completed cases should be not less than 80% of requests during the month.

**Private Law:**

KPI Two – No more than 15% of requests for reports should remain unallocated less than ten weeks before the court filing date.

KPI Four – No more than 5% of the workload should be allocated less than ten weeks before filing date.

KPI Five – The ratio of completion should be no less than 95% of requests during the month.

- 1.3 At a regional level, there has been insufficient emphasis on child-focus as an explicit strategic priority. Pending the roll-out from CAFCASS Headquarters of the new training programme, it is unclear from regional information what training practitioners have received locally on listening and responding to children. However, as shown in Annex A, 44 out of the 136 respondents to the MCSI questionnaire indicated that they had received some training on listening and responding to children over the last two years. Also, to the credit of the East Midlands Region, Inspectors found that there had been some regional training on working with children.
- 1.4 In the absence of an organisation-wide quality assurance system, with the exception of a few elements, such as KPIs, local or legacy arrangements continue to apply. The Inspectors found some evidence of local managers and practitioners seeking improvements in practice in support of children. For example, a service manager in the South East has set up a 'quality circle' where practitioners meet to read and discuss each other's reports, using the MCSI report reading template as a checklist. Notwithstanding these and other local initiatives, the general picture regarding quality assurance arrangements, as evidenced by the East Midlands and South East regions, is that they continue to operate broadly in the same way as they did at the time of the baseline inspections of these regions, undertaken in January and March 2003 respectively. They do not systematically collect and record information and, as a result, they do not enable CAFCASS to demonstrate that the service it provides is child-focused or is improving.

### ***Training and quality assurance help to prevent exclusion from services for whatever reason – gender, race, religion disability***

- 1.5 Diversity has been given a high profile in training and research, both at the centre and more locally. The new organisation-wide training programme not only contains a discrete module on ethics and values, but also has been checked to ensure that diversity is integrated across the whole programme. CAFCASS has taken steps to set up processes to ensure that its services are accessible by all who are directed to it by the courts. CAFCASS has also arranged that a case studentship<sup>3</sup> will examine how well it addresses the needs of minority ethnic groups and there is a commitment to ensure that all research commissioned by CAFCASS considers diversity. Diversity training has taken place in the East Midlands and the South East. The Diversity Workshop in the South East was assessed by the region as good. In the main, diversity training in this region has been left to localised initiatives and has yet to be delivered to all regional practitioners.
- 1.6 However, CAFCASS is unable to assure itself that the current training and quality assurance arrangements help to prevent exclusion from services.

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<sup>3</sup> A case studentship is where a practitioner is supported to undertake a higher degree study which includes a focused piece of research (of relevance to CAFCASS).

- 1.7 CAFCASS reports that steps are being taken to develop a diversity policy in respect of service users but, at the time of the inspection, there was no clear plan as to when this is due to be produced. The regions, as evidenced by the East Midlands and the South East, have not developed strategies of their own, although the Inspectors note that diversity is seen as an important issue. Some positive developments have taken place, such as the creation of both diversity steering groups and support groups for minority ethnic staff.
- 1.8 There is no evidence that CAFCASS, either centrally or more locally, systematically reviews service provision, practice and outcomes in relation to fair access. As a result, it does not know whether or not exclusion is happening and, in turn, is unable to identify training needs. The scope of the Family Satisfaction Survey<sup>4</sup> does not directly address this issue.
- 1.9 At the most basic level, CAFCASS has insufficient information about its service users. It has set up a system for monitoring diversity which has led to some improvement in the level of information. However, due to low rates of compliance, the data is incomplete and limited use can be made of it to identify possible areas for improvement.

### *Training and quality assurance help safeguard children and promote their welfare*

- 1.10 At the time of the inspection, there was no organisation-wide child protection policy or procedure, no supervision policy or other quality assurance procedure, no practice guidance or policy on children's safeguards, and no training on child protection. Since the inspection, some important progress has been made with the roll-out of an organisation-wide appraisal scheme, the publication of a child protection policy and the taking forward of the implementation of the child protection elements within the wider modular training programme. It is also noted that the focus of a second CAFCASS case studentship is to evaluate the quality and impact of its reports on outcomes for children in private law proceedings involving domestic violence.
- 1.11 As a result, CAFCASS remains heavily dependent upon local training arrangements and both local and legacy quality assurance systems. On the basis of the evidence from the East Midlands and South East regions, CAFCASS cannot demonstrate that these systems are effective in safeguarding children and promoting their welfare.
- 1.12 In the two regions inspected, few steps have been taken to harmonise or oversee current quality assurance practices, or to ensure that they are applied properly and consistently. This is illustrated by the range of practices across regions, some specific to individual teams. The South East Region has experienced a lack of regional management continuity, which may partially explain this. It has also encountered difficulties caused by its geographical size and the consequent large span of control for the Regional Manager. The devolution of certain responsibilities (including child protection, report writing and quality assurance) to working groups of service managers and other appropriate staff was a promising innovation to address this last issue. However, these working groups have yet to deliver significant results. Meanwhile, there has been the recent appointment of an additional Regional Manager to be shared with Greater London Region.

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<sup>4</sup> This telephone survey was commissioned by CAFCASS in 2003 and reported in April 2004.

- 1.13 Those quality assurance arrangements that operate do not consistently provide effective oversight of practitioner practice, notwithstanding some good local innovations in both private law practice (e.g. the reading of reports by service managers) and public law practice (e.g. the ‘quality circle’ referred to at paragraph 1.4).
- 1.14 Currently, the primary mechanism for overseeing practice is supervision. There is no agreed model of supervision<sup>5</sup> in CAFCASS. Indeed, there are some practitioners who take the view that it should not apply at all. Inspectors found that the process varied significantly according to the personal preferences of managers and their teams. A common theme was the need to clarify the nature of service managers’ responsibility for their teams’ caseload. One comment voiced to Inspectors was that it would be possible for a practitioner to shield a particular case from their service manager during supervision, in order to avoid a case discussion, but Inspectors have no evidence that this happens in practice. The use of the term ‘consultation’ rather than ‘supervision’ in some teams in the South East, covering both public and private law, leads, in MCSI’s view, to potential confusion about the necessary elements of accountability.
- 1.15 Of particular concern is the inadequacy of the arrangements (supervision in the case of employed practitioners and contract review in the case of self-employed guardians) to oversee public law practice. Two quotations summarise the position well. In the South East, a self-employed guardian commented to Inspectors that CAFCASS “*is the only organisation I work for that doesn’t involve rigorous supervision of practice and practice standards*”, whereas, in the East Midlands, an employed practitioner told Inspectors “*CAFCASS doesn’t understand the role of guardians if it thinks it should be supervising them*”.
- 1.16 Other than supervision, the main mechanism for overseeing practice is ‘gate-keeping’, where managers, or more usually peers, review each other’s reports before they are filed at court. The current arrangements for gate-keeping, which vary from team to team, do not provide a means for protecting children. They are not linked into other systems, such as training and appraisal, and were described by some practitioners as “cosy” and “collusive”. Furthermore, these arrangements do not, as a rule, apply to public law reports, which would only be seen by service managers, if at all, after the hearing.
- 1.17 Regional and local managers rely heavily on the local Area Child Protection Committees to train practitioners in safeguarding children. There is no system for evaluating whether these arrangements fully meet the needs of the practitioners. Inspectors found confusion in the South East Region about the scope for individual practitioner discretion in responding to situations where children are thought to be at risk, including referral to local authorities. MCSI is concerned that appropriate referrals may not be taking place promptly and that some practitioners may not be sufficiently aware of the important guidelines laid out in *Re M (Disclosure: Children and Family Reporter)*.<sup>6</sup> Inspectors noted that this case law is helpfully summarised in the *CAFCASS Child Protection Policy and Procedures* (March 2004).

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<sup>5</sup> An example of a supervision model identifies three broad functions: (1) management; (2) development; and (3) support.

<sup>6</sup> [2002] EWCA Civ 1199, [2002] 3 FCR 208, [2002] 2 FLR 893.

- 1.18 The East Midlands Region has taken some appropriate steps. A training needs analysis was carried out two years ago to identify training needs related to working with children. Although it has not been updated, this analysis informed a rolling programme of training, which is still being delivered. Inspectors also noted that the South East Regional Conference in March 2004 was on the theme of child protection.

### ***Training and quality assurance help promote a culture within CAF/CASS that ensures that children are respected at all times and their welfare is promoted***

- 1.19 The new organisation-wide training programme includes modules dedicated to the Children Act 1989 and, as referred to earlier in this chapter, to diversity and anti-oppressive practice. It, therefore, has the potential to promote a culture where children are respected and their welfare promoted. However, this programme has yet to be delivered widely.
- 1.20 Pending the full roll-out of the programme, the picture in the regions is mixed. In the South East Region, there is no specific training aimed at promoting a culture that ensures children are respected and their welfare promoted. On the other hand, parts of the training agenda in the East Midlands Region point to this.
- 1.21 Significant work has been undertaken on the development of organisation-wide quality assurance mechanisms, such as a case recording system, reports template, supervision policy and competences. Individually and together, these could all play a part in promoting a culture where children are respected and their welfare promoted. However, none of these mechanisms has yet been implemented.
- 1.22 In the meantime, based on the evidence from the East Midlands and South East regions, the current arrangements make little contribution to promoting a culture that ensures that children are respected and their welfare promoted. Where supervision – which could be a significant mechanism for promoting such a culture – is taking place, the process is weak. As a result, managers tend to rely upon assumptions about the quality of practitioner work, rather than on the evidence that robust quality assurance systems would provide.

### ***Training and quality assurance contribute to compliance with the range of statutory powers and duties when its officers are appointed in family proceedings***

- 1.23 The induction course and the new training programme mentioned above should, together, contribute to compliance by practitioners with their statutory powers and duties. Whereas the induction course covers the functions, roles and duties of the Family Court Adviser, the new training programme contains modules entitled ‘An overview of the Children Act 1989’ and ‘The Roles of Family Court Advisers’. However, new self-employed practitioners do not attend the induction course on a consistent basis and the new training programme has yet to be delivered across the organisation. Also, the induction course is not available to established practitioners, although the elements covering statutory powers and duties could be valuable for practitioners preparing to carry a converged workload, particularly pending the roll-out of the Foundation Unit.

- 1.24 At a regional level, appropriate steps have been taken to reinforce training and, thereby, contribute to compliance with the statutory powers and duties. In the South East Region, for example, new practitioners are supported through mentoring, which is reported to Inspectors as being good. A mentoring workshop took place in January 2004 to assist the development of the scheme and identify guidelines for both mentors and those who are mentored. The evidence from interviews suggests that mentoring practices remain variable.
- 1.25 As discussed above, in the absence of an organisation-wide quality assurance system, CAFCASS is reliant upon legacy and local systems. That CAFCASS is unable to demonstrate that the current systems safeguard children and promote their welfare has been discussed earlier in this chapter (see paragraphs 1.12 – 1.16). Similarly, it is unable to show that these systems contribute to compliance with statutory powers and duties. This is of particular concern in the East Midlands, where the MCSI baseline inspection in January 2003 and an internal audit in the region both revealed deficiencies in practice around court rules and the use of the Welfare Checklist. The introduction of the organisation-wide appraisal procedure from April 2004 should support compliance, to a limited extent.

### ***Training and quality assurance contribute to achieving better outcomes for children who are in receipt of its services***

- 1.26 The new training programme's Foundation Unit addresses key areas of practice: safeguarding and promoting the welfare of children; working with children, families and other professionals; the National Protocol<sup>7</sup>; making assessments; and writing reports. If, as planned, it is delivered across the organisation later this year, it should help to achieve better and more consistent service delivery to children.
- 1.27 The quality assurance framework outlined in documents such as the *Policy for Continuous Improvement to Service Delivery* (see paragraph 1.1) contains features that are essential for achieving better outcomes for children and for demonstrating that these have been achieved. These features include a set of standards and competences, practice guidance, a supervision and appraisal procedure, gate-keeping by peers and managers, internal report audits and internal inspection. However, other than the KPIs and the appraisal procedure, CAFCASS has not yet decided to adopt these features as its agreed policy. This leaves a gap in its strategic planning which Headquarters needs to resolve within an agreed timescale.
- 1.28 Meanwhile, the local and legacy systems, based on the evidence from the East Midlands and South East regions, generally are not able to demonstrate that they are helping to achieve better outcomes for children. In these regions, there is no clear audit trail to demonstrate accountability. Further, risk assessment is inconsistent and there is no standardised procedure for the assessment of children or families, although training for some practitioners has been delivered on the assessment framework. The aspects of service delivery covered by the KPIs (case allocation and completion) are important exceptions, as these produce data related to better outcomes for children. The East Midlands Region shows good performance and the South East Region is able to demonstrate active management of backlogs and allocation.

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<sup>7</sup> Protocol for Judicial Case Management in Public Law Children Act Cases (2003).

## ***Training and quality assurance ensure that complaints are followed up and practices changed where necessary***

1.29 There is an organisation-wide complaints policy, which has been backed up with some staff training. New posts have been created at Headquarters and divisional levels, with a view to making the link between complaints and service delivery and providing leadership for complaints across CAFCASS. The intention is that the quality assurance framework, when implemented, will be underpinned by management information systems, which will include complaints. However, at the moment, there is no organisation-wide use of complaints for practice development, training and quality improvement. Although a central complaints database has been established, Inspectors were advised that it is not yet fully reliable. As a result, the use made of complaints is left to each region. Inspectors found that the Complaints Policy was operating in both the East Midlands and South East regions but, as mentioned above, there was little evidence that it was contributing to organisational learning or to identifying training needs, although issues may be taken up with individual practitioners. The South East Region conducted a useful review of the handling of complaints covering the period April 2003 to February 2004. At the time of the inspection, follow-up action on areas that need improvement had still to be decided.

***Recommendation 1: In order to be able to assure itself that it is delivering a service which safeguards children and promotes their welfare, CAFCASS Headquarters should:***

- ***adopt and implement a comprehensive quality assurance framework for practice and service delivery***
- ***pending the implementation of the comprehensive quality assurance framework, adopt and implement urgently an interim supervision policy.***

***Recommendation 2: In order to help ensure that children are protected, CAFCASS should arrange for all practitioners to be trained in the CAFCASS Child Protection Policy.***

## *Inspection Findings 2: Strategy and Performance Management*

This section assesses the degree to which CAF/CASS has established a pertinent direction for training and quality assurance, complemented by a staged plan of action and mechanisms for implementation and review, and systematic management of performance.

In order to fulfil this key function, CAF/CASS is expected to:

- show leadership in determining and communicating its strategic direction in respect of training and quality assurance
- set and monitor standards of performance.

### *Overall assessment*

CAF/CASS Headquarters has produced high-level documents about training and quality assurance that show a broad strategic direction. It has not, however, adopted and implemented policies based on this strategic direction in a clear and coherent way.

The Regional Management Teams in the East Midlands and South East have shown some leadership around training. They have also taken steps to implement the recently adopted organisation-wide appraisal procedure. Generally, however, quality assurance systems are ineffective.

CAF/CASS Service Principles and Standards offer broad principles rather than measurable standards of performance. KPIs have been established and are routinely monitored. Some further management tools are being developed. However, performance management remains an area of weakness for CAF/CASS.

The East Midlands and South East regions have not developed local performance measures or effective systems for monitoring achievement against those legacy standards that are used. The regions have yet to develop a performance management culture and the regional business plans, known as Delivery Plans, are not an effective tool for monitoring progress against training and quality assurance objectives.

### *Leadership in determining and communicating strategic direction in respect of training and quality assurance*

- 2.1 CAF/CASS Headquarters has produced strategic documents on training and quality assurance that demonstrate some imaginative thinking around the subject of continuous improvement to service delivery. The first unit of the new training programme is agreed and is being rolled out, as is the appraisal procedure, following training to service managers and practitioners.
- 2.2 Overall, however, leadership in determining and communicating the strategic direction for training and quality assurance is poor. There is significant and continuing delay in reaching decisions and there are no clear action plans or timetables for implementation, other than for the appraisal procedure. MCSI considers that this may be caused by the

lack of consensus as to the roles of the Human Resources and Operations Directorates within which are sited, respectively, the Organisational Development and Training Unit and the Professional Development and Quality Assurance Unit. Rather than decisions being reached, a number of policy documents have been produced, which have created confusion within CAFCASS. In many cases, the status of these documents is uncertain and their remit overlapping. Even where strategic decision-making is at an advanced stage – which is the case, for example, with the new modular training programme – plans for delivery are unclear and have not yet been communicated to staff. In the case of the modular training programme, this was reported to be due, at least in part, to the fact that CAFCASS was still awaiting confirmation of the budget allocation for 2004/05.

- 2.3 Management teams in both the regions inspected have also taken some appropriate steps to establish and deliver training, pending the roll-out of the new modular training programme. These teams are also taking forward the Headquarters agenda on training and quality assurance. Both the East Midlands and South East Regional Delivery Plans refer, for example, to the implementation of the appraisal programme. Interviews showed that staff were aware of this programme and had received training on it. However, the regions indicate that they are hampered in taking forward the Headquarters training agenda by instances of poor communication between themselves and the centre. There is a perception that staff at Headquarters do not always fully understand the impact of certain actions. For example, the short notice (two weeks) given for some training courses has the effect of denying some practitioners the opportunity of attending, because they have existing commitments.

### *Setting and monitoring standards of performance*

- 2.4 Setting and monitoring standards of performance are areas of weakness for CAFCASS. There are two sets of standards that currently apply across the organisation: KPIs and Service Principles and Standards. KPIs are well established and routinely monitored. For example, the East Midlands Region is currently performing well against the KPIs for allocation and case completion. In contrast, Service Principles and Standards (March 2003) offers only broad principles, and the standards of performance generally cannot be measured quantitatively. Some further management tools are being developed, such as a report template. However, there is some confusion at Headquarters as to who is responsible for taking the agenda forward. There is no date, for example, for the introduction of the report template.
- 2.5 Headquarters does not hold information on what standards are being set and monitored in the regions, although an audit is planned. On the basis of the evidence from the East Midlands and South East regions, no local performance standards have been developed outside the KPIs and the Service Principles and Standards, other than that practitioners are aware of workload expectations. Some legacy standards may still apply, but there is no effective system for monitoring achievement against them. The regional business plan, known as the Delivery Plan, for example, is not an effective tool for monitoring performance.

*Although MCSI is not making any recommendations arising from this chapter, CAFCASS will need to determine its strategic direction for training and quality assurance, as a preliminary to adopting and implementing a comprehensive quality assurance framework for practice and service delivery, referred to in Recommendation 1.*

## *Inspection Findings 3: Management of Human Resources*

MCSI intended that the scope of this inspection would include the contribution of CAF/CASS recruitment strategies to service delivery by frontline practitioners, as well as the impact of training and quality assurance. Regrettably, MCSI was unable to pursue recruitment aspects in this inspection because of senior staff sickness absence at CAF/CASS Headquarters.

This section assesses the degree to which there is provision and deployment of staff capable of delivering, cost effectively, CAF/CASS objectives relating to training and quality assurance.

In order to fulfil this key function, CAF/CASS is expected to ensure that:

- ❑ human resources needs in respect of training and quality assurance are systematically and continuously planned
- ❑ staff structures and numbers enable the training and quality assurance agenda to be taken forward cost effectively
- ❑ staff capabilities are identified, sustained and developed
- ❑ due regard is given to racial equality in carrying out the development of staff
- ❑ staff performance and development is continuously reviewed and targets agreed
- ❑ staff are effectively supported and protected from danger and/or risk.

### *Overall assessment*

Appointments have been made at Headquarters to support the professional development and quality assurance agenda, but capacity remains an issue in other parts of the organisation. CAF/CASS has identified that the roll-out of the training programme will have an impact on practitioner workload levels and, therefore, human resources needs. However, it has not formulated coherent plans, either centrally or regionally, to deal with this issue.

CAF/CASS generally relies upon legacy and local arrangements operating in the regions to identify and develop staff capabilities, and to review staff performance and development. The training provided by CAF/CASS Headquarters has evolved from the centre, rather than on the basis of a training needs analysis. The introduction of the appraisal procedure is the first step towards creating a framework that would involve continuous review and target setting, and would link staff with training that meets their individual needs. However, CAF/CASS has not agreed the next steps – most notably, the supervision policy – leaving the implementation timetable uncertain and further progress at risk.

Meanwhile, the legacy and local arrangements upon which CAFCASS relies do not provide effective, consistent processes for identifying and developing staff capabilities or monitoring and reviewing staff performance and development, although some appropriate steps have been taken in the regions inspected. As a result, there is informality about management processes. Knowledge about staff capability is lodged with individual managers, rather than being demonstrable through recorded evidence. There is an absence of attention to standards. Following the creation of converged teams, some managers and staff have lost confidence in the supervision process, but there is no strategy for addressing this. Self-employed practitioners are reviewed primarily under the terms of their contract. This provides only limited quality assurance.

The Diversity Policy promotes racial equality in carrying out the development of staff. However, CAFCASS fails to monitor effectively the ethnic profile of its staff. In the regions inspected, there is no monitoring to ensure that staff are not disadvantaged in training or development by reason of race, although there is evidence of attempts to raise the profile of racial equality in staff development.

CAFCASS has adopted a number of policies and practices in order to support staff and protect them from danger. However, the lack of an effective quality assurance system prevents managers from ensuring that practitioners comply with it, or identifying any emerging training needs.

### ***Human resources needs in respect of training and quality assurance are systematically and continuously planned***

- 3.1 At the time of the inspection, convergence<sup>8</sup> was being supported by a system of mentoring, by the roll-out of the Foundation Unit and by training for service managers. Subsequently, CAFCASS has decided to develop an alternative pathway for convergence training. Staff at CAFCASS Headquarters have identified that the delivery of certain aspects of the training and quality assurance agenda will have an impact on human resources needs. The implementation of the new training programme is projected to have a significant impact on practitioner workload levels. As yet, however, there are no coherent plans to show how the organisation is going to deal with this. In the absence of any clear organisational strategy, it is difficult for the regions to plan both training attendance and maintenance of service delivery, although both the East Midlands and South East regions have drawn up Workforce Plans.

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<sup>8</sup> Converged practice in CAFCASS is the ability to undertake, or manage, both public and private law work.

## *Staff structures and numbers enable training and quality assurance to be taken forward cost effectively*

- 3.2 There has been a range of obstacles, including a lack of capacity at CAFCASS Headquarters, to taking forward the training and quality assurance agenda. There is a widely-held view that there are still too few administrative staff, both at regional Headquarters and the centre. In recent months, there have been a number of important appointments to newly-created posts in the Human Resources and Operations Directorates. Inspectors note that there is some overlap between these posts, in the areas of practice development and quality assurance. This poses risks of confusion or duplication of work.
- 3.3 The appropriateness of regional staff structures and numbers in supporting the training and quality assurance agenda is more difficult to judge, for reasons discussed below.
- 3.4 At regional manager level, the recent appointment of another Regional Manager, shared between the London and South East regions, has the potential for overcoming the capacity issues encountered by the South East Region and enabling it to develop a training and quality assurance strategy.
- 3.5 At service manager level, the span of control (around one service manager to twelve practitioners) was cited as an obstacle to effective performance management and supervision. However, it was also suggested that outstanding training or management issues might be the real problem. This is a debate that the Organisational Development Unit in the Human Resources Directorate is starting to take forward. Apart from this, Inspectors found two problems with staff structures relating to service managers. First, both managers and practitioners in converged teams expressed a lack of confidence in the supervision process, where managers, regardless of their professional backgrounds, were responsible for overseeing both public and private law work. To some extent, teams are finding their own solutions to this. For example, one service manager in the South East, with a private law background, has arranged for the public law reports of two new practitioners to be gate-kept by an experienced guardian. Secondly, Inspectors found that managers acting on temporary promotion felt constrained by the nature of their appointment not to oversee practice as robustly as they might have done.
- 3.6 At practitioner level, the risk that full implementation of the training programme will be difficult to achieve is likely to be greatest in areas which already have practitioner vacancies, such as the South East Region.
- 3.7 The lack of a dedicated training officer post at regional level places a heavy burden on certain other staff. For example, in the East Midlands Region, two service managers, together with other volunteers, run the training group without workload relief. Although this group has done a great deal, there are limitations to what they are able to achieve, given their other responsibilities. Similarly, a training group in the South East Region had been established in 2003 and argued for a half-time training manager post.

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

- 3.8 Some staff development has taken place on an organisation-wide basis. Training, in the form of courses and mentoring, has been provided for managers, with a view to developing additional management expertise. There has been a particular focus on service managers and gaps in their practice knowledge. They have received training on making the transition from team manager to service manager and on managing a converged team. Pending the roll-out of the new training programme, most training for practitioners has been the responsibility of the regions. The principal organisation-wide training for practitioners was a course called 'The Reflective Practitioner', although the impact of this training was limited. It was delivered on eight occasions on a regional demand basis to 100 practitioners – out of some 1,300 in total, across CAFCASS. Practitioners also have access to the CAFCASS Practice and Research Digest, that is published quarterly, and to other activities relating to the research programme.
- 3.9 Although the training outlined above has contributed to staff development, CAFCASS is not systematic in identifying staff capabilities. It does not have a framework made up of mechanisms, such as a training needs analysis and personal development plans, that can effectively link staff with their training needs. Instead, there has been an over-reliance on individuals to determine the content of their training. Furthermore, the various streams of activity around professional development are not fully integrated. Inspectors subsequently understand that individual development plans are to be produced for all Family Court Advisers later in 2004, as a basis for a training needs analysis and plans for 2005/06. More information about practitioner involvement in professional development is included in Annex A.
- 3.10 The introduction, in April 2004, of a CAFCASS-wide appraisal procedure is the first step towards creating a framework that links staff with training that meets their individual needs. The new modular training programme, in which modules could be selected in accordance with practitioner capabilities, tied in with this approach. Inspectors were told that one region indicated that certain modules in the Foundation Unit did not properly reflect the needs of its practitioners. Therefore, this region wished to exchange some of the modules in the Foundation Unit for certain other modules that appeared in the overall modular training programme. As noted in paragraph 3.1, new arrangements, known as the Convergence Pathway, will be introduced to address these issues.
- 3.11 However, the appraisal procedure is likely to require amendment at some stage because it is based on objectives, rather than competences. As such, it lacks congruence with pre- and post-qualifying social work training models. Although work has been done in CAFCASS on developing competences as part of a framework for continuous improvement, there is no action plan or timetable for its implementation.
- 3.12 In the regions, where responsibility for the provision of training for practitioners has primarily lain, the picture, although mixed, is poor overall in terms of the systematic identification and development of staff capabilities.

- 3.13 Regional management in the East Midlands Region has made some efforts systematically to identify training needs. It also conducted a training needs analysis, which formed the basis of a broad regional training programme. In 2002, the East Midlands Region became a pilot area for the new appraisal procedure. As already stated, overall, the training, quality assurance and appraisal systems do not connect. Attendance at core courses, such as diversity, is not compulsory, and the training programme does not cover the training priorities, such as the Welfare Checklist, identified in the baseline inspection and the internal audit of reports. Practitioners have general access to research summaries on practice issues via the CAF/CASS intranet. Access to full research reports and other practice materials, including local authority circulars and departmental guidance, was reported as more problematic.
- 3.14 In the South East Region, there has been no training needs analysis and no consistent pattern of appraisals to establish training needs. Although training is taking place, there is no regional programme and responsibility is devolved to a sub-regional level, so that access to training is viewed as a geographic lottery. As a result, regional management is unable either to identify or develop staff capabilities in a systematic way.
- 3.15 As regards the role of CAF/CASS in identifying and developing the training needs of self-employed guardians, there is confusion both at Headquarters and regionally. In the South East Region, for example, there was uncertainty over the financial implications of their attendance at the Regional Conference.

### ***Due regard is given to racial equality in carrying out the development of staff***

- 3.16 The CAF/CASS Diversity Policy promotes racial equality in carrying out the development of staff. This is supported by initiatives such as the Staff Satisfaction Survey which, this year, will include a section that gives staff the opportunity to comment on diversity issues. Furthermore, managers in the regions inspected have taken some steps to raise the profile of racial equality in staff development. Both the East Midlands and South East regions have set up diversity groups and the South East Region has offered specific support to ethnic minority staff.
- 3.17 However, CAF/CASS is unable to demonstrate that, in practice, it gives due regard to racial equality in carrying out the development of staff, either across the organisation or in the East Midlands and South East regions. This is because there does not appear to be any monitoring of its programmes to ensure that they meet the needs of racial minorities. Further, the return rate of the monitoring of the ethnic profile of staff is too low to provide any valid data.

### ***Staff performance and development is continuously reviewed and targets agreed***

- 3.18 The new appraisal procedure is a first step towards creating a framework that would involve continuous review and target setting. Although staff at Headquarters have reported some resistance to the implementation of the procedure, the East Midlands Region has acted as one of the pilot areas and the South East Region has taken appropriate action to ensure its introduction. However, because CAF/CASS has not agreed the next steps, the implementation timetable for other mechanisms for reviewing staff performance, such as a supervision policy, is uncertain.

3.19 Meanwhile, on the basis of evidence collected in the East Midlands and South East regions, the legacy or local systems do not provide an effective, consistent process for setting targets and reviewing staff performance and development. In particular:

- appraisal and supervision systems are not applied consistently
- in the East Midlands Region, there is no link between individual plans, objectives and team plans; and service managers and practitioners report themselves as disengaged from team plans
- in the South East Region, personal development plans are not used at all among regionally managed staff
- there is an absence of attention to relevant standards.

Instead, management processes are informal, with knowledge about staff capability being lodged with the individual manager, rather than being demonstrable through recorded evidence.

3.20 With regard to self-employed guardians, the primary mechanism for performance review is the annual contract review, but this does not provide a robust mechanism for addressing performance. Some service managers in both the South East and East Midlands regions are using additional methods, such as scrutinising the self-employed contractors' case plans and reading past reports. However, these methods are not consistently applied across the region and still fall short of an effective review of performance.

### ***Staff are effectively supported and protected from danger and/or risk***

3.21 At Headquarters and in the regions, CAF/CASS has taken steps to support staff and protect them from danger and/or risk. It has adopted staff safety policies, which are supported by the Joint Negotiating Committee, although practitioners in the East Midlands Region pointed out that CAF/CASS did not always have the systems to back the policies up. For example, if they make a home visit over the weekend or in the evening, there are only informal arrangements for advising anyone of their whereabouts. This poses inherent risk. CAF/CASS has also created a post at Headquarters, whose holder has responsibility for providing training on Health and Safety. In the regions, the Safe Working Policy is in operation and has a high profile among teams. A service manager in the South East Region gave an example of where it had been necessary to challenge the decision of a court to provide an interview room for use by CAF/CASS practitioners and service users, on a floor that was otherwise unoccupied.

3.22 However, CAF/CASS is unable to demonstrate that practitioners comply with the Health and Safety Policies and are, therefore, in practice, protected from danger and/or risk. There is no agreed risk assessment system in respect of case management, and the local/legacy quality assurance arrangements that apply in the East Midlands and South East regions are not designed to pick up on non-compliance with Health and Safety Policies. The problem is exacerbated by the fact that practitioners do not consistently understand and apply the Health and Safety procedures and that some practitioners do not wish to be constrained in their practice. These are issues for service managers to address.

***Although MCSI is not making any recommendations arising from this chapter, the successful implementation of Recommendation 1 will mean that:***

- ***staff capabilities are identified, sustained and developed***
- ***staff performance and development is continuously reviewed and targets agreed.***

## *Practitioner questionnaire analysis*

One hundred and thirty-six practitioners in the South East and East Midlands regions completed an MCSI questionnaire covering their professional development and training, as well as monitoring and appraisal issues. The questionnaires did not identify the names of practitioners or their region. As not all questions were completed, figures do not necessarily total 136.

### *Profile of practitioner respondents*

- 65 had worked for CAFCASS for three years; 26 for two years; 34 for one year or less
- 21 had worked in the field of family proceedings (including pre-CAFCASS experience) for less than five years; 37 for between five and ten years; 78 for over ten years
- 91 employed; 28 self-employed
- seven commented that their gender, race, ethnic origin or disability had impacted on their access to professional development and training or the operation of any supervision or appraisal.

### *Induction*

- 50 had attended a national or regional CAFCASS induction course that addressed their professional role; 86 had not attended such a course
- of those who attended an induction course, their rating for it meeting their needs on a five-point scale was:
  - ten - not at all
  - nine - a little
  - 15 - satisfactorily
  - 15 - well
  - one - exceptionally

### *Professional development*

- Of practitioners who had received professional development in the last two years, topics covered included one or more of the following (five example areas specified by MCSI):
  - listening and responding to children (44)
  - culture and lifestyle issues (39)
  - policies and procedures to safeguard children and promote their welfare (48)
  - their statutory powers and duties (52)
  - assessments of children and families (57)

- Practitioners rated on a five-point scale the extent to which such professional development met their needs for that topic:
  - **listening and responding to children**
    - five - not at all
    - five - a little
    - 16 - satisfactorily
    - 14 - well
    - seven - exceptionally
  - **culture and lifestyle issues**
    - three - not at all
    - five - a little
    - 14 - satisfactorily
    - 16 - well
    - three - exceptionally
  - **policies and procedures to safeguard children and promote their welfare**
    - three - not at all
    - four - a little
    - 18 - satisfactorily
    - 21 - well
    - three - exceptionally
  - **statutory powers and duties**
    - two - not at all
    - nine - a little
    - 12 - satisfactorily
    - 30 - well
    - three - exceptionally
  - **assessments of children and families**
    - four - not at all
    - five - a little
    - 16 - satisfactorily
    - 27 - well
    - five - exceptionally

## *Keeping up-to-date*

- Practitioners commented that, other than through formal professional development, they kept up-to-date with the following topics to the extent rated on a scale (five example areas specified by MCS1):
  - **practice developments**
    - two - not at all
    - 17 - a little
    - 62 - satisfactorily
    - 46 - well
    - four - exceptionally
  - **legal judgments**
    - two - not at all
    - 25 - a little
    - 102 - satisfactorily
    - none - well
    - none - exceptionally
  - **research findings**
    - four - not at all
    - 27 - a little
    - 53 - satisfactorily
    - 38 - well
    - nine - exceptionally

## *Current professional development and/or training needs*

- Practitioners listed their current professional development and/or training needs. The most mentioned first, second and third priorities were:
  - IT skills
  - Working with children
  - Legal updates

## *Supervision*

- 114 practitioners had formal supervision.

## *Appraisal*

- 107 practitioners were the subject of a formal appraisal scheme
- of these, the last appraisals undertaken were 16 in 2001; 21 in 2002; 49 in 2003; 3 in 2004
- ratings of helpfulness of appraisals undertaken were:
  - 16 - not at all
  - 19 - a little
  - 34 - satisfactorily
  - 25 - well
  - three - exceptionally
- 57 practitioners said that they had a personal development plan.

## *Methodology*

- The inspection of CAFCASS regarding training and quality assurance for service delivery was conducted by a team of seven Inspectors and an Inspection Assistant. CAFCASS was given six months' notice of the start of the main fieldwork and of the topics to be inspected. CAFCASS Headquarters, the East Midlands and South East regions provided the inspection team with documentary evidence, together with their own analyses of performance in the main topic areas.
- The inspection team visited CAFCASS offices at Headquarters, Derby and Basingstoke.
- The inspection team carried out a series of structured interviews with the following persons:
  - senior management and staff at CAFCASS Headquarters
  - the Divisional Directors and other divisional staff with specialist responsibilities for the East Midlands and South East regions
  - the Regional Directors, a selection of service managers and frontline practitioners and other regional staff with specialist responsibilities for the East Midlands and South East regions.
- The inspection team carried out one-to-one discussions with service managers based on the supervision and appraisal notes relating to their team.
- The inspection team carried out one-to-one discussions with a range of practitioners based on their last completed case.
- Practitioners in the South East and East Midlands regions completed a MCSI questionnaire covering their professional development and training, as well as monitoring and appraisal issues.
- MCSI reports do not normally record the views of identifiable individuals.

CAFCASS has seen this report in draft form. Any comments on factual inaccuracies have been taken into account in this final version.

# MCSI Recommendations and CAFCASS action plan

## 1 MCSI recommendation – Welfare of Children

*In order to be able to assure itself that it is delivering a service which safeguards children and promotes their welfare, CAFCASS Headquarters should:*

- *adopt and implement a comprehensive quality assurance framework for practice and service delivery*
- *pending the implementation of the comprehensive quality assurance framework, adopt and implement urgently an interim supervision policy.*

### CAFCASS response

CAFCASS will:

- implement a quality assurance framework, which ensures compliance with Service Standards by April 2005
- incorporate quality standards based on stakeholder in-put, best practice and benchmarking activity by April 2006
- complete consultation on the CAFCASS supervision policy and implement from October 2004.

**Overall improvement target:** Implement and operate baseline Quality Control and Performance Management systems to ensure that all reports comply with Service Standards.

**By dates:** 1 April 2005

**2 MCSI recommendation – Welfare of Children**

***In order to help ensure that children are protected, CAFCASS should arrange for all practitioners to be trained in the CAFCASS Child Protection Policy.***

**CAFCASS response**

CAFCASS will ensure that all staff who have casework responsibilities receive training and casework tools necessary to support the implementation of the child protection procedures.

**Overall improvement target:** Staff trained in order to deliver CAFCASS child protection policy and procedures.

**By date:** Completion by October 2004

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