



2021-22

Annual Report and Accounts

An executive non-departmental
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HC 753



Children and Family Court Advisory and Support Service

2021-22 Annual Report and Accounts

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12(3) of Schedule 2 to the Criminal Justice and
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SECTION 1

Introduction and overview



Foreword from Chief Executive and Chair of the Board

At the end of a second year of the global pandemic associated with Covid-19, Cafcass continues to provide an invaluable and unique service to children and young people in family proceedings, representing their individual wishes and feelings, protecting them, promoting their welfare and reassuring them they will be listened to at uncertain and sometimes frightening periods in their young lives. We are privileged to present our annual report for 2021-22 and are proud of our achievements and the improvements we have made over the last year for nearly 150,000 children and their families. We remain however profoundly aware that the impact of Covid-19, on them, on our committed staff and everyone who works in the family justice system is no less significant.

We introduced our report last year with a tribute to the children whose lives across the world had been forever affected by the pandemic – whether that was in their families, their schooling, their relationships with friends or their physical, mental and emotional health. Having lived and worked through another turbulent year with continued disruptions, new Covid variants and lockdown restrictions, it comes as no surprise that the

impacts of the pandemic are now crystalising and we can be certain many of them are long lasting.

Sadly, but predictably, our most vulnerable children have been affected disproportionately by the increased rates of mental ill health, loneliness and anxiety. Children with special educational needs and/or a disability found themselves living with increased stress and worry and children living with social and economic deprivation across the UK also experienced poorer mental health and wellbeing than those with more advantage.

Children in public law proceedings are vulnerable by virtue of their social and family circumstances and the harm or risk of harm they have experienced. Children in private law proceedings are also vulnerable by virtue of the conflict and disruption in the arrangements about where they live and with whom they spend time. Many have experienced and are victims of domestic abuse. We have heard from young people with lived experience of the family justice system that the delays in decision-making for them about their futures are creating additional harm for many and stressful uncertainty for them all. A large part of this report sets out in some detail the significant and continued impact of the pandemic on our family justice system and on the work of Cafcass in particular.

We have much to be proud of from the most recent and challenging 12 months. After the Ofsted

focused visit in April 2021 found a sustained and improved focus on children, including holding them at the centre of our practice and “a passionate culture centred around doing the right thing for children”, we have committed to and are continuing to make a wide range of practice improvements to provide children and families with effective help and support from us in every child’s case.

We launched our new strengths-based and collaborative practice framework (Together with children and families) and we continue to respond to the Ministry of Justice Expert Panel’s report on Harm in the Family Courts through the work of our externally chaired Learning and Improvement Board. We implemented new initiatives to gain ever greater feedback and insight from those who use our services, launching our Family Forum, a review of our complaints system and, importantly, embedding the voice of the Family Justice Young People’s Board in all our work. We are both incredibly grateful for their commitment, courage and willingness to challenge our leaders and staff as we take forward the key programmes of work in our National Improvement Plan.

If we think back to April 2021, Cafcass staff needed to support children in 26% more cases in family proceedings than before the pandemic in March 2020. That represented an increase of around 13,000 individual children, taking us to

38,185 open active children's cases, the highest in Cafcass' history.

In order to manage these pressures, every single person working at Cafcass has had to reach above and beyond to advise and support the children, their families and carers who need our help. We honour their commitment, hard work and achievements here in this introduction to the report. It has been unrelenting and yet with every enduring challenge, they have been able to find and implement a solution to prioritise seeing, listening to, protecting and promoting the welfare of each and every child.

Together with our partners across the family justice system, to whom we also pay tribute for their continued collaboration and support, we have continued to process applications, hear and conclude proceedings. In the reporting year, the volume of proceedings that have closed has steadily risen and we are confident through our audit and oversight of practice, that the quality and effectiveness of our work with children and families has not been compromised, despite it being the case that by June 2022, we were still supporting nearly 7,000 additional children when compared to the start of the pandemic. For those children, it is of national concern that their proceedings will now typically endure for in excess of 47 weeks in public law and 57 weeks in private law if there is work beyond the first hearing.

The pressures are set to persist through 2022 and beyond. We remain focused on reducing the high numbers of children's cases for many family court advisers, restoring management capacity and ensuring we can attract and retain professional social workers in a period of increased staff turnover. We are grateful to the Ministry of Justice for additional in-year funding which has enabled us to retain the staff recruited to support the increased number of children and therefore stabilise the caseloads of our family court advisers and prioritise our programme of continuous improvement. Whilst the vast majority of our people say Cafcass is a great place to work, they also say that we need to find solutions to improve their work/life balance, help them to increase time for professional development and manage the erosion in the value of their pay. The stability of our workforce, as we compete directly for scarce and experienced social workers, will depend in the year ahead on our critical ability to offer all the benefits and opportunities we are able to and that make manifest our recognition of the skills, the commitment, the hard work and achievements of our people who improve the lives of so many children every day.

Looking ahead to 2022-23, we will continue to deliver on our improvement plans as we learn more from feedback and our quality assurance work. We will continue to be actively engaged in

the reform of public and private law through the President's working groups and the national Family Justice Board.

We will nurture the strong partnerships built across the family justice system during the pandemic to focus our collective efforts on steady recovery, listening to and learning from those we support and pursuing our ambition to offer all who come to us for help an exceptional and positive experience. On behalf of the Cafcass Board, our senior team and all our staff, we commit wholeheartedly to playing our part in improving the lives of the children and adults we are privileged to meet during family proceedings.

Thank you for taking the time to read this report.



Jacky Tiotto
Cafcass Chief Executive



Jacky Tiotto
Chief Executive



Sally Cheshire CBE
Cafcass Chair



Sally Cheshire CBE
Board Chair

Foreword from the Family Justice Young People's Board

The Family Justice Young People's board (FJYPB) works to promote the voices of children and to ensure that policy and practice across the family justice system are in the best interests of children and young people. We are really proud and fortunate to be supported and sponsored by Cafcass. Without them, we could not have published our book this year; *In Our Shoes*. Our first publication is a compilation of 35 FJYPB member accounts, setting out their experiences of proceedings, supported by advice for professionals about what it is important for them to consider when they work alongside children and young people.

Children's voices, represented by the FJYPB, are very much embedded into every aspect of Cafcass and we are in the unique position of being able to work across the whole organisation. We support all departments, including the Cafcass Board, with exciting new projects or reviewing practice and strategic priorities. We are invited to challenge ideas and to review progress made. We are welcomed into teams who listen with intent and embrace the opportunity of working with us.

Our priorities for 2021-22 included a commitment to create two new national charters; one focused on domestic abuse and the other on equality, diversity and inclusion. Both of these set out the aspirations we have of professionals working in the family court including all Cafcass staff.

Our Voice of the Child webinars held in October 2021 were focused on language and communication, and how professionals can best communicate with children and young people. This focus has also been carried on through our 'Word Busting' project, working alongside Cafcass staff to remove professional jargon used within the service. Another of our key highlights this year has been in the development of the subject access request process which has now been 'word busted' by the FJYPB and renamed 'My Cafcass Journey'. This redevelopment has been led by two FJYPB members who made a request to see their files and who fed back on their experience. They were instrumental in working within the team to develop a process that is more accessible to children and is easier for them to understand.

In the next year, we are excited to launch our very own website, host our Voice of the Child Conference in person, challenge the ongoing delays in the family courts and work with Cafcass to continue to promote the voice of the child in all the work they do.

Written by Imogen, FJYPB member

Imogen has lived experience of private law proceedings and been an active member of the FJYPB since 2018. She is a lead member linked with Cafcass and supports the work of Cafcass by representing the voice of the child in Cafcass strategy and policy development, attending board meetings and as part of the Learning and Development Board.

Our statutory responsibilities

Cafcass is the Children and Family Court Advisory and Support Service. We independently advise the family courts in England about what is safe for children and in their best interests.

We work with almost 150,000 children annually whose future is decided by the family courts by providing a service that prioritises their safety, their voices and their needs, taking into full account their families and those who are connected to them. We operate within the law set by Parliament (Criminal Justice and Court Services Act 2000) and under the rules and directions of the family courts. Our role is to:

- safeguard and promote the welfare of children
- give advice to the family courts
- make provision for children to be represented
- provide information, advice and support to children and their families.

We may be asked by the court to work with families in two main areas:

- **private law**, including arrangements for children after parents have divorced or separated. In these children's cases, a Cafcass social worker will be appointed by the court

to act as a family court adviser (FCA). Their job is to provide information to the court about what is needed for a safe decision to be made about arrangements for who the child lives and spends time with and what is in their best future interests.

- **public law**, including care applications where a local authority has serious concerns about the safety or welfare of a child. In these children's cases, a Cafcass social worker will be appointed by the court to act as a children's guardian. Their job is to work alongside the local authority to make sure that the plan for that child is in their best interests and will secure a safe outcome for them.

We are a non-departmental public body accountable to the Lord Chancellor, Secretary of State at the Ministry of Justice. We work to strategic objectives agreed by our sponsor department and contribute to wider government objectives relating to children. We also set our own strategic plan that describes what we are aiming to achieve, and we report on our progress in the performance section of this report. Our Chief Executive is supported by three directors and two deputy directors. Our Corporate Management Team (CMT) is accountable for the leadership of the organisation and is in turn accountable to the Cafcass Board. CMT is assisted by a range of internal boards and groups. For more information

about our organisational structure please see the accountability section of this report.

SECTION 2

Performance

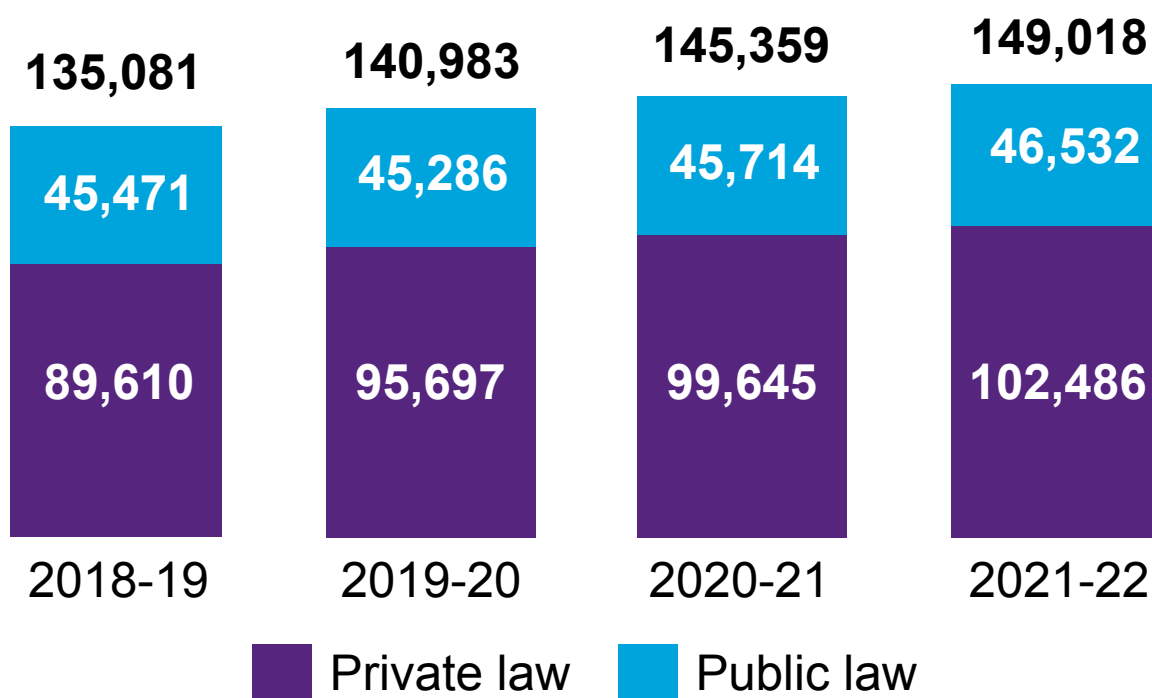


2.1

Our year in numbers

Between 1 April 2021 and 31 March 2022, we worked with a **total** of 149,018 children and young people. Approximately a third (46,532) of the children with whom we worked were in public law proceedings and two thirds (102,486) were in private law proceedings.

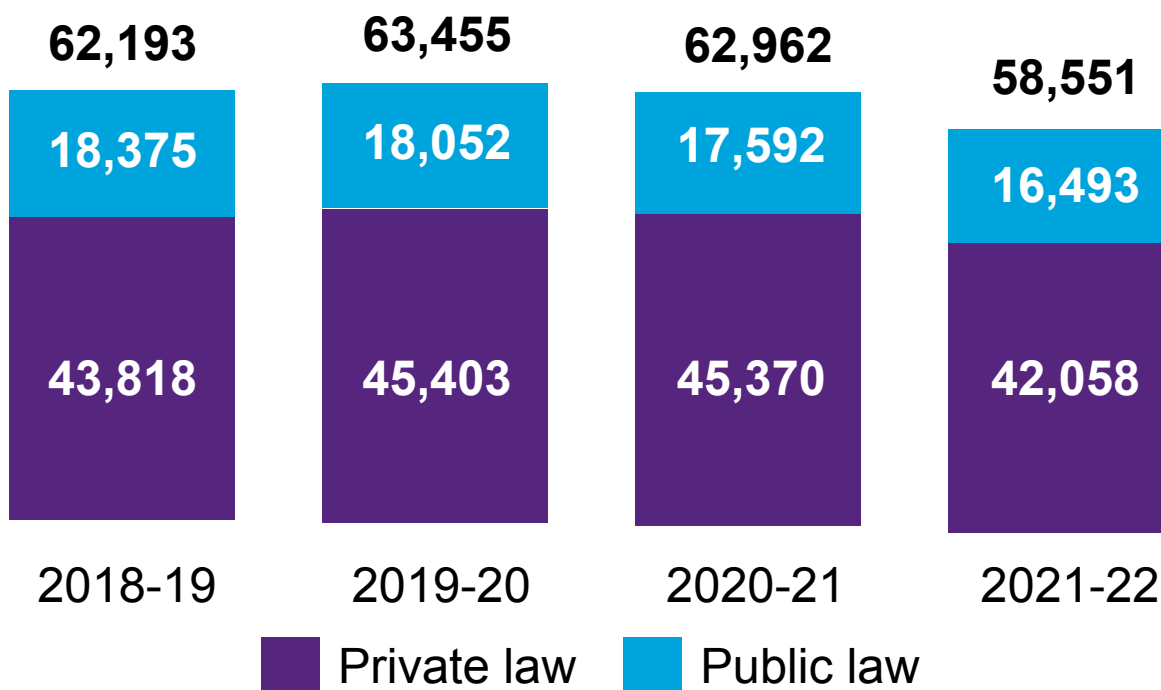
Figure 1: Total number of children with whom we worked, by year and type of proceedings



We worked on 16,493 **new** public law children's cases in this reporting year (1,099 children's cases fewer than the previous year) and 42,058 **new** private law children's cases, a total of 58,551 new children's cases in total. The overall demand in **new** children's cases was **7% lower overall** in 2021-22 compared to 2020-21 with reductions in

both public law (-6.2%) and private law (-7.3%), but the **total** number of children we worked with over the year increased by 3,659 children (+2.5%) on last year. This increase was attributable entirely to longer proceedings involving children and which became acute as a result of Covid-19 slowing the whole family justice system down.

Figure 2: Total number of new children’s cases, by year and type of proceedings

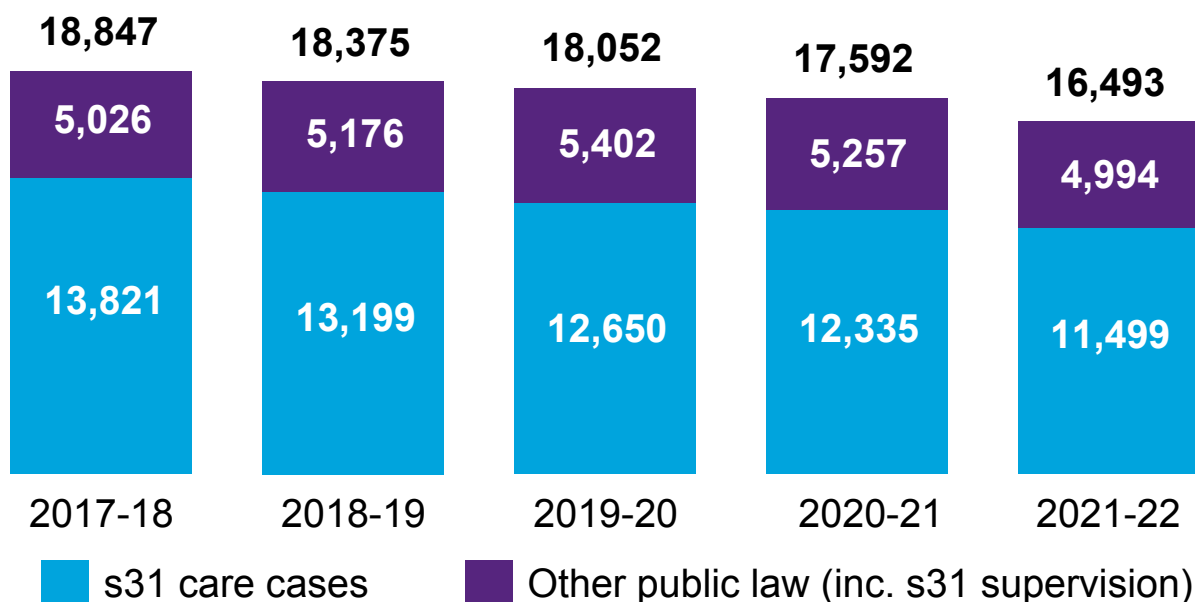


Our work with new children’s cases in public law

In the 12 months to 31 March 2022, Cafcass received 16,493 new public law children’s cases representing 25,588 children. The majority (11,499 children’s cases, 69.7%) of these were section 31 care proceedings, where the application seeks to place the child in the care of a designated local

authority with parental responsibility being shared by the parents and the local authority.

Figure 3: Breakdown of new section 31 care and other public law children’s cases, by year



New children’s cases may have several unique applications attached. As set out in Figure 4 below, the majority (11,499 or 69.7%) of these in the 2021-22 reporting year were for a care order under section 31 of the Children Act 1989 for the local authority to look after the child with a care order and to share parental responsibility with the birth parents. The other most common lead application types in public law were, discharge of care orders (1,613 or 9.8%) and supervision under section 31 of the Children Act (857 or 5.2%).

Figure 4: Breakdown of new public law children’s cases received in 2021-22, by lead application type

Lead application name	Total lead applications	Total children	% Total children’s cases
Care (s31)	11,499	18,597	69.7%
Discharge of care order (CA(s39(1)))	1,613	2,441	9.8%
Supervision (s31)	857	1,653	5.2%
Deprivation of liberty	465	465	2.8%
Adoption non-agency (Cafcass role as reporting officer)	337	337	2.0%
Other lead application types ¹	1,722	2,095	10.5%
Total public law	16,493	25,588	100%

1 The other category summarises the total new children’s cases and number of children for a further 67 lead application types that Cafcass may receive in public law.

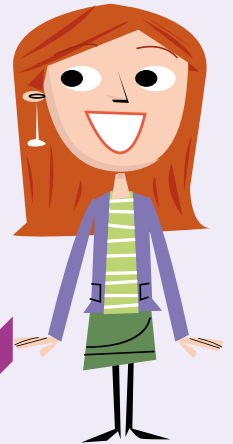


A child and family journey through public law

² Billy is 10 and lives with his mum and dad. The local authority has judged that Billy cannot be kept safe with his parents and have made a care application for him to be looked after by the local authority.

1
After receiving the care application, a Cafcass children's guardian is appointed. The children's guardian is an independent person who is there to help the court decide what is best for Billy.

2
Billy's guardian sends an introductory letter to him, explaining her role and asking Billy to think about his wishes, feelings, and what makes him unique.



4
The guardian finds out that a hearing is delayed. Billy's social worker and his guardian work together to make sure he understands the reasons for this.

3
The children's guardian reviews the local authority's work, speaks to Billy and meets with his parents and close family. It is the guardian's role to understand what is best for Billy and to ensure that his wishes and feelings are heard and taken into account. The local authority think that Billy could live with his grandparents.

5
His guardian talks to him via MS Teams. She also visits him at his grandparents' home to understand how their relationships are working out and whether they can look after Billy.

6
The court makes a final decision about what's best for Billy based on the information and evidence provided by the children's guardian and the local authority. The court thinks it is best for Billy to live with his grandma until a point where it might be safe for him to live with his parents again.

8
Billy's guardian sends him an outcome letter which explains to him the reasons why she decided to support the local authority plan for him to live with his grandparents.

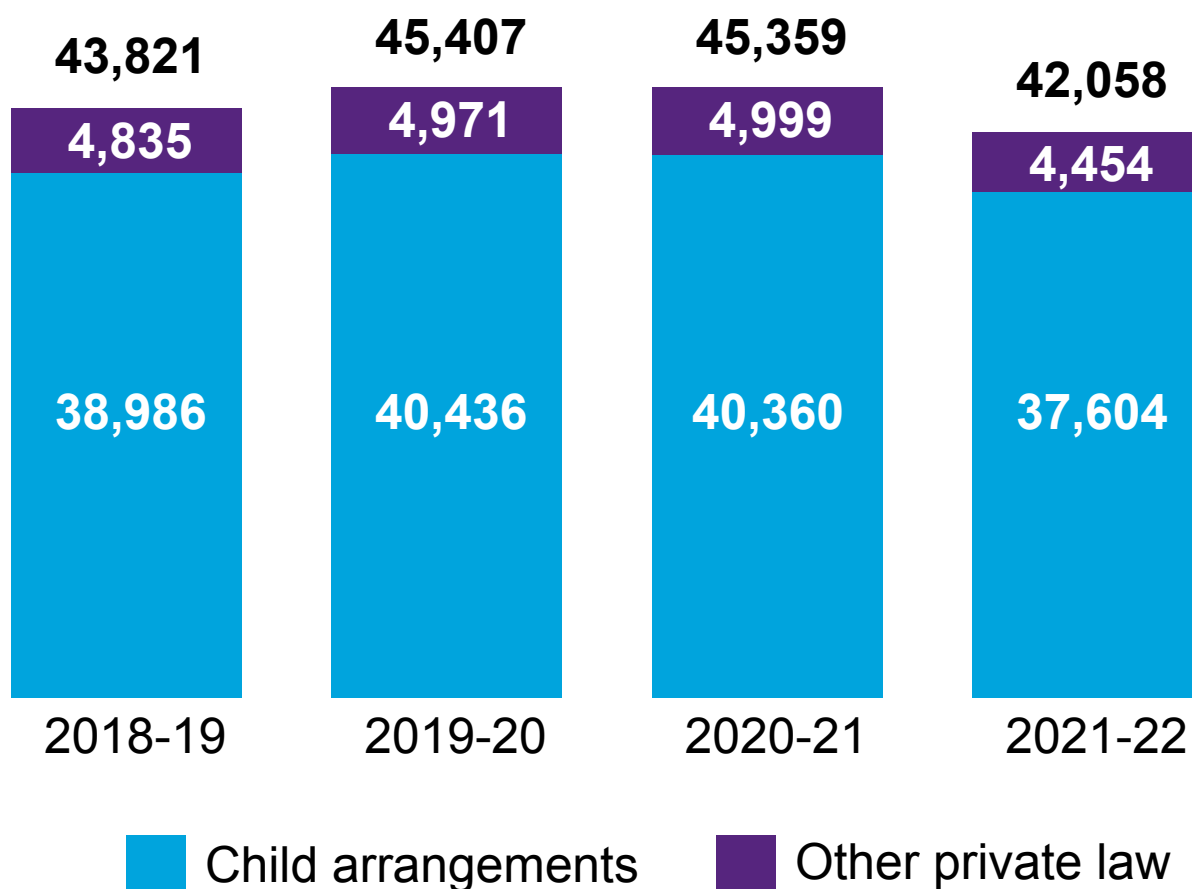
7
The court issues an order for Billy to live with his grandma and still be able to see his parents on a regular basis.

² The child's journeys contain elements that feature in our public and private law cases but are illustrative only and not based on one particular child or case.

Our work with new children's cases in private law

In the 12 months to March 2022, Cafcass received 42,058 new private law children's cases representing 62,324 children. Of these new children's cases, 37,604 (89.5%) had a lead application relating to child arrangements under section 8 of the Children Act 1989. The majority of these child arrangements cases (33,584, 79.9%) involved applications seeking to resolve who the child lives with or spends time with. A small proportion of child arrangements cases related to 'prohibited steps' such as preventing a parent from changing their child's school, or other 'specific issues' such as passport applications.

Figure 5: Breakdown of new child arrangements and other private law children’s cases by year



4,454 of the new private law children’s cases had a lead application for another private law matter. 844 (2%) related to the assignment of parental responsibility, mostly applications for ‘family and friends’ care through a special guardianship order, parental orders which transfer parental responsibility following surrogacy, or applications involving step-parents. A further 2,635 (6.5%) were seeking an order to enforce previous child arrangements order.

Figure 6: Breakdown of new private law children's cases received, by lead application type

Private law section 8 cases - child arrangements	Number of applications	Children on applications	% Total children's cases
Child arrangements order - live with	19,712	30,536	46.9%
Child arrangements order - spend time with	13,872	20,969	33.0%
Specific issue	2,729	3,780	6.5%
Prohibited steps	1,291	1,906	3.1%
Child arrangement totals	37,604	57,191	
Assignment of parental responsibility	Number of applications	Children on applications	%
Special guardianship (s14A)	363	488	0.9%
Parental order (s54 HF&E)	315	337	0.7%
Parental responsibility (s4)	166	190	0.4%
Parental responsibility totals	844	1,015	
Other lead applications types	Number of applications	Children on applications	%
Enforcement orders (C79)	2,635	3,948	6.3%
Other private law lead application types	975	1,170	2.3%
Total private law	42,058	63,324	100%

In private law proceedings, between April 2021 and March 2022, we received 22,249 requests for section 7 reports² (a 7.3% increase compared to 2020-21). In addition, we received 2,140 new rule 16.4 appointments (a 11% decrease compared to 2020-21), where a judge decides to make the child a party to the case and a Cafcass guardian is appointed to represent the child.

2 A private law section 7 report requires on average 25 hours for a family court adviser to prepare and a rule 16.4 report requires 50-60 hours.



A child and family journey through private law

Ben is 12 years old and lives with his mum. His dad has applied for a child arrangements order because he has not seen Ben since their separation three months ago. He has asked the court to make an order for Ben to spend alternate weekends with him because Ben has said to him that this is what he wants.

1 Ben's mum alleges that his dad was coercively controlling, for example becoming very angry if she went out, and that she is very concerned about the impact of this on Ben. But she also acknowledges that Ben misses his dad and that he does want to see him. Ben's dad denies he has been coercively controlling.

2 Having obtained police and local authority checks and spoken to both parents, Cafcass provides the court with an initial view (in the form of a safeguarding letter) on the risks for Ben and advises on what steps the court needs to take next. Cafcass advises that the court should hold a fact-finding hearing.

3 There is some delay arranging for the fact-finding hearing to take place by virtual means and it concludes that there is evidence from phone records and witnesses that Ben's dad has behaved in an intimidating way. Cafcass is ordered to prepare a report under section 7 so that Ben's views and his best interests can be explored.

4 The work undertaken by the family court adviser includes sending Ben a letter explaining what to expect and giving him some options about where he would like to meet. It also includes working with both his mum and dad to explore ways forward which are in Ben's best interests and which keep him as safe as possible. Ben's dad is reflective and able to acknowledge to Ben and his mum the impact of his behaviour.

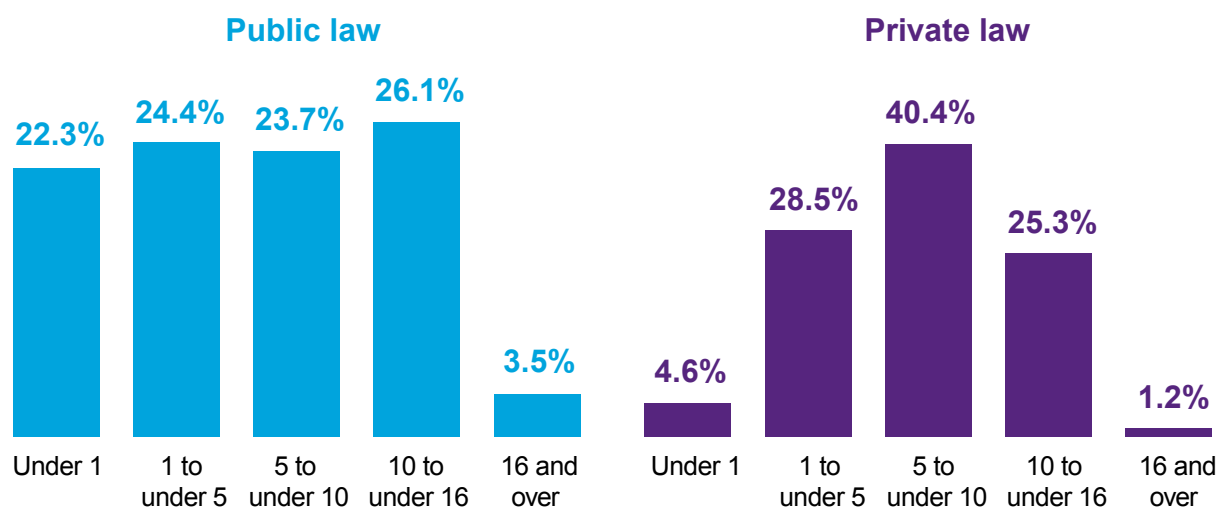
5 The plans proposed to the court included arrangements which reassured Ben's mum that careful thought had gone into respecting Ben's wishes whilst also keeping him safe.

6 Ben's mum provided some feedback -
"I appreciate your input, and really do hope that this will be the end of the court proceedings for us so that Ben can begin his school year with confidence. You will be glad to know that Ben has now had some input from a children's worker via the domestic abuse service. It was your conversation that enabled him to reconsider counselling from such a service."

The characteristics of the children with whom we worked this year

The age profiles of children and young people in public and private proceedings are different, and when compared to the age profile of all children in England. In general, children involved in public law proceedings are younger, with nearly half (46.7%) aged five years or under. More than one in five (22.3%) of children involved in public law proceedings are infants under the age of one year. This proportion is similar to last year and is substantially higher than in private law proceedings (4.6%) and in the wider population.

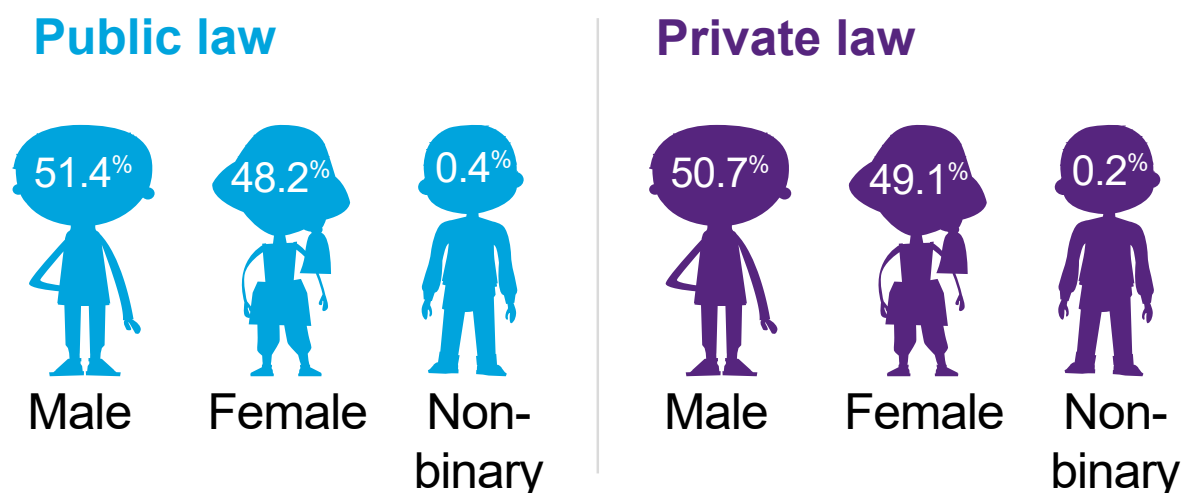
Figure 7: Age profile (in years) of all children with whom we worked in 2021-22, by type of proceedings



Children in both public and private law proceedings are slightly more likely to be boys than girls which is in line with the national population of children where the ratio of boys to girls is greater than 1:1 for ages up to 25. The children with whom we work

have the option to tell us if they prefer to identify as being gender neutral, non-binary, or transgender in addition to preferring not to say. 0.4% of children in public law and 0.2% of children in private law preferred to describe themselves in one of these ways. This is an increase on last year when the equivalent figures were 0.2% (public law) and 0.1% (private law).

Figure 8: Gender identity of all children with whom we worked in 2021-22, by type of proceedings



We have continued to improve the way we ask children about their heritage and how this is recorded and analysed as part of their child’s plan. As at 31 March 2022, known ethnicity was recorded for 96.4% of children in public law proceedings (compared to 93.8% in 2020-21); and 86.6% of children in private law proceedings (compared with 85.6% in 2020-21). Children without a record are likely to be those in newer proceedings with whom we have not yet undertaken direct work and this is why recording levels tend to be lower for children in private law.

Compared to the national population of children, children in overall family court proceedings are more likely to be of mixed/multiple ethnic background (10.6% compared with 5.2%) and less likely to be of White (67.2% compared with 78.5%) or Asian (6.1% compared with 10.0%) background.

In public law proceedings specifically, Black, African, Caribbean and Black British children are slightly over-represented compared to their incidence in the national population (5.4% compared with 5.0%), while children of mixed/multiple heritage are the most over-represented (11.3% compared with 5.2%). Asian children are under-represented in public law proceedings (3.9% compared to 10.0%).

In private law proceedings specifically, children of mixed/multiple heritage are the most over-represented compared to their incidence in the national population (10.2% compared to 5.2%) and White children are the most under-represented (63.7% compared to 78.5%). As with children in public law proceedings, Asian children are also under-represented in private law proceedings (7.1% compared to 10.0%).

More detailed analysis of the ethnicity of children in the family justice system has been undertaken by the Nuffield Family Justice Observatory using our data³.

Figure 9: Heritage of all children with whom we worked in 2021-22, by type of proceedings and compared to the national population of children

	Children in public law proceedings	Children in private law proceedings	All children worked with	National population comparison (ONS data based on all children)
Total children with whom we worked	46,532	102,486	149,018	
Known ethnicity total⁴	44,831 (96.4%)	88,718 (86.6%)	133,549 (89.6%)	
Asian/Asian British	1,797 (3.9%)	7,261 (7.1%)	9,058 (6.1%)	10.0%
Black, African, Caribbean or Black British	2,524 (5.4%)	4,367 (4.3%)	6,891 (4.6%)	5.0%
Mixed/multiple ethnic group	5,250 (11.3%)	10,481 (10.2%)	15,731 (10.6)	5.2%
White - all (British + other)	34,804 (74.8%)	65,262 (63.7%)	100,066 (67.2%)	78.5%
White - British	32,294 (69.4%)	60,171 (58.7%)	92,465 (62.1%)	
White - Other (inc Eastern European)	2,510 (5.4%)	5,091 (5.0%)	7,601 (5.1%)	
Arab	172 (0.4%)	538 (0.5%)	710 (0.5%)	

3 What do we know about ethnicity in the family justice system in England? - Nuffield Family Justice Observatory (nuffieldfjo.org.uk).

4 There are 22 ethnicity categories on Cafcass' case management system (ChildFirst) that are summarised within Figure 9.

	Children in public law proceedings	Children in private law proceedings	All children worked with	National population comparison (ONS data based on all children)
Other ethnic group	284 (0.6%)	809 (0.8%)	1,093 (0.7%)	1.3%
Where ethnicity is not known total	1,701 (3.6%)	13,768 (13.4%)	15,469 (10.4%)	
Prefer not to say	6 (0.0%)	167 (0.2%)	173 (0.1%)	
Not known (including no record)	1,695 (3.6%)	13,601 (13.2%)	15,296 (10.3%)	

We recorded whether or not the child has at least one long-standing health condition or disability for 119,689 (80.3%) out of a total of 149,018 children in 2021-22, a decrease in our recording compared to 2020-21 when we recorded this information for 88.3% of children. Of these 119,689 children, 12,201 (10.2%) had one condition or disability recorded and 1,592 (1.3%) had multiple conditions or disabilities recorded.

In comparison with national data collated by the Department for Education (DfE) on school-aged children with an Education, Health and Care Plan or Special Educational Need statement, recorded incidence of disability is much lower among the children with whom Cafcass worked (11.5% compared with 16.5% in the DfE data). This gap is narrower than last year when we recorded a longstanding health condition of disability for 8.1% of the children with whom we worked (compared with 15.9% in the national comparator) but we

know we have further work to do on asking about and recording this information.

We are focusing on the child's uniqueness, including disability, and how it affects their life and future as one of our practice improvement priorities. Scrutiny of recording is included in the spotlight report considered at the monthly meeting of the Operational Management Team and through a refresh of the capture of a child's needs in ChildFirst. As part of this work, we are in the process of improving the alignment of our recording categories with the Department for Education's Special Educational Needs in England school census. Although this school census is not an exact comparator, alignment will help us identify and take action to address areas where we may be under-recording – for example, children who may have additional needs relating to their social, emotional and mental health; or relating to speech, language and communications.

The child's uniqueness is also a key line of enquiry in case auditing.

Figure 10: Recording of longstanding health conditions or disability for children with whom we worked in 2021-22 (a child may have multiple recorded disabilities), by type of proceedings and compared to national data

	Children in public law proceedings	Children in private law proceedings	All children in proceedings	National comparison
Total children with whom we worked	46,532	102,486	149,018	
Percentage of children worked with for whom we have recorded information with respect to disability or condition (% of all children)	37,211 (80%)	82,478 (80.5%)	119,689 (80.3%)	9,000,031
Recorded condition(s)⁵ <i>(% of children with record)</i>	5,980 (16.1%)	9,814 (11.9%)	15,794 (13.2%)	16.5%
Autistic spectrum disorder	1,420 (3.8%)	3,624 (4.4%)	5,044 (4.2%)	12.30%
Hearing impairment	131 (0.4%)	264 (0.3%)	395 (0.3%)	1.50%
Moderate learning difficulty	1,354 (3.6%)	1,457 (1.8%)	2,811 (2.3%)	15.40%
Physical disability	161 (0.4%)	247 (0.3%)	408 (0.3%)	2.50%
Social emotional and mental health	694 (1.9%)	512 (0.6%)	1,206 (1.0%)	17.40%

5 There are 21 categories related to recorded conditions on Cafcass' case management system (ChildFirst) that are summarised within Figure 10. Children's records may show more than longstanding health condition or disability.

	Children in public law proceedings	Children in private law proceedings	All children in proceedings	National comparison
Speech, language and communications	266 (0.7%)	383 (0.5%)	649 (0.5%)	21.50%
Visual impairment	70 (0.2%)	132 (0.2%)	202 (0.2%)	0.90%
Other difficulty/disability	1,884 (5.1%)	3,195 (3.9%)	5,079 (4.2%)	3.60%
Record shows no longstanding condition or disability	33,106 (89.0%)	76,691 (93.0%)	109,797 (91.7%)	83.50%
Percentage of children worked with for whom we have no recorded information with respect to disability or condition	9,321 (20%)	20,008 (19.5%)	29,329 (19.7%)	

Continuing impact of Covid-19

This has been another extraordinary year in which we have continued to manage the impact of the pandemic. We are pleased to report that we have been able to stabilise our social work caseloads, albeit by activating our prioritisation protocol in some areas whereby the most urgent work has been prioritised for allocation. In all areas, the impact of stabilising the caseloads of family court advisers has placed significant strain on our management capacity. Managers have had to take on children's cases, manage allocations when family court advisers are away from work unwell or leave the organisation and induct new members of staff. Additionally, they have been managing significant practice change associated with strengthened quality assurance, the new practice framework and our improvement priorities. Taken together, this has compromised their capacity as managers and we have had to make choices about what to prioritise in order to keep work in proceedings active and filed with the courts.

Significant challenges remain across the family justice system with increased delays in proceedings and little prospect of a solution to reduce the additional volume of open active casework that, by March 2022, was 17.1% higher than we were supporting before the

pandemic (an additional 8,500 children in 5,172 children's cases)⁶.

The dedication and commitment of our people to continue to serve children and their families through the pressures of the last two years should be noted again here, as it was in our last annual report. The unrelenting pressure of high workloads, delayed proceedings and increased staff turnover has meant that everyone has continued to either undertake more work directly with children and families, to respond to complaints about delayed decisions, to manage the difficulties of less open provision to help families (for example in respect of domestic abuse perpetrator programmes) or to develop new arrangements to manage backlogs and the associated processes.

Throughout this second year of the pandemic, our Covid-19 Board has continued to monitor and find ways of reducing the pressures on our family court advisers. Where we have needed to make adjustments to enable the work to be completed, we have done so. Our real-time data has enabled us to oversee performance against our key indicators as well as against expectations to see and engage children early in proceedings, improve the frequency and approach to case auditing and tackle delay for children.

6 Comparison based on snapshot baseline taken in February 2020.

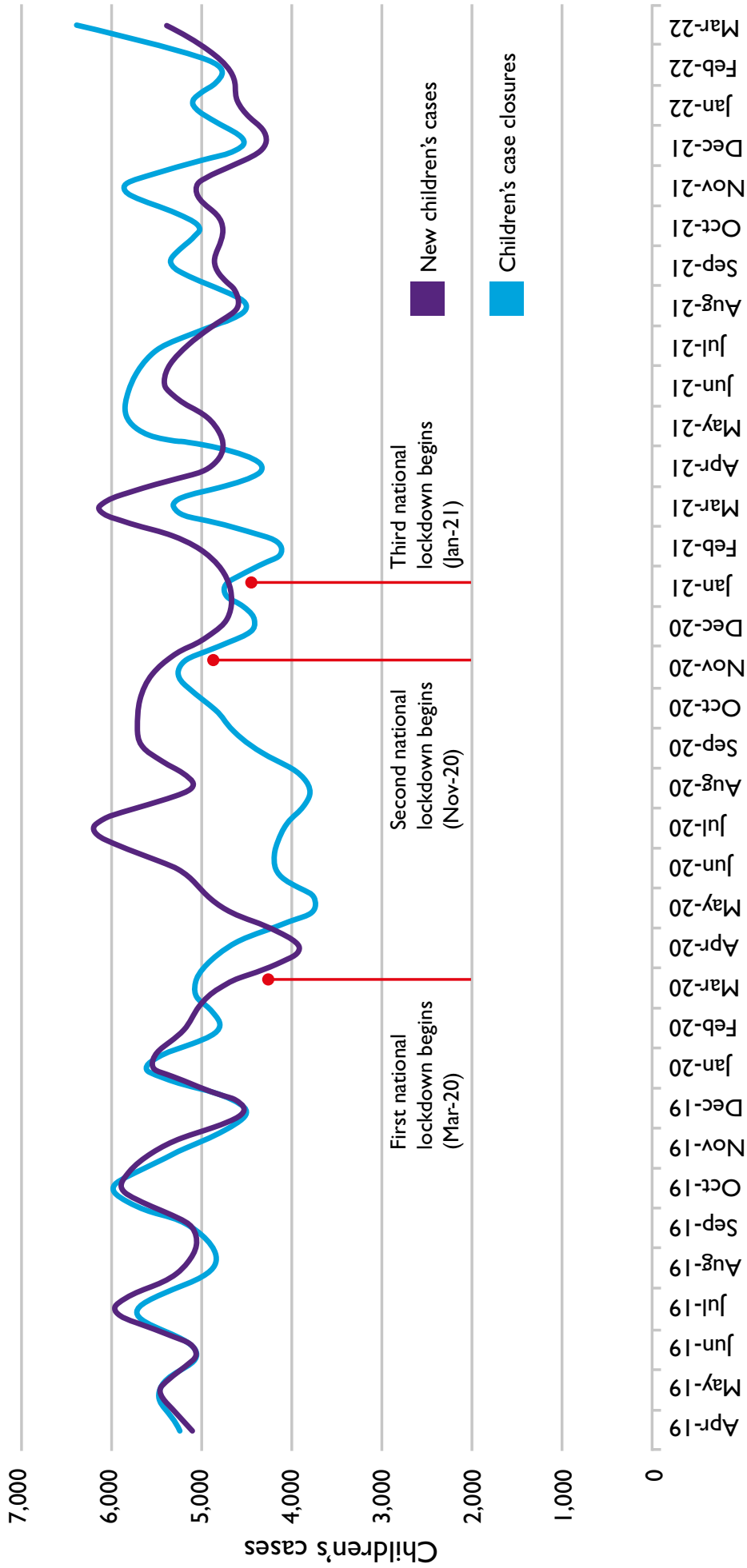
We continue in our emerging recovery programme to monitor demand, the effectiveness of practice, staffing capacity, turnover and feedback from families and children in our fortnightly meetings.

Impact on total demand, open work and duration of proceedings

In the year 2021-22, Cafcass helped 149,018 children in total, an increase of 2.5% (3,659 children) on the previous year. This is despite generally reduced demand in the last year (a reduction of 7% in new children's cases) and volatile demand during the previous year.

As shown in Figure 11, there was a persistent lower throughput (the number of children's cases coming to an end expressed as a percentage of new children's cases coming in, with a value of less than 100% meaning children's cases are opening faster than they are closing) of work in the family courts in the first year of the pandemic.

Figure 11: Volumes of new children’s cases received, and children’s case closures, April 2019 – March 2022



In April 2021, the first month of the current reporting year, open active children's cases reached their peak at 38,185 (61,096 children), an increase of 26.2% (an additional c13,000 children, on 7,928 additional children's cases) compared with the pre-pandemic position⁷. Since then, increases in family justice system capacity (including record levels of judicial sitting days and additional Cafcass staff) have helped to improve throughput. Cafcass closed 62,577 children's cases in 2021-22, compared to 58,551 new children's cases received: a throughput of 106.9%.

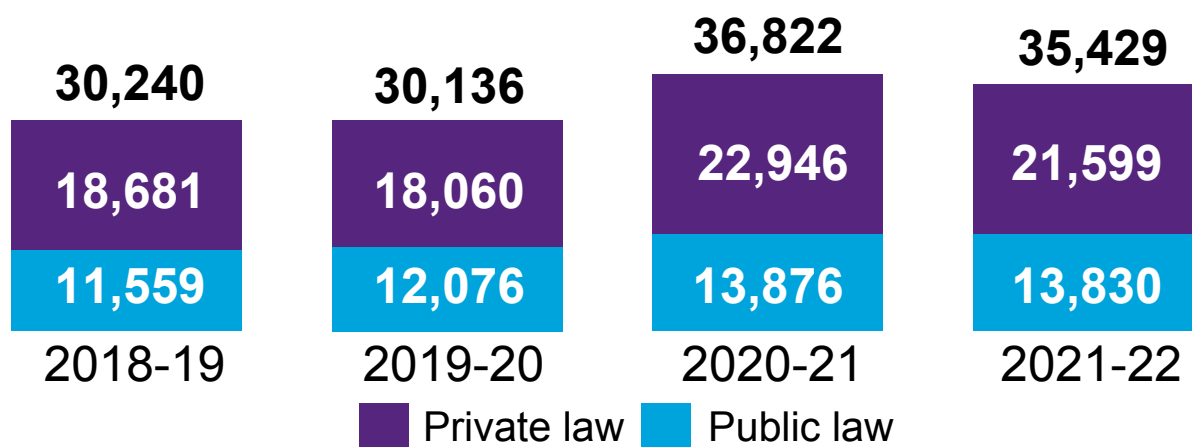
Despite improvements in throughput, at year end the organisation was managing the combined impact of increases in the volume of open active work and the average length of proceedings. The number of open active children's cases at the end of March 2022 was 35,429 (involving 56,924 children), an increase of 17.1% (approximately 8,500 children) compared to the pre-Covid baseline, and only a small decrease in children's cases compared to March 2021 (a reduction of 3.8%, equating to 1,393 children's cases and 1,991 children fewer).

The biggest increase in open active work was in private law children's cases. By 31 March 2022, the volume of open active private law children's cases was 21,599 (32,537 children), which

7 Comparison based on snapshot baseline taken 1 March 2020.

is 19.0% higher than the pre-Covid baseline. By the same date, the number of open active public law children’s cases was 13,830 (24,387 children), which is 14.2% higher compared to the pre-Covid baseline.

Figure 12: Number of open active children’s cases at year end, by type of proceedings, March 2019 – March 2022



In addition to the increase of the volume of children and families open to us, there has been additional work required within most children’s cases. For example, on average, each public law children’s case had 7.1 hearings in 2021-22, compared to 6.7 hearings in 2020-21, and 6.1 pre-Covid. In private law, we continue to see increases in the number of section 7 reports, including addendum reports ordered from us. Addendum reports are often ordered so that the court can receive updated information in situations where there is a delay between Cafcass filing its report and when the hearing can be listed. In some areas, our filing times increased due to the volume of open

work in many children's cases to help ensure the report is filed nearer to the hearing. This is so that children's experiences and our recommendations remain accurately reported to the court. Cafcass filing times for section 7 (including addendum) reports in private law were 13.9 weeks in March 2022 compared to 11.8 weeks in March 2021, an increase of 2.1 weeks.

The rate of children's case closures and concluded proceedings at year end was not high enough to bring down the backlog of work built up through the pandemic. Further targeted action, both internally and in the family justice system is now needed to address this issue. In the meantime, whilst we continue to prioritise caseload reductions for family court advisers, the impact of so doing is that we place a strain on our management capacity, particularly that of practice supervisors who hold caseloads higher than is manageable if they are to offer the support and help to practitioners in the way we expect. In the year ahead, this is a priority for the organisation to resolve despite the absence of a national solution to reduce the total number of open active children's cases.

The length of time for proceedings to conclude also continues to increase significantly for children, carers and their families. The average duration for section 31 care and supervision applications was 47 weeks by the end of quarter 4 (Jan – March 2021-22), an increase of 11 weeks in comparison

to the end of the same period in 2019-20 (pre-Covid baseline). One fifth (20.3%) of section 31 applications are now completed within 26 weeks; compared to just over a third (34.3%) at the start of the pandemic in March 2020.

By the last quarter of the year (January-March 2022), the average duration of completed private law children's cases in which Cafcass was involved after the first hearing was 57 weeks. This is an increase of 15 weeks compared to January-March 2020. Of greater concern is the duration of private law children's cases involving a rule 16.4 appointment, where the court makes the child a party to the proceedings and appoints a Cafcass guardian to represent them. By the end of March 2022, these children's cases were taking on average 99 weeks to complete (an increase of 26 weeks compared to pre-pandemic durations)⁸.

Impact on frontline practice

We continued our intention this year to reduce the number of children's cases held by family court advisers. By March 2022, our targeted recruitment and retention activity had enabled us to increase the number of employed social workers and social

⁸ Q3 2021-22 compared to Q4 2019-20 (pre-Covid).

work managers by 167⁹ (142 full time equivalent). On 31 March 2022, there were 55 locums, in comparison to 33 in position in March 2020 (an increase of 22). This is inclusive of one locum head of practice and one locum service manager.

The total number of agency social workers has reduced by 57 from 112 on 31 March 2021.

In addition, we took the decision both to hold more children's cases on duty with service managers and practice supervisors and to formally allocate to practice supervisors so we could maintain the reduced caseloads for FCAs. The combined impact of these measures has been a reduction in the average number of children's cases held by FCAs after the work undertaken by our first hearing teams.

By the end of the reporting year, the average number of children's cases held by FCAs in long term teams (those responsible for public law work and private law work beyond the first hearing) was 21.9 and for the early intervention team (private law teams involved up to the first hearing) it was 42.9 children's cases. The equivalent figures for March 2021 were 22.5 for long term teams and

9 The additional 167 staff include an increase in 15 service managers, 36 practice supervisors, 90 FCAs and 28 bank or sessional FCAs. In the period there was a decrease in the number of employed heads of practice by two.

40.9 for the early intervention team^{10[1]}. Expressed another way, 27.1% of our family court advisers had an active caseload above the reduced target of 25 in long term teams and 40 in the early intervention teams. These are the caseload levels we established last year. They are intended to reverse the relentless increase in the number of children's cases held by FCAs which risked compromising the effectiveness of practice and the well-being of operational staff.

While, for FCAs in longer term teams, this represents a significant improvement on the position at the height of the pandemic, there remain individual, service area and regional variations. Caseloads for many FCAs and teams remain too high, and this makes it more difficult for them to make the time that is needed for highly effective relationship-based practice. This is why we continue to prioritise further caseload reductions, to restore management capacity and to make difficult decisions about how much improvement is possible in some areas. We are working to address specific issues in our early intervention teams who undertake work with families before the first hearing and whose caseloads have not been restored to pre-pandemic levels. The proportion of FCAs holding children's cases above the agreed level at the end of the

10 Active average caseloads are adjusted for FTE.

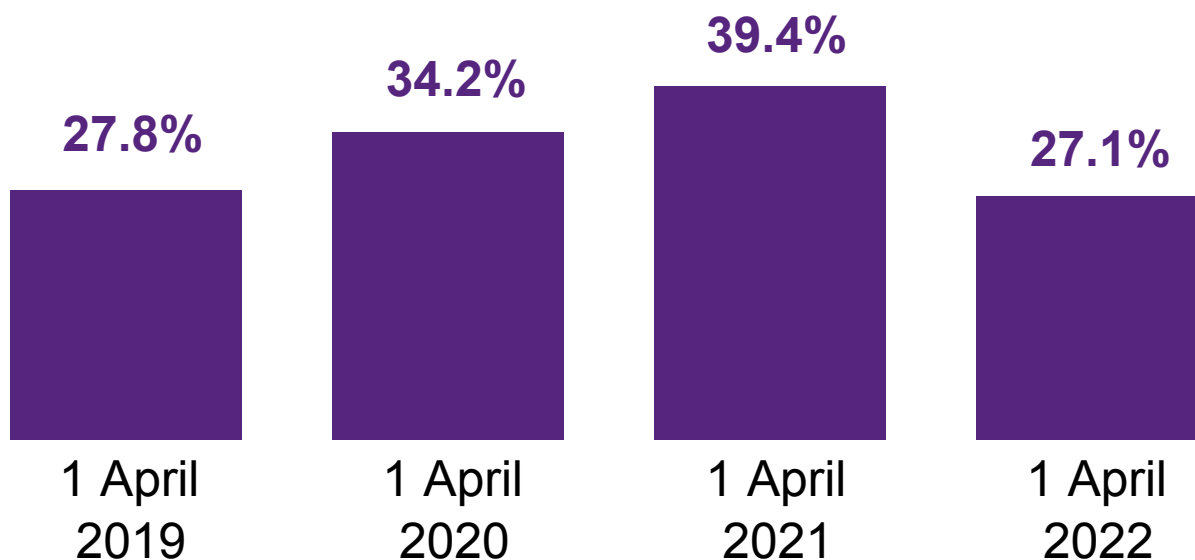
2021-22 reporting year and each of the previous three years is set out in Figure 13 below.

The measures we are taking to further reduce the numbers of children's cases held by FCAs include: working with local judiciary to reduce demand for reports and particularly additional reports which also create further delays for children; removing children's cases from FCAs where the report is completed and filed with the court but the date of the final hearing is more than six weeks away; and re-apportioning resources to those service areas under most pressure.

Managers are also required to pay particular attention to reducing the number of children's cases held by the 330 FCAs holding more than 25 children's cases after the work undertaken by our first hearing teams. They do so through a combination of actions that include differentiated allocation decisions, ensuring timely case closure, removing those children's cases where the report is completed and filed and focused recruitment to known forthcoming vacancies.

Figure 13: Percentage of all family court advisers with active caseloads above thresholds, by year

**FCAs with active caseloads above thresholds
(adjusted for FTE) 2019 to 2022**



Impact on management oversight, supervision and quality assurance

The consequence of our decision to protect FCA caseloads meant that service manager and practice supervisor capacity was significantly compromised. The combination of demand pressures and capacity challenges has meant that many service managers have had to hold and oversee a significant number of duty cases, gathering and assessing new information until the child's case can be allocated or re-allocated. This function of increased oversight on individual children has also reduced their capacity to undertake case auditing, management oversight and supervision. There has also

been an operational need for service managers and practice supervisors to either retain cases (following promotion) or be allocated as 'lead' meaning they were the main social worker on those children's cases and presenting the case in court.

On average, Cafcass practice supervisors carried between 14–20 and service managers carried between 11–18 active children's cases (adjusted for FTE) throughout 2021-22 (although there was significant regional variation with some staff having higher caseloads). For practice supervisors on average over the year, 76.5% of these children's cases were lead allocated, this peaked at 85.6% but with targeted effort this reduced to 63.5% by the end of the year. In the same period, service managers at the peak, held 15.6% of cases as lead practitioners lead allocated, with a low of 8.0% by the end of the year (therefore ranging between 1.5 and 2.0 lead allocated children's cases throughout the period).

In June 2021, we made some temporary amendments to our expectations of service managers in respect of the quality assurance work they undertake which were subsequently confirmed in our Quality Assurance and Improvement (QAI) Framework in May 2022. The amendments enabled managers to give additional time and attention to the wellbeing of the people they supervise, and to facilitate collaborative

audits alongside the FCA and including feedback from children and families. Between April 2021 and March 2022 there were 1,068 family court advisers eligible for case file audits in accordance with our quality assurance framework. 5,677 case file audits were undertaken between during this period, which is an average of 5.3 per FCA against an expected average of 4.5 for the financial year taking into account the change in policy¹¹. In addition to these case file audits there were in excess of 3,000 thematic case file audits and 1,132 practice observations (a 12% increase on the previous 12 months). By the end of the reporting year, 90.9% of expected practice learning reviews had been undertaken, against a target of 80%. This was achieved by prioritising the importance of the reviews and to restore performance which had dipped to 76.6% in December 2021.

As reported in the Principal Social Worker's overview (section 2.5), the quality of practice as set out in national and local audits has improved overall. The national audit undertaken in July 2021 resulted in a higher proportion of practice graded 'good' and a lower proportion graded 'met' and 'requires improvement' than in the equivalent audit

¹¹ As an integral aspect of changes to our quality assurance programme, the number of case file audits completed per FCA changed in June 2021 from 2 per rolling quarter (8 in a 12-month period) to 1 per rolling quarter (4 in a 12-month period).

seven months earlier. In this audit, a key difference resulting in higher grades was that we could see the FCA's clear rationale and reasoning for the recommendations they made to the court.

Prioritisation

Our prioritisation protocol was a response to the impact of the pandemic on the family justice system, which saw a substantial increase in open active work driven by lower throughput and fewer case closures. For Cafcass, this meant a 26.2% increase in the number of children's cases (7,928 children's cases and around 13,000 children) at our peak in April 2021 compared to the pre-pandemic position, but without a commensurate increase in social workers at the time. In addition, the increasing duration of open children's cases was exacerbating the pressure with the need to provide additional reports and take account of changes in family circumstances.

Cafcass took action to protect family court adviser workloads, with the impact on senior practitioners (practice supervisors and service managers) described above in terms of them holding active children's cases and a five-fold increase in the duty allocation system.

The development of the protocol was our initial response to this situation so that we could:

- Protect allocation of public law and high-risk private law children's cases.
- Maintain manageable workloads for family court advisers.
- Restore capacity for management oversight and supervision.

When the protocol is activated in a Cafcass service area, Cafcass accepts the orders of the courts in the normal way and undertakes the usual risk assessment. However, in addition a decision is made on which cases are prioritised for allocation to a family court adviser to undertake an assessment, and which cases can be held in the regional 'allocation hub' with oversight by a practice supervisor.

By December 2021, six out of 19 Cafcass service areas had activated the protocol. These were:

- Birmingham, Stoke, Wolverhampton & Telford and Worcester courts – activated in July 2021
- Greater Manchester – activated in August 2021
- Coventry and Northampton – activated in October 2021
- South Yorkshire and The Humber – activated in November 2021
- West Yorkshire – activated in November 2021

- Essex, Suffolk and Norfolk – activated in December 2021.

Five additional service areas were considered for prioritisation but, in collaboration with the judiciary, our ways of working were adjusted to address capacity challenges and to prevent the need to establish an allocation hub (Hampshire/Isle of Wight & Dorset; Avon, Gloucestershire, Wiltshire & Thames Valley; Nottinghamshire & Derbyshire; Cheshire & Merseyside; and London Private Law).

West Yorkshire was on the pathway to deactivation by the end of the reporting year, and the other service areas are all developing exit plans with a view to deactivating prioritisation in 2022-23.

An early review of the first six months of implementation of the prioritisation protocol found the approach had met its primary objectives:

- protected allocation of public law and high-risk private law cases
- prevented further uncontrolled and unsafe increases in workloads for family court advisers
- restored capacity for management oversight and supervision, including of children's cases in the hubs and oversight of the quality and effectiveness of practice
- implemented consistently in accordance with the national service standards set out in the protocol

- established transparency and improved communications with children, families and courts in respect of the progress of their applications.

In addition, we identified the following additional learning which is now being taken forward as we develop a wider range of options, with prioritisation remaining a necessary last resort, for coping with the additional children's cases that are likely to remain a feature of the system pending implementation of reform. The approach embedded and encouraged:

- strengthened management oversight of unallocated cases – assessing new information regularly to ascertain any changed or increased risk of harm to children in those proceedings
- discussion, problem solving and joint measures with local courts and judges to reduce unnecessary demand; or to review ways of working in those areas still some way from prioritisation
- regular review of the data scorecard to assess capacity in a service area, which actively considers demand in the context of staffing capacity and the quality of practice;
- reassessment of the framework for distributing resources between regions and service areas.

Our experience and assessment of prioritisation and the operation of the allocation hubs has

resulted in the development of a sustainable approach to managing demand without unduly overwhelming family court advisers, practice supervisors and managers. It has protected the quality of practice, which would without doubt otherwise have been further compromised.

Impact on commissioned services

During 2021-22 Cafcass, on behalf of the Ministry of Justice (MoJ), continued to deliver court ordered support services for families in private law proceedings; namely the Separated Parents Information Programme (SPIP), the Improving Child and Family Arrangements service (ICFA) (replacing the Child Contact Intervention service), Domestic Abuse Perpetrator Programme (DAPP) and DNA paternity testing. These services, and especially DAPPs continued to be impacted by the pandemic and we provided the President of the Family Division and Designated Family Judges with regular updates on the availability of each of these services.

Separated Parents Information Programme

Between April 2021 and March 2022, 20,405 parents or carers completed a SPIP, a 26% increase on the previous year (16,160).

Our contracted providers delivered nearly all the four-hour, group-based Separated Parents Information Programmes (SPIPs) remotely,

with feedback from parents and providers remaining very positive. 97% of participants who gave feedback (16,289) said that they were more aware of how to manage conflict through effective communication.

The time between when a referral is made and a parent/carer attending a course was 18 working days. In September 2021, in agreement with the Ministry of Justice and the courts, we trialled making the programme available before the first hearing, provided that initial safeguarding checks did not identify circumstances, such as domestic abuse, that would make a referral inappropriate. Since the launch, 580 participants completed a SPIP ahead of their first hearing (2.5% of all SPIP referrals). The impact of this trial has been evaluated and is contributing to future plans to expand availability through FCA referrals, alongside the court orders.

A redesigned programme will be available from April 2023 to offer a stronger digital support element and post-support follow up calls with parents. The new content will have the potential to be accessed earlier by parents and carers and will focus on the needs of children and young people. It is being developed with the help of the Cafcass Family Forum and the Family Justice Young People's Board.

Improving Child and Family Arrangements

In May 2021, Child Contact Interventions (CCI) were replaced by a more flexible Improving Child and Family Arrangements service (ICFA). ICFA has been co-designed with children and families with the aim of helping families agree safe, beneficial, and sustainable 'spending time with arrangements' when they are finding it difficult to do so on their own.

Between May 2021 and the end of March 2022 the service has had 1,544 referrals. ICFA work, which is tailored to the needs of each family, takes place over a few weeks and in feedback from FCAs, 72% found that the service was contributing to the best outcomes for the children. We are seeking views from parents and children before and after the support has been offered. There is no previous comparable benchmark data but 57% of families accessing the service reported an improvement in communication once the intervention was completed. Half of all referred families think the service helped them to get closer to agreeing a parenting plan.

Domestic Abuse Perpetrator Programmes (DAPPs)

The provision of Domestic Abuse Perpetrator Programmes (DAPPs), which we commission on the MoJ's behalf, remained the service most severely impacted by the pandemic. Between April

2021 and March 2022, 533 referrals were made to providers, a significant increase from the previous twelve months but still only 59% of pre-pandemic referral levels.

By May 2021, 700 families were affected by delays because of the lack of available programmes, and we took action with MoJ and with the President of the Family Division. We updated our domestic abuse pathway in May 2021 to clarify the expectations for Cafcass practitioners assessing the impact of domestic abuse on arrangements for family time. In August 2021, we established a review hub to re-assess the strengths and risks in families and the options open for recommendations to court.

Cafcass actively contributed to a Ministry of Justice (MoJ) review of DAPPs, as recommended by the MoJ's Expert Panel on Harm in the Family Courts, which concluded that a system wide re-design of domestic abuse assessment and support services would be required to meet the needs of a wider range of families in family court proceedings. The effects of the pandemic – still critical in the 2021-22 operational year – included delays to developing an alternative design and model of delivery for perpetrator interventions, further erosion of provider capacity to deliver face-to-face programmes (much of which did not and has not reopened) and increased delay for children waiting for decisions about safe family time. In

addition, there was no facility under procurement rules for Cafcass to further extend existing contracts, having already exhausted the flexibilities allowable during Covid-19. In this context and following careful consideration about the impact on children and their families, we were unable to continue to commission the DAPP programme on behalf of MoJ. The rationale was accepted by MoJ who are now working to develop interim arrangements, including a potential new family support offer and referral mechanisms, ahead of a full recommissioning process for a new model of delivery.

We made sure our practitioners and the courts were clear on the work that was needed to provide all waiting families with a referral to the remaining programmes (where this was still recommended as in the child's best interests). We also clarified what the courts could expect from Cafcass assessments in the interim, namely:

- **clear and well-reasoned decision-making**, with clear rationales in respect of family time
- **a clear account setting out the child's view and experience**, and very specifically their wish for contact or not
- **a recommendation informed by safety planning** involving the child, parents and carers

- clarity in respect of the **actual harm that has** occurred and a clear analysis of the risks in relation to family time

DNA Testing

DNA Legal, our contracted provider, has received an average of 26 referrals per month (compared to 21 per month in 2020-21). The contract for the service runs out at the end of November 2022 and is being re-tendered during June 2022.

Maintaining our service to children and families through corporate and business services

Minimising the impact of the pandemic on the services we provide to children and families has continued to be a priority over the last 12 months. Close working with partner agencies such as HMCTS and the judiciary has been essential. We have built on the productive work from the first pandemic year to ensure that we have been able to process applications effectively.

We have maintained the safe arrangements for the use of Cafcass offices for seeing children and families and for those colleagues who cannot work from home, or for whom some time in the office is helpful for their wellbeing. Most of our non-public facing work has continued to be delivered remotely, and we have formalised our “How We Work” principles to give staff long-term assurances

and support for a more flexible approach to where our work is undertaken. Our continued scrutiny of the ways we work and maintenance of a high level of corporate and individual risk assessment have minimised the Covid-19 risk to staff, children and families.

We have balanced the need to keep staff safe and well alongside our statutory responsibility to safeguard and protect the welfare of children in proceedings. This includes consideration of children's health and safety and their preferences for in-person or remote meetings.

We have continued to ask staff to complete a risk assessment before each visit to see a child or family in person and ask that they use their professional judgement and record the rationale (especially for not visiting) clearly. In December 2021, we strengthened our guidance to require these risk assessments in response to the Omicron Covid variant and increased national restrictions.

At the end of the reporting year, all offices remained fully open for visits and staff to work, with Covid-19 secure arrangements in place and families able to attend the offices and a full range of toys available again for children's play.

Our guidance sets out clearly that visits to children in person are our preferred way of working and as set out in section 2.5 by the end of March 2022, this was the case for 77.8% of children with

the plan for child engagement recorded (97.8% of all children). FCAs can visit children in family homes and other settings where these are more appropriate. Where ordered and safe, we attend hearings in person.

Our Covid-19 programme board (now known as 'Recovery Board') continues to meet fortnightly to monitor the national situation and the 'business as usual' group (comprising silver command) meets weekly to review guidance and impact on staff and families. Between January and March 2022, an additional weekly contingency planning meeting of the Covid board took place to monitor the impact of Omicron on our operational and business service capacity.

The Cafcass National Business Centre (NBC) has been at the forefront of ensuring services have not only been maintained but improved over the last 12 months. Understanding the challenges and barriers for children and families accessing Cafcass services and support has been essential this year. We have improved how we enable contact with families, including text message reminders for appointments, introductory videos, new methods of collecting important information and reviewing how we first communicate with children and their families.

Our customer services teams continued to deliver high standards of support to children, families, and partners throughout the year. They offered support

to social work teams through the introduction of an early resolution service to resolve concerns from families at the earliest stage possible and through supporting the triage of complaints. The customer services teams have formed closer links with the FJYPB and continue to work collaboratively to develop new services in 2022 such as the 'Hear to Listen' children's dedicated feedback freephone line and the 'My Cafcass Journey' children's subject access request service.

Our corporate and business services functions continue to support and facilitate improvement of our practice operation. There is a strong leadership team prioritising the interface between the corporate centre and operational staff. This has become stronger over the past two years. The 'business as usual' leadership team is a vital support for our Covid-19 programme board, joining up feedback, data, workflow intelligence and solutions to enable our continued effectiveness.

Leadership

Our governance arrangements continue to be robust with a strong strategic and practice connection between our weekly Corporate Management Team meetings, weekly senior operational leaders' meetings and the monthly Operational Management Team.

Our Covid-19 Board (now Recovery Board) has been in place for two years. At the time of writing,

we have reduced to fortnightly meetings with a focus on decisions relating to:

- Demand pressures
- Domestic abuse
- Delays, including durations and timeliness of allocation by region
- Direct engagement with children in person
- Recruitment, retention, sickness absence and staff wellbeing, and implications for operational capacity
- The experiences of children and families
- Family justice system issues and partnership working
- Examples of innovation and best practice.

The corporate and operational senior team remained visible throughout the year, hosting live events every fortnight with weekly communications supported by a vlog from the Chief Executive or directors. Our corporate and business services leaders enable and facilitate our operational services. For the purposes of this annual report and assessing the effectiveness of leaders in managing the continued impact of Covid-19, there are some important successes to note.

Our new national Director of Operations, who joined in March 2021, has brought a strengthened focus to national improvement priorities, quality

assurance, the evidencing of impact on our work with children, their families and carers and critically in respect of Covid-19, the use of a balanced scorecard to influence decisions at our Covid-19 Board as to whether and when to activate the prioritisation protocol in a region. Service area and team meetings have been critical in maintaining connection and oversight with operational staff during the crisis and they continue to function well.

Under the leadership of the Director of Resources, we have been able to be explicit and accurate about our use of, and need for, additional resources to help us manage the impact of unprecedented open active work over the course of the last two years. This has resulted in the Ministry of Justice awarding us budget increases in both years to enable us to retain the growth of some 200 social workers (167 employed and 33 locum) and 22 corporate and business services staff. Our submission to Ministers on demand pressures setting out the impact and cost of managing the additional children in open active cases (between 6,500 and 13,000 over the period compared to pre-Covid levels) was a clear and transparent analysis of risk and the resource we needed to continue to provide services to children and families. It set out available options to government and the consequences of no action, supported by specific data.

Leaders in our data and analytics service have provided, and continue to provide, consistent and timely data in response to the impact of Covid-19. This has enabled us to understand and to foresee pressure points within Cafcass and also in the wider family justice system. Our two public law snapshots on the nature of delays to children in public law proceedings were examples of leaders in the analytics team being able to work collaboratively with local authorities and the judiciary at a time of great pressure in the system, to bring about a much-needed focus on the impact on children who have been waiting longest to have a permanent decision about their futures.

This work identified 19,919 children in proceedings (from the 137 local authorities who responded), of whom 1,825 were judged to be being severely impacted by delayed proceedings. In both snapshots, this drew a focus in local authorities and with the courts to specific children who required a hearing to be listed or the case to be managed. In 2022-23, will undertake our third snapshot to identify and understand the reasons for delay for the estimated 5,000 children who have been in public law proceedings lasting in excess of a year. Working with local authorities, with DfE and MoJ, we have secured ministerial support to prioritise delayed proceedings for children. We believe this is significant evidence of our strong system leadership in respect of the increased

vulnerability of children that the Covid-19 crisis has brought.

The Director of Strategy continued to take a major lead in both system-wide and Cafcass' own internal private law reform, supporting recovery as well as longer term change. In addition, her teams support the careful development of our prioritisation work and the negotiations with government in respect of the compromised delivery of the services we commission on their behalf: the domestic abuse perpetrator programmes (DAPPs), the separated parents' information programme (SPIPs) and the child contact initiatives. In the case of the DAPP programme, they have worked with our Principal Social Worker, focusing effort to mitigate the impact of the backlog in decision making on the lives of children.

Nationally, we continued our active leadership in respect of the pandemic, chairing the national recovery group to support our collaborative efforts to focus on the impact of a significant backlog of public and private proceedings in the family courts. Our regional judicial relationships have strengthened in the past year as we have needed to consider and activate prioritisation. In all regions we have worked more closely together to manage potential decisions about prioritisation and to assess the risks of not activating. Judicial feedback taken recently in respect of prioritisation and its impact is positive, though there has been obvious

concern about the delays for families waiting for final hearings and the length of time it takes for us to start our assessments. Cafcass has been praised for its communications with senior judges, legal advisers and local courts in most areas and there is good understanding about the reason for delay in lower priority private law cases.

Ofsted focused visit

Ofsted undertook a focused visit¹² to Cafcass in April 2021 as part of its new framework for Cafcass inspections published in March 2021. This inspection visit focused on our leadership and management and oversight of practice throughout the pandemic. There were detailed and extensive case audits to establish the effectiveness of practice, interviews with frontline practitioners and leaders and practice observations. Three regions were selected for particular focus in respect of the testing of our self-evaluation and knowledge of our strengths and areas for development. An assessment was also made in respect of our compliance with previous inspection recommendations.

During the visit, Ofsted sought to understand how we had maintained the quality of our practice and

12 Ofsted letter of findings available at www.cafcass.gov.uk/2021/06/07/ofsted-publishes-letter-of-findings-following-focused-visit-to-cafcass-against-new-inspection-framework/

the impact of our decision-making on children's lives in the context of Covid-19.

In June, Ofsted published its letter of findings which outlined the areas where we were considered to be performing well and the areas where improvement was recommended. We have incorporated all areas for improvement into our national improvement plan and our strategic delivery priorities.

Below are some highlights from the inspection visit:

Leaders at CEO and board member level have sustained and improved Cafcass' track record of placing children, their welfare and safety at the centre of their work across all teams nationally and locally. Underlying these principles is a closely aligned shared understanding and passionate culture centred around doing the 'right thing' for children. Leaders self-assess their services accurately and with a good level of reflection. This is supported by reliable live data and reinforced by knowing the unique complexity and challenges presented when working across a number of agencies and different departments during lockdown.

The senior judiciary, Ministry and justice representatives and local authority senior leaders reported on the 'excellent collaborative thinking', systems leadership and 'can do approach' portrayed by the Chief Executive Officer and senior leaders. A critical aspect of Cafcass mitigating the impact of Covid-19 has been a result of the proactive approach taken by Cafcass to work with partners to address the significant backlog of cases in the family court.

Cafcass makes strenuous efforts to contact and listen to the parties, to record their views and concerns in the period prior to the First Hearing Dispute Resolution Appointment (FHDRA), in private law. Most safeguarding letters that are prepared for the court are of a high quality. They are timely, proportionate and provide germane advice to the family court about next steps. Risks to children are analysed and informed by appropriate safeguarding checks with the police and other relevant professionals. Creative, child-centred recommendations align with initial risk analysis and are child focused.

Despite exceptional challenges due to Covid-19, the unprecedented increase in the volume of private law applications, and a surge in the number of section 7 reports ordered following the first hearing, most reports capture well the lived experiences of children.

Inspectors observed accomplished family court advisers patiently working with children at their own pace, helping them to understand what is happening so that children can tell their story and express their views and worries. Positive examples were seen of letters to the judge which helped children feel assured that their wishes were being heard and shared.

Focused conciliatory interviews by FCAs with parents are respectful, providing them with the time and opportunity to express their concerns and frustrations. Complex adult difficulties and conflict are understood, but do not eclipse a concerted focus on the best interests of children as the presiding determinant. FCAs are adept at forming finely balanced recommendations for the family court about where children should live and how contact with separated parents should be managed. Judges value Cafcass's significant contribution to helping parents reach these agreements.

Children at risk of significant harm in private law are swiftly identified and referred to local authority children's services.

The large majority of children's guardians' reports in public law are fair, balanced and authoritative. Significant harm thresholds are rigorously evaluated. Early and permanent separation decisions about children unable to safely live with their parents and family members are well evidenced and tested in children's guardian reports and analysis.

In the majority of cases, the importance and impact of children's cultural heritage and identity are closely considered in case analysis and case planning, but this is not yet consistent enough when children are from white British backgrounds. Senior leaders recognise this and have plans in place to improve the understanding and consistent reporting on children's unique and diverse needs.

Children's guardians are highly attuned to children's needs, family circumstances and emotional state. Increasingly, children are being seen face to face. Staff are extremely keen to safely resume direct work with children and families in person. Children's guardians use imaginative ways to capture and convey children's views powerfully and compellingly. Exemplary instances were observed of direct, face-to-face work with disabled children and also vulnerable adolescents in deprivation of liberty applications, resulting in proportionate recommendations to the court.

Cafcass' sponsorship of the Family Justice Young People's Board (FJYPB) ensures that they continue to play a pivotal role in developing and improving services on behalf of the MoJ, the judiciary, and HM Courts & Tribunals Service. An exceptionally impressive group of young people, they are passionate and committed to improving the experiences of children and young people who are subject to public and private law proceedings.

The FJYPB are highly influential in Cafcass; the members' advice and guidance are heard and acted on strategically and operationally. They have been instrumental in Cafcass' service development, for example in the creation of introductory letters to children at the start of proceedings, and later life letters at the conclusion to help children and young people better understand their rights and journey through court proceedings.

A comprehensive suite of formal and informal services ensure that individual staff are fully supported and able to continue to perform their work to the highest standard. Their well-being, in the context of the pandemic, is constantly considered and all benefit from continued access to a wide range of bespoke personal and professional opportunities. This support is strengthened by a coherent and inclusive learning and development programme.

Weekly blogs and live, visible leadership sessions with the Chief Executive are popular and accessible. Staff feel that they are consulted, listened to and can directly influence policy and practice locally. They clearly value working for Cafcass. The management infrastructure and culture of the organisation are practice focused and child centred. This has continued to be the priority during the pandemic.

Tailored, child-centred solutions are being implemented to manage the relentless high demand. Given these immense challenges, it is laudable that staff at all levels continue to provide effective, high-quality services. Leaders accept that more work is required to unify and improve the quality and consistent recording of supervision, management oversight and decisions across both public and private law cases.

Leaders recognise that absorbing the exponential and consistent rise in demand is not sustainable longer term. Throughout the pandemic, Cafcass' outward facing, proactive involvement with all stakeholders has forged effective and important alliances to drive much-needed development and reform.

“There is an imaginative, transparent and inclusive culture, devoid of blame and based on learning.”

**Ofsted Lead Inspector
22 April 2021**

Health and wellbeing of staff

Health and wellbeing continues to be a focus as part of our Organisational Development and People Strategy and as a response to the pandemic. Our ambition continues to be to build a positive organisational wellbeing culture with the goal of supporting colleagues to achieve high attendance and maximise their capabilities to make lasting and positive differences to the children and families with whom they work.

Our Employee Wellbeing Strategy outlines how we will help our workforce stay healthy and well over the next three years. There are five priority areas of wellbeing set out in Figure 14 below.

Figure 14: Our employee wellbeing priorities



Throughout the pandemic, we have prioritised our wellbeing offer which continues to include:

- Three annual wellbeing days supported by a health and wellbeing activity calendar and newsletter to help our staff repair and recuperate at times of such unrelenting pressure
- Living with long Covid webinars and support group to provide affected colleagues with the latest research, recommendations and available support

- A health and wellbeing self-assessment tool to provide colleagues with recognising areas of strength and potential improvement to promote their wellbeing, with development recommendations and signposting to internal and external support
- A ‘Stay Healthy, Stay Safe’ information campaign providing information on immunity and how to improve it as well as ways to reduce risks of developing chronic conditions
- Support for mental health including a range of engagement activities to mitigate the loss of mutual support from being in the office together, and dedicated sessions for social workers to offer an opportunity to reflect on the impact of emotions in practice and how to maintain high practice standards in this new context
- Supporting our people with enhancements to our employment policies including: extension of special leave arrangements particularly for childcare during national and local lockdowns; arrangements to reimburse the costs of hygiene supplies in support of business travel and appointments; a more flexible variety of means of transport when the virus surged to help minimise exposure for staff through public transport; and a fund to enable staff to purchase equipment to support more effective working from home.

Our key performance indicators

How we measure performance

Cafcass works to four key performance indicators (KPIs), which are set by our sponsor department, the Ministry of Justice. These cover our work with families in both public and private law proceedings. For each, we include two types of measure: a measure of the proportion of cases allocated to an FCA; and a timeliness measure. Allocation to an FCA is important because assessment work can only start with a child and family once an individual practitioner has been allocated (although some screening will have happened before that). We monitor timeliness because we recognise the impact that unnecessary delay has on children who need safe and stable outcomes as soon as possible.

For both public and private law, the allocation measure is the percentage of 'open' (ongoing) children's cases, taken as a snapshot at the end of each month, which have an allocated Cafcass practitioner: a children's guardian in public law (KPI

1); and an FCA in private law (KPI 3)¹³. Our target for both KPIs is for 97% to be allocated.

For public law, our timeliness measure is how quickly a Cafcass practitioner is allocated to a section 31 care case (KPI 2). For section 31 care applications, our target is for allocation within three working days, although in practice we usually need to allocate more quickly than this because the majority (around two thirds) are for first hearings taking place within seven working days.

For private law, our timeliness measure is based on the proportion of section 7 welfare reports filed by the date the court has set (KPI 4). Our target is for at least 97% of reports to be filed by the agreed date.

These headline performance indicators provide a limited view of our organisational performance, and the benchmarks for 'green' (on target) assessment reflect the critical level of performance needed to sustain our fundamental delivery objectives: allocating work to family court advisers and filing it on time with the courts. As set out in the earlier section, in response to the pandemic we introduced a more comprehensive set of monitoring indicators, including variation at

13 KPI 3, relating to the proportion of private law work allocated to an FCA, includes work allocated to a practice supervisor or service manager on duty.

regional level, which enable us to identify and respond to early warning signs that performance may become compromised. Many of these additional measures, have been reported in the section on the impact of Covid-19, but we have included additional information in relation to KPIs 2, 3 and 4 to further illustrate the pressures.

In addition, our assessment of the quality of our social work practice, and what we are doing to improve it, is set out in Section 2.5. Collectively, these indicators are reviewed fortnightly at our Recovery Board, and reported to and scrutinised by our Performance & Quality Committee and, through our Board to the Ministry of Justice. Further information about how we provide assurance on our quality of practice is provided in the Accountability Report.

Summary of performance against KPIs

2021-22 was another extraordinary year in which we continued to manage the impact of the pandemic. We achieved the expected standards in three out of four headline KPIs during the year, although additional indicators continue to show ongoing pressure in our work linked to the impact of Covid-19, in particular ongoing delays and higher case durations. KPI 4 (timeliness of private law as measured by the proportion of section 7 reports filed by the date set by the courts) dipped just below the target of 97%. The explanatory text

in Figures 15 and 16 shows how these pressures, and their impact on performance, vary across our service areas and the work we are doing to address this is explained in other sections of this performance report.

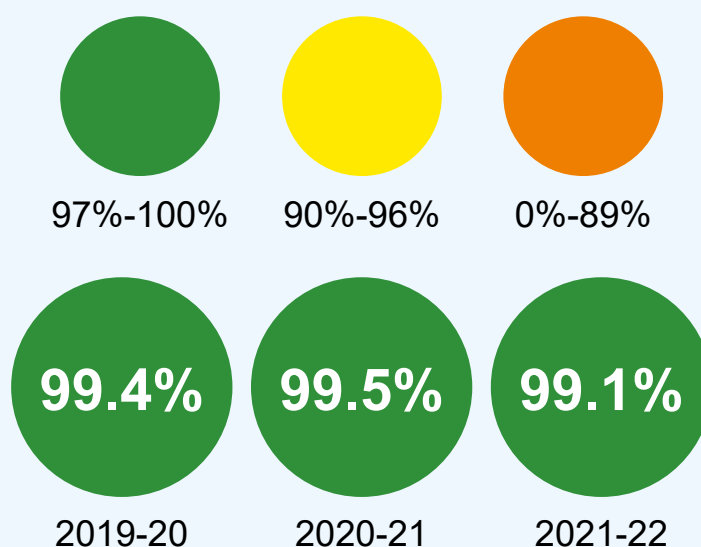
- KPI 1: Percentage of section 31 care cases allocated to a children's guardian – **99.1%**
- KPI 2: Working days to allocate a section 31 care case to a children's guardian – **1.8 days**
- KPI 3: Percentage of private law cases allocated to a family court adviser – **99.5%**
- KPI 4: Percentage of private law section 7 reports filed by the agreed date – **96.9%**

Our KPIs provide an assurance that Cafcass is operating at, or close to, its required minimum standards. However, taken on their own they do not fully convey the level of unprecedented pressure faced by the organisation and our staff throughout the pandemic and current recovery period. Each KPI is under substantial pressure and KPI 4, our private law timeliness measure, reported off target (in the amber range as per figure 15) for this financial year for the first time since it was implemented in 2012-13. The headline measures based on averages, mask variations in the experiences of some families. For example, although KPI 2 (working days to allocate a section 31 care to a children's guardian), was still within three days on average, 12.1% of children's cases

nationally were allocated outside of this timescale for 2021-22, with significant regional variation as a result of local pressures.

Figure 15: Performance against public law key performance indicators, 2019-20 to 2021-22

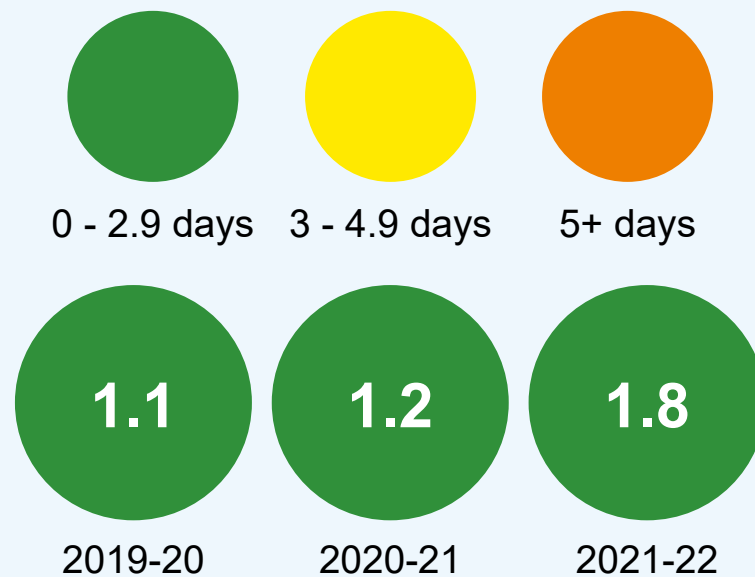
KPI 1: The proportion of open public law (s31 care) children's cases allocated to an appointed children's guardian



Performance on the proportion of open public law care workload allocated to an appointed children's guardian has reduced slightly to 99.1%.

All service areas met this target over the 2021-2 period with multiple areas recording over 99% for the full period. Cases that are not yet allocated are held on duty by a service manager. At the end of March 2022, a higher proportion of public law cases were held on duty at year end: 1.1% compared with 0.7%.

KPI 2: Working days to allocate a section 31 care case to a children's guardian



KPI 2 remains on target for s31 care cases allocated to a children's guardian within an average of three working days, although overall performance has dropped compared to last year, with the average number of working days increasing to 1.8 from 1.1 working days. Two service areas, South Yorkshire and Humberside (A4) and West Yorkshire (A5) fell short of the target in 2021-22. Both of these service areas activated the prioritisation protocol during the year, one of the important objectives being to ensure the timely allocation of section 31 care cases.

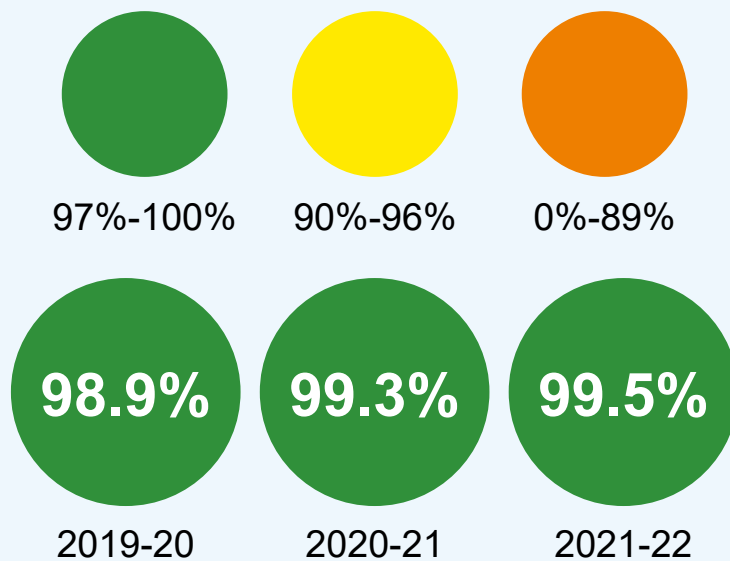
The overall percentage of cases allocated within three days in 2021-22 is 87.8% compared to 93.4% in 2020-21. The overall percentage for three service areas, Greater Manchester (A3), Coventry & Northampton (A13) and London Public Law (A15A) is below 80% in 2021-22. Two of these service areas Greater Manchester (A3), Coventry & Northampton (A13) activated the prioritisation protocol during the year.

This key performance indicator has been brought under the spotlight of the monthly Operational Management Team and is reviewed at the fortnightly Recovery Board. As a result of management oversight and corrective action, all 5 service areas have improved performance and were meeting the target by July 2022. Latest averages for Greater Manchester (A3) 3 days; South Yorkshire & Humberside (A4): 4 days; West Yorkshire (A5): 4.5 days; Coventry and Northampton (A13): 1.4 days; and London Public Law (A15A): 2 days.

Private law key performance indicators

Figure 16: Performance against private law key performance indicators, 2019-20 to 2021-22

KPI 3: The proportion of open private law children's cases allocated to a family court adviser



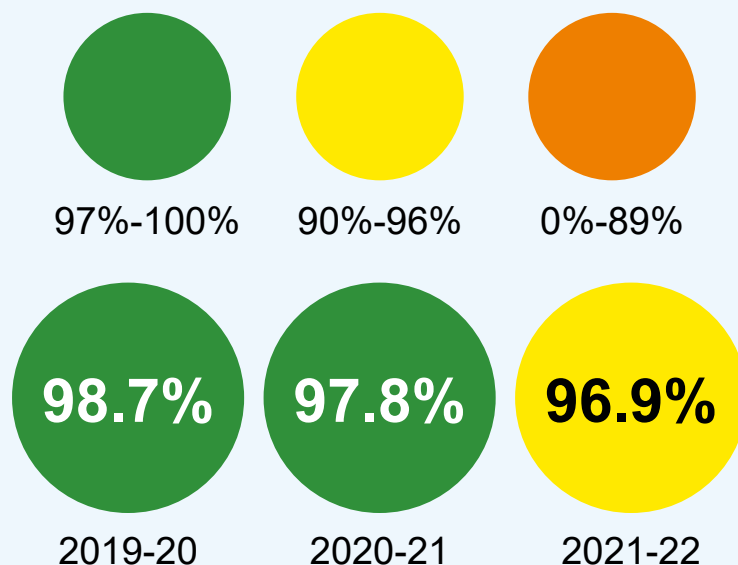
Performance against this indicator has improved by 0.2 percentage points compared to the same period in 2020-21 and now stands at 99.5%. All service areas met this target over the 2021-22 year, with most areas showing over 99% for the full period.

This has only been possible because a significant number of private law children's cases are overseen on duty by senior practitioners, usually service managers, pending substantive allocation to an FCA, practice supervisor or (occasionally) service manager to undertake the work ordered by the courts. As of 1 April 2022, there were a total of 1,399 private law children's cases in our operational area duty system. This is an increase of 14.5% (177 children's cases, and 283 children) when compared to 1st April 2021.

In addition, there were 614 private law children's cases (involving 982 children) held on duty by a practice supervisor within allocation hubs in operational areas where the prioritisation protocol was active, pending substantive allocation.

As reported in section 2.2, in addition to their role in overseeing children's cases on duty, practice supervisors and service managers have been holding high caseloads as the substantively allocated practitioner, in order to help protect the caseloads of our frontline family court advisers. As of 1st April 2022, 1,165 private law children's cases (involving 1,864 children) were substantively allocated to a practice supervisor (1,083 cases) or service manager (82 cases) rather than an FCA.

KPI 4: The proportion of section 7 reports that meet their agreed filing times



Our performance in filing section 7 reports declined and by the end of the year was not on target, having dipped just below 97%. In 2021-22, 96.9% of section 7 reports were filed by the date agreed with the court, compared with 97.8% the previous year. Eight service areas met or exceeded this target for 2021-22 compared to fourteen service areas meeting or exceeding this target over the 2020-21 period. Ten areas fell just short of the 97% target but still achieved over 94% of reports filed by their agreed date. The remaining service area focuses exclusively on public law in Greater London.

On average, section 7 reports that were not filed on time were filed 2.3 working days after their due date, compared with 1.9 working days in 2020-21. The definition of 'agreed date' includes extended dates agreed by the courts following requests by Cafcass for more time to complete the work.

The number of requests for extensions to filing date for section 7 reports have increased in 2021-22 to 39% compared to 30.3% in 2020-21. On average we are requesting extensions for 24 days. This has increased from 21.8 days in 2020-21. One reason for this increase is the activation of the prioritisation protocol in six service areas during this year, which is usually accompanied by an extension to agreed filing times for these reports while less urgent work is held on duty in an allocation hub.

Delivery of our strategic and transformation priorities

Change programme 2020-23:

Our core organisational objectives were updated to reflect our intention to retain the positive changes to our working practices and wellbeing offer that the pandemic has required us to make; embed a relationship-based model of working with children and families and improve their experience of proceedings; reaffirm our continued focus on the quality and impact of our practice on children; to invest in our people and to promote and improve focus on equality, diversity and inclusion.

We have reviewed our strategic and improvement activity against these revised organisational objectives and incorporated it into a single change programme comprising three supporting elements:

1. Our **Strategic Delivery Plan** with nine delivery priorities (DPs) under our three pillars of practice, people and partners
2. Our **National Improvement Plan**, setting out the thematic areas for improvement in our social work practice, and the leadership actions needed to make them happen. Our National Improvement Plan is confirmed each year, informed by our self-evaluation which

includes learning from performance data, audit, significant incidents, feedback and inspection.

3. Our four **transformation priorities** drawn from our existing strategic plan but which require stronger focus and leadership. These are:

- **Together with Children & Families** – implementing our new practice framework attract and retain brilliant people into a Cafcass that has the right size, shape and capability for the future
- **Digital transformation** – a new digital strategy to extend the range of activities we conduct in a digital rather than a manual form.
- **A new private law model** – which will offer a more tailored internal operational model to triage, assessment and intervention and which will align with the external private law reforms.

Practice and culture:

Our **strategic intent** is to stretch the quality of practice further by involving practitioners in our developing practice framework, listening to family and children's experiences of our work with them and learning from our strengths and areas for improvement.

Our **practice transformation priority** is to prioritise the importance of relationship-based

practice in all our work with children and their families. We introduced Together, our new practice framework in July 2021. It sets out our values, how they work in practice and the materials we will start to use to sustain and improve the difference we make to the lives of children. The framework represents a way of working with children and their families and with each other which is based on developing trusting relationships that prioritise listening, understanding, clear reasoning, respect and integrity.

Further, it describes our commitment to work with children and families in a respectful way, making sure that they feel treated kindly, that they are respected, spoken with in language they understand, prioritising opportunities for them to listen to, influence and understand the reasons for the recommendations we make to the family courts. Together is about the 'way we do things around here, which is reflected in our new leadership behaviours'. The organisation gave all colleagues the opportunity to consider how the framework would be implemented across all our functions in Practice Week (September 2021). We have in excess of 300 Together Champions from operational, corporate and business services now supporting its use and our new child's plan (case plan) was introduced at the end of January 2022.

We delivered the following commitments as set out in our Strategic Delivery Plan for Year 2 (2021/2)¹⁴ under each practice delivery priority:

DELIVERY PRIORITY 1: Practice-led – involving our experienced practitioners in sustained improvement in quality of practice

- We introduced **clearer expectations through the introduction of Practice Quality Standards** which set out what good looks like for children and families. Our public law standards were introduced and published in November 2021 with private law standards in development and due to be launched in our second Practice Week in September 2022.
- **Supervision arrangements and management spans**: we undertook a review of arrangements and published new guidance which was launched at the end of the reporting year. Full implementation will continue into 2022-23, as we review the line management responsibilities and spans of service managers and practice supervisors, and create advanced practitioner roles.

14 You can read more about our strategic and delivery priorities at: www.cafcass.gov.uk/about-cafcass/reports-and-strategies/strategies-and-delivery-priorities/

- **Delivery of the domestic abuse practice improvement plan:** the plan we published in June 2021 was informed by a baseline audit of 200 cases featuring domestic abuse and input from our Learning and Improvement Board. Our updated domestic abuse pathway commenced in May 2021 alongside an accompanying training programme which 86% of our social work practitioners had completed by March 2022. All family court advisers now have a domestic abuse personal learning plan to with focused practice improvement activities.
- **New case management system**
‘ChildFirst’ a more intuitive system, enhancing children’s voices, case planning and performance information. We implemented the remaining modules in our new children’s case management system which includes a redesigned child’s plan.

DELIVERY PRIORITY 2: Feedback-informed – practice improvement informed by children and families

- **Feedback strategy** – offering children and families a range of ways to share their experiences with us so we can learn and improve. The restorative ‘listen and learn’ and ‘how was it for you?’ conversations for adults and children that were developed as part of our Family Forum development work are now being embedded as part of the wider feedback strategy. The feedback strategy additionally incorporates family feedback as part of our collaborative audit process, and a new service for children to call and provide feedback about their experiences with us called ‘Hear to Listen’ which launched in June 2022.
- Our **review of complaints** was commenced in the year. By March 2022, we had restored the timeliness of the existing service for adult complaints (our target on timeliness had come under significant pressure during the two years of the pandemic), developed a new Complaints and Resolutions Policy for publication and implementation in 2022-23 and worked with the Family Justice Young People’s Board to introduce amendments to the process for children’s complaints.

The new process for children gives them more choice about how to complain and ensures their issues are resolved more quickly. It also gives them an opportunity for a ‘putting it right’ conversation at the end of the process to check they are happy with how we have resolved things and so they can give us feedback on the process. At the heart of our new processes for resolving complaints is our commitment to identify and act on the learning.

DELIVERY PRIORITY 3: Learn and improve – demonstrating organisational learning

- Our **Family Forum** is now established with the first 14 members recruited. Its purpose is to bring together parents, grandparents and carers who have been involved with Cafcass in proceedings and who have had experiences which have been less than good, so we can learn from their experience to make improvements. The Forum is working on information and ‘early intervention’ resources to support families at the start of their Cafcass journey. The Family Forum’s influence on our practice is beginning to be seen in its engagement with our private law transformation

programme, the complaints review, the consultation on the re-commissioning of the Separated Parents Information Programme and the Domestic Abuse Learning and Improvement Board.

- Following our monitoring visit from Ofsted in April 2021 we developed new **national practice improvement priorities** and a new process for ensuring clear and swift **reporting of significant incidents** – whether or not they relate to our direct work with children and families – and that resulting learning and action is implemented. These are described in section 2.5 below.

People and resources

Our **strategic intent** is to value and innovate with our people, retaining and developing them, giving strong leadership, direction and oversight and providing the best working environment we can to support the best experiences for children, families and carers.

Our **people transformation priority** is to attract and retain brilliant and experienced people into a Cafcass that has the right size, shape and capability for us to deliver the future services anticipated by public and private law reforms. In addition, we need a **new digital strategy** to extend

the range of activities we conduct with children and their families and with our staff and partners.

We delivered the following commitments as set out in our Strategic Delivery Plan for Year 2 (2021-22) under each people delivery priority.

DELIVERY PRIORITY 4: Respect, recognition, recruitment and retention – valuing, developing and learning from all our people

High rates of turnover, vacancies and sickness absence have been particularly challenging for the social work sector where the overall turnover was 16.7% in England for the reporting year. The equivalent rate for Cafcass has been 12.5% thanks to the incredible work of our Human Resources service working in partnership with local management teams who have focused activity in the hardest to recruit areas. This targeted activity is being complemented by a national campaign to promote the many benefits of working at Cafcass.

This reporting year we commissioned and conducted the first of our externally benchmarked **annual staff surveys**. We had an excellent overall response rate of 68% and the overall results demonstrated that Cafcass staff assess the ‘balance of the deal’ – the

relationship between the effort they put in, and the support offered by us as an employer – more favourably than other organisations.

A national action plan has been developed to address the three priority issues of pay, workload, and continuous professional development. We have made further progress this year in building our Cafcass Academy which continues to grow our own social work professionals and share expertise with local authorities. This is being expanded to become the portal for our learning, development and qualification offer for the whole organisation, including a more intensive development programme for our leaders and managers. Each business area (our eight operational regions, our business services function and two corporate directorates) has in addition co-created with staff a tailored plan to address regional and functional priorities.

We published our four new **equality diversity and inclusion** objectives in October 2021.

Better data and insight, used well

We will increase the proportion of children, families and employees for whom we capture information about their protected characteristics and publish analyses of that information to show whether there are disparities in their

experience of us as a service provider or employer, and what action we have taken as a result.

Leadership and commitment

We would like all leaders and managers to be inclusive in their behaviours and styles of leadership. This means respecting the uniqueness of colleagues, ruling out discrimination based on protected characteristics and enabling everyone to feel that their input is valued. It also means seeking out a range of perspectives on the many issues we face at Cafcass, being ambassadors of diversity and inclusion and the significance in our work, accepting our own vulnerabilities and biases and communicating clearly about the need for listening and discussion to find the best solutions.

People, culture, environment

We will improve the recruitment, retention, progression, development and experience of the people who work for Cafcass to achieve greater diversity at all levels of the organisation.

Skilled and confident practitioners and wider workforce

We will make talking to children and families about race, culture and heritage a core competency for all frontline staff – reflected in

job descriptions, induction, training, reflective supervision, practice observation, performance learning and development reviews and case audits. We will also encourage staff at all levels and in all parts of the organisation to talk to their colleagues about race, culture and heritage, to find out about our differences and our uniqueness. Managers will become more competent and confident in talking about these issues in supervision and performance learning reviews.

The full equality, diversity and inclusion strategy was approved by the Board at the end of the reporting year and was published in July 2022. Some early activities have included:

- FJYPB members have been taking part in conversations with Cafcass family court advisers to demonstrate inclusive ways to ask questions about children and young people's diversity. The conversations have been recorded and will form part of training for Cafcass staff.
- We have undertaken a review – with input from our staff diversity networks and FJYPB – about the way we ask children, families and employees about their uniqueness and how we record that information. This has identified a number of ways we can improve the options for people to tell us

about themselves in their own words while also improving consistency with externally benchmarked sources of information.

- The roll out of 'Exploring the Impact of Bias', a new mandatory training module which was first piloted with our Corporate Management Team before sessions with other employees commenced in March 2022.
- Membership of the Stonewall Diversity Champions Programme has been renewed. The decision was made following a 'think in' when key issues were explored by members of the Corporate Management Team and our Pride network.
- A 'positive action' programme has been agreed by CMT. The programme is aimed at supporting the development of colleagues from Black Asian and Minority Ethnic backgrounds as they are under-represented at management grades in the organisation.

DELIVERY PRIORITY 5: Efficient and innovative systems and resources – creating a motivating and enabling working environment

- As part of our **estates strategy** we have developed a new design for our office space to be as welcoming as possible, and to support the diverse needs of the children and families who visit us in person. The new design concept also offers more flexible working and wellbeing space for our staff. We are excited to move from the drawing board into reality as we apply this design to our first new location in Birmingham and up to two further new offices in 2022-23.
- We have further progressed our plans to **digitise our paper archive** and to introduce **My Cafcass Journey**, a new service that will improve children’s access to their records where this is permitted under the family procedure rules. These will be implemented in 2022-23.
- **Resource analysis** – ensuring budget negotiations with MoJ are informed by a dynamic analysis of the impact of Covid and other pressures on our workload, the opportunities for improving capacity and productivity. We highlighted the increase in

the overall level of open active work held by Cafcass which increased by approximately 18% on the pre-Covid position (around an additional 6,000 cases and 13,000 children), and the consequences for our family court advisers, the capacity of managers and senior practitioners to oversee and quality assure work and the delays to children and families. In addition to resources for the creation of regional allocation hubs to support prioritisation, we were successful in securing additional resource to increase and restore our management capacity.

DELIVERY PRIORITY 6: Lines of sight – strong leadership and oversight of a change programme that is ambitious, inclusive and visibly makes a positive difference

Our performance and accountability cycle involves an annual Practice Leadership Review and Performance Board (six months apart) for each region; together with a quarterly cycle of national review of learning from data, audit, feedback and other intelligence to ensure there is accountability for the delivery of the National Improvement Plan.

We replaced our operating framework with an updated and more streamlined suite of

policies and supporting guidance to improve consistency of implementation. The new streamlined documents were made available to all staff on Connect, our new intranet, in October 2021. The policies are additionally available on our external website for transparency purposes. A Policy Reference Group has been established to provide stronger governance processes for updating policies, ensuring clear implementation and evaluation plans for key changes, in addition to equality impact assessments for new policies.

With partners

Our **strategic intent** is to collaborate with family justice system partners to secure urgent reform, to agree recovery priorities and to influence outcomes for children using our data and knowledge.

Our **partner transformation priority** is supporting the foundations for a new national model for private law, to be implemented from 2023. In parallel, this priority supports the internal redesign of our private law pathway to improve our own efficiency and the potential to offer more support earlier to families who require urgent and intense help to resolve their proceedings. During the year we scoped options for early information gathering and triage so we can introduce a more differentiated approach to working with children

and families – tailored to their needs. Options might include greater access to self-help resources through to more structured interventions to support change in more complex cases, including those involving domestic abuse. We also want to review options for strengthening children’s participation in proceedings. We are incorporating learning from the MoJ Private Law Pathfinder (described under Delivery Priority 9 below).

We delivered the following commitments as set out in our Strategic Delivery Plan for Year 2 (2021-22) under each partners delivery priority.

DELIVERY PRIORITY 7: Manage demand – ensuring we and our partners focus on risk to children and keeping the system balanced on quality and throughput as it recovers from the pandemic

This year we have prioritised work with partners to coordinate action to ensure the family justice system can continue to operate despite additional open active work and limitations on ways of working as a result of the pandemic. Cafcass leads and offers the chairing for the national recovery group comprising the judiciary, HM Courts & Tribunals Service, the Ministry of Justice, Department for Education and Association of Directors of Children’s Services that is developing collective action

to tackle demand, and improve capacity and productivity.

At local level, a number of service areas have struggled to continue to allocate new cases to family court advisers whose caseloads are already at their threshold or beyond. Where this situation has developed, we have identified the emerging problem quickly and worked closely and collaboratively with local partners to seek solutions that will help manage the work. In some instances, this joint work has been sufficient to restore or maintain our ability to allocate new cases within agreed timescales. However, as described in Section 2.2, in six areas we have activated prioritisation and opened 'allocation hubs' as per our prioritisation protocol in which children and families with lower assessed risk are temporarily allocated to a practice supervisor who oversees the case for a maximum of 20 weeks before it can be transferred to a named family court adviser to undertake their assessment.

We undertook a review of early implementation and are in the process of applying the learning to develop a consistent framework for our operational teams to work within while they continue to work with additional children and families in delayed proceedings. Our response includes the development of family post

assessment hubs to hold active cases where we have filed our report to court but the next court date has either not been listed or is more than six weeks away. This has the effect of taking work from family court advisers and supporting them with a single point of oversight, enabling new applications to be allocated without breaching our caseload thresholds. The work also includes working with partners to develop local plans to review ways of working based on shared analysis of local demand, capacity and pressure points.

DELIVERY PRIORITY 8: Accountable for outcomes – using and improving the combined insight and analysis of each of our partners to focus joint efforts on actions that will make the biggest difference for children and families

We have worked with partners to develop enhanced local and national data that gives a better understanding of how local system and national systems are operating, and to tackle local variation. A ‘coordinated courts’ data pack covering both public and private law proceedings has been developed and piloted in four Designated Family Judge areas before being made available to all court areas

on a quarterly basis. It incorporates new data on the impact of delay for children in public law proceedings which were developed in partnership between Cafcass and ADCS. As part of the rollout of this data pack, Cafcass and the MoJ offered sessions with the judiciary on how to get best use of the data pack which is now relied upon across the system to monitor local progress around recovery. A key element is close coordination between partners to develop a shared understanding of systemic issues.

At a local level, our assistant directors, their heads of practice and service managers are responsible for managing relationships with Designated Family Judges, local authority directors of children services, and other local partners. They meet on a regular basis to agree local working arrangements, including involvement in any local pilot programmes. Cafcass is represented on all local family justice boards in England, and chairs eleven of them. In addition, our senior staff sponsor six boards. We established an informal forum with a group of partners to explore what might be done jointly to improve children's understanding of what to expect in proceedings, and how to mitigate negative impacts of proceedings on them. During 2022-23, we will undertake

scoping jointly with the Nuffield Family Justice Observatory and Cafcass Cymru – building on the Observatory’s recent report on Children’s Experiences of Private Law Proceedings: six lessons from research’. We will use these findings to explore options for amplifying children’s voices in proceedings, initially in the Dorset and North Wales private law pathfinders and then, over the next strategy period, to our national operating model.

DELIVERY PRIORITY 9: Leadership for reform – making the case for a reform programme that redesigns the system so it supports children and families to achieve sustainable change, and working together to deliver it at a pace that is manageable for practitioners

Piloting reforms – public and private law – leading in collaboration to test and implement reforms to reduce demand and improve outcomes for children – already in development since January 2020. We have developed an implementation plan for public law reform, which we are delivering in partnership with ADCS and DfE, following the system leadership event in February 2021. The MoJ private law reform pathfinders commenced in February

2022 and will test a new investigative process for child arrangements orders and other specific private law proceedings. The Cafcass information gathering and assessment in the early stages will seek to pilot the provision to the court of a more rounded assessment of what is happening for the child and family drawing on input from a wider range of organisations, including those supporting families experiencing domestic abuse. The new process will also seek to reduce the number of times final orders break down or families return to court to minimise the impact of extended proceedings on children and families. Some aspects will also be trialled elsewhere from June 2022, under the flexibilities given to Designated Family Judges to depart from the Child Arrangements Programme, as the basis for our new national model for private law.

Public and private law reform

Cafcass has also been instrumental in establishing the Family Justice Reform Implementation Group which is taking forward the priority reforms in private and public law agreed through the national Family Justice Board. We built on our involvement during 2019-20 in the two judicial working groups developing proposals for public and private law reform.

In public law, we have developed new practice quality standards and we have worked with Essex County Council to develop a programme of learning events for Cafcass and local authority practitioners to encourage practice change and support for pre-proceedings work, safely diverting children and families from court where safe to do so. We have mapped local improvement priorities to identify opportunities to share learning and ensure these are supported by local Cafcass improvement plans. The top three areas for improvement across all local Family Justice Board areas are case duration, court time and space, and the number of short notice applications and hearings.

Examples of improvement work being undertaken in different local areas include:

- In response to **short notice hearings/ applications**, Portsmouth, Hampshire and the Isle of Wight Family Court have put a process in place where they require the local authority to complete a form when requesting an urgent application. The legal adviser will then assess the urgency and make necessary listing directions to limit unnecessary urgent applications.
- In response to **appointment of experts**, Devon family court has worked with the local authority to reduce this through training sessions run by Cafcass with senior leaders.
- In response to a lack of **court time/ space**, in Leicestershire, Lincolnshire, Cambridgeshire and Rutland there has been a reduction in the number of days allocated for final hearings through effective use of advocates meetings to narrow down the issues not agreed and reduce number of witnesses

In addition to our work on private law reform, we worked closely with the judiciary and HMCTS to develop, promote and review the use of

'options' for adapting some aspects of the Child Arrangements Programme, which Designated Family Judges were able to do under Practice Direction 36Q. These options were based on the thinking of the private law working group and informed by evidence from, and led by, the Designated Family Judge in the Watford court with support from the Cafcass operational team and from Cafcass Analytics. They were implemented as a means of helping to progress work during the pandemic in a way that would be consistent with longer term reform.

Alongside Cafcass Cymru, we have played an active role in the development a new delivery model in the two pathfinder sites (North Wales and Dorset) testing private law reforms. The approach builds on the thinking of the judicial Private Law Working Group, some of the proposals emerging from the MoJ Expert Panel on Harm in the Family Courts and is additionally drawing on the wider experience and evidence base through the involvement of the Nuffield Family Justice Observatory. Along with Cafcass Cymru, we have partnered with the Observatory by providing research access to anonymised case-file data and are assisting with new research in the two pathfinder areas to map child and family 'pathways' through family separation and transition, including court proceedings.

Our social work practice

Principal Social Worker overview

Despite the significant impact of the pandemic, our analysis of the quality of our practice is that it has been sustained and, in some respects, improved in the last year. We have throughout the reporting period, kept a relentless focus on increasing the positive difference we make to the lives of children, families and carers. Our case quality audits are showing that 71% of the practice which has been audited is judged to be good or better. We have clear evidence of our improved consistency in seeing children, and our audits are showing that our rationale was clear and reasoned in 72% of the cases audited in the latest sample¹⁵.

In September 2021, we launched our practice framework, Together with children and families. The purpose of developing and then implementing such a framework lies in the importance for children's social work organisations of a clear set of practice values, influencing the way in which work is done. The practice framework ensures our practice is explicitly underpinned by the importance of relationships as the vehicle for change in families and for children's voices and experiences to be the most central concern. It promotes the

15 Case Quality Audit July 2021.

importance of children and families understanding our reasoning in the recommendations we make about their lives and futures to the family court. Further, it also requires practitioners to set out clearly in their work and analysis, the harm children have experienced, the risks to their safety and welfare that remain and the strengths in their family networks that may offer help and support for the arrangements being made for them.

The influence of our practice framework on the quality of our social work practice is already evident. We see examples of improved practice every day in respect of the child's plan being written for them and used as a means of supporting the FCA's thinking and decision making and in making children's records kind and respectful. Storyboards are being used creatively, enabling children to understand what has happened in their court proceedings. We see FCAs working hard to understand what is unique about children and what each child in a family needs. The framework is enabling our FCAs to build on the already strong foundations of our practice by making sure our social work values and the relationship-based approach, are explicit and integral in all that we do.

A week in September 2021 (practice week), was dedicated to enabling every individual at Cafcass to use the framework. It provided a huge sense of momentum across the whole

organisation for social workers, business services and corporate teams. This momentum has been continued through our Together champions network who regularly share their successes and hold workshops, training and conversations in teams about applying the values and guidance in practice.

Practice week 2022, which is again planned to take place in September, will be about taking us from knowing – to doing – to being in our work to support children and families, underpinned by our values and new systems, so that children and families feel engaged – respected – and understood.

This year, we have deepened our commitment to listening to children and families. We are consciously using their feedback as the ‘oxygen for improvement’. Hearing directly how children have felt, for example if they did not understand why their FCA had made the recommendations they did, provides an opportunity for us to know precisely what we need to do differently to improve our work with them.

Learning from the complaints we have received from the Family Forum , from our partners and from the feedback given directly to FCAs has been used to inform the Public Law Practice Quality Standards. Our Seeing and engaging with children policy, which was launched in April 2021 and clarifies when and how children should be

seen, was directly influenced by feedback from families, but also by learning from audits and Significant Incidents.

We have made great progress this year in gathering the feedback received and analysing what we hear. We have worked hard to share the learning themes in easily accessible ways such as our quarterly significant incident bulletin, knowledge bites and the Principal Social Worker Practice Forum.

Following the publication of the Ministry of Justice Expert Panel on Harm in the Family Courts report in 2020, we established the Domestic Abuse Learning and Improvement Board. Again, this was informed by the principle that we need to listen to people with experiences of the family court and to respond without defensiveness and with determination to act on what we hear. The Board is fulfilling its function of providing scrutiny and challenge as we implement the detailed domestic abuse improvement plan. Our audits show we are making some progress, for example in understanding the impact of coercive control on children and making recommendations that focus and carefully consider their safety. As set out later in this section, the recent repeat case quality audit on domestic abuse practice, has also resulted in a very clear understanding of the progress made, regional differences in that progress and what we

need to do next to maximise the impact of our improvement plans.

We have continued to invest significant time and resource into our audit programme, which provides us with a strong baseline and the confidence that we know ourselves well. The continuation of this programme in a second unprecedented year of pressure is, in my view, to be congratulated. The case quality audits and audits for regional performance boards build across the year to provide a detailed and accurate understanding of the quality of our work. This is then used by the organisation to hold ourselves to account and to inform our national and regional improvement plans.

The difference this year is that we have made a proportion of all our audits collaborative – so undertaken in discussion with the FCA to gain a deeper understanding of the thinking behind the written conclusions. We have also integrated children and family feedback. The impact is that audits are now more fully realising the aim of being an opportunity for learning and improvement on an individual and organisational basis.

Good progress is being made in the work to strengthen our supervision and management oversight framework. Extensive consultation was carried out by the National Director of Operations to inform our proposals for consultation, revision and subsequent implementation in April 2023. The

revised Supervision Policy will bring greater clarity to the definition and practice of case supervision, how to undertake effective management oversight and the difference between reflective supervision and the function of the practice learning review (PLR).

A further major piece of work this year, described later in this section, has been the redesign of the significant incident report (SIR) process to align it to our practice framework and to strengthen how the process functions in terms of accountability. We have been determined to learn from practice that has either fallen below the standards we expect or where there are improvements to be made from the experiences of families, children and partners. Readers of this report will know that in the analysis of serious and tragic cases, hindsight is often applied and practitioners can come under intense and unhelpful scrutiny. The requirement in statute for us to protect children and to promote their welfare in proceedings is our first responsibility and we hold this as our highest priority. Learning and continuous improvement are both fundamental requirements in the protection of children, but they can only happen when the professional culture in the organisations discharging such responsibilities is one that seeks to learn and inquire appreciatively rather than blame individuals for failure. Cafcass is working hard to practice in this way whilst upholding the highest of professional

standards and quality assurance. The impact of the new SIR framework (launched in December 2021) will be reviewed at the end of 2022.

I am immensely proud to be part of the leadership team, implementing a practice change programme which is ambitious, innovative and transforming our work in respect of the lives and futures of children and their families.

Quality and impact of practice

Our framework for assessing the quality of practice includes the following elements:

- Local audits are undertaken by managers and practice supervisors and focused on learning to improve the impact we have on the effectiveness of practice with children. Our National Improvement Service undertakes moderation of these audits on a regular basis and works with regional teams where there is a difference in assessment about the quality of work as well as overseeing learning and improvement actions.
- At the heart of effective practice is the quality of the relationships our practitioners build with children and families. This is assessed through regular practice observations.
- The work of each FCA is additionally assessed and evaluated in four nationally reported case file audits each year, with the cases selected at

random. Two of these audits are collaborative audits undertaken by our National Improvement Service, which incorporate family and partner feedback. This enables a more complete picture to be formed of the quality and impact of the work with the child, which supports improved practice and our own learning about what we do well and what needs to change.

Local audits

All service managers complete audits of the practice of family court advisers. One of the key objectives is to provide feedback to the FCA about what went well and what could be further improved for the child and family in question and in the next piece of work. The audits inform our quality assurance oversight and our improvement priorities – in practice and leadership. The Performance and Accountability Framework specifies that the child’s plan will be reviewed by managers and supervisors at 15 working days after allocation with a case summary for children. A review takes place at significant points in the proceedings and is required at 46 weeks duration. The purpose is to provide management oversight of assessment, planning and engagement with children and families. The system to report the review of the child’s plan at 46 weeks is under development. Managers also dip sample on frequency of engaging with children and on practice themes identified for scrutiny in the spotlight report. All audits are logged within the

Quality Assurance and Impact reporting system, to provide analysis of the strengths, learning and areas for improvement. This is subsequently reported monthly at the Operational Management Meeting, chaired by the National Director of Operations. The system enables regional leaders to track the quality of work more broadly than just focusing on improvement priorities alone.

The headlines from our local audit programme in 2021-22 included:

- Overall, the proportion of work graded as good or better was 85% in public law work and 82% in private law.
- In our best practice, we found FCAs making well-informed recommendations for children, good case planning, strong analysis of risk and well-reasoned recommendations. Guardians challenged local authority plans and thinking where necessary, to review decision making and make sure that it protected children and was in their best interests in public law; and FCAs in private law used good direct discussion and questions to explore and analyse harm and risks and to understand the impact upon children.
- Identified areas for improvement included improving how FCAs update the child's plan to show the developing risk analysis and next steps; showing that the lived experiences and

uniqueness of each child within the family had been fully considered from the outset of proceedings; complete and accurate recording of enquiries made is recorded and what new information meant for child/ren in terms of risk and impact; and ensuring the child's file is complete and maintained in a way that avoids leaving children with unanswered questions if they read their records in the future.

Practice observations

In addition to audits, our quality assurance framework requires us to make observations of practice to understand the quality of relationships that practitioners make with children and families.

71.6% of FCAs had a practice observation assessment in the 2021-22 reporting year, with a total of 1,132 observations undertaken. Eight of the 19 service areas are on target for 80% of FCAs to have had some direct practice observed during the financial year, leaving 11 areas below the target. Plans to improve this and achieve the target are in place. Over 90% of the practice observations have been judged good and outstanding. In this work, we observed sensitive, well-planned activity which was focused on explaining our role and our thinking, understanding children's experiences and using creative methods to engage with them in ways which suit them.

National audits

We undertook two national audits during the year: an annual national case quality audit in July 2021 and a thematic audit focusing on our domestic abuse practice in December 2021. Each was designed to be comparable to similar audits undertaken in the 2020-21 reporting year. The headline findings are summarised in the Figure 17 below:

Figure 17: % of work good or outstanding in national audits, 2021-22 compared to previous year

	2020-21	2021-22
National case quality audit		
Good/outstanding	62%	72%
Domestic abuse audit		
Good/outstanding	61%	59%

In the **national case quality audit** we found a higher proportion of work graded good or outstanding.

In our good and outstanding work we could see:

- the FCA's clear rationale and reasoning for the recommendations they made to the court.
- practitioners working to build relationships with children, writing to them to introduce themselves, seeing them when they needed to be seen, keeping them informed about what

was happening and helping the court and adults focus on the experiences of children.

- children's records had detailed explanations of our recommendations and why we had made them, that we thought children would understand if they looked at them. These were kindly and respectfully written.
- practitioners worked hard to understand what was unique about children and what each child in a family needed, which represents a clear improvement on the previous thematic audit.

In work that was rated less than good overall, we also identified elements of good practice but identified the following areas for improvement:

- sometimes an aspect of a child's uniqueness was missed or one child in the family got more attention than their brothers and sisters.
- a need for better analysis of all risks, better understanding of diversity and better recording.
- understanding domestic abuse and making a clear, understandable risk assessment needed to be better, so that the impact on children and decisions about family time or 'live with' arrangements were well – evidenced and fully informed by an understanding of harm and risk to the child.

The **national domestic abuse audit** focused on children's cases where domestic abuse has

caused harm or poses a risk of harm to children. It was undertaken to update an earlier audit undertaken in December 2020 to help us assess our progress in responding to the MoJ Expert Panel's Report on Harm in the Family Courts. Our audit was externally moderated by a panel which included experts by experience. There was a consensus about which practice was judged 'requires improvement' and a high level of alignment in terms of the strengths and learning identified by the auditor and the moderation panel.

We found evidence from local and national audits and from the external moderation exercise, that there is improvement in key areas of practice that were raised by the Harm Panel report, including sensitive safeguarding interviews, careful use of language, trauma informed practice, distinguishing domestic abuse from harmful conflict, and risk assessing 'less recent' harmful behaviours without minimising them as 'historic'.

However, we are retaining our practice improvement priority for domestic abuse and focusing on:

- FCAs routinely contacting other professionals who know the child and will be able to share information that informs our assessment of what is in their best interests.

- Recommendations being well reasoned more consistently and explained to children (giving a clear rationale when this is not done).
- Use of introductory letters, storyboards and other restorative direct work techniques associated with our new practice framework is increasing but these need to be used consistently so that all children feel they can explain if they feel frightened, what they have experienced and what they want to happen.
- Distinguishing domestic abuse from harmful conflict, and risk assessing ‘non recent’ harmful behaviours without minimising them as ‘historic’ needs to be consistent and reflected in our report to court.
- While the understanding of the impact of coercively controlling behaviour on children is improving, this needs to extend to include FCAs understanding how the mental ill-health of a victim can be used by an abusive parent to cause further trauma to the individual in proceedings and especially repeat proceedings.

Significant incident reports

In November 2021, we introduced a new process to ensure clear and swift reporting, action and learning from practice. All incidents – whether or not they relate directly to children and families – now follow a single integrated process to make

accountability for decision-making and oversight clearer and to improve consistency about when an internal case or learning review is required.

Cafcass raised 188 significant incidents between March 2021 and April 2022, not all required a review of the children's records. Among these, Cafcass contributed to:

- 51 rapid reviews
- Seven children's safeguarding practice reviews
- One domestic homicide review.

Key themes of learning identified within the significant incidents were as follows:

- Assessment and allegations of domestic abuse, understanding coercive control
- Safety and welfare of connected children
- Accessing previous information – this featured twice where historical information was not accessed and understood
- Seeing and engaging with children
- Case recording and analysis – assessment of concerns need to be clear
- Safeguarding vulnerable adolescents.

Practice improvement

We identified the following practice improvement priorities in our national improvement plan for 2021-22:

- Seeing and engaging with children
- Rationales for the recommendations we make
- Supervision and management oversight of children's plans
- Identifying and understanding children's uniqueness
- Implementing the Public Law Practice Quality Standards.

Seeing and engaging with children

Why did we prioritise this? In 2020, we undertook a detailed learning inquiry into the frequency, timing and quality of seeing and engaging with children, their families and carers. We found there were many examples of creative solutions and approaches to seeing children under the restrictions of the first lockdown. However, some aspects of our direct engagement with children which were not associated with the impact of the pandemic also needed to be strengthened, and the recording of our engagement was inconsistent.

What we did: A new policy was developed and implemented on 6 April 2021. This clarified expectations about explaining to children what to

expect from their FCA, observing infants with their carer or parent and seeing brothers and sisters separately. Performance is now reported monthly in the practice spotlight report, which is scrutinised by the National Director and subject to challenge at the monthly meeting of the Operational Management Team.

What difference have we made: The quality and impact of this aspect of practice has shown very marked improvement every month since it was identified as a national practice improvement priority. By the end of March 2022, 97.8% of all children where child engagement recording was mandated had a current record. Seeing children as part of proceedings was well embedded in practice and 77.8% were seen in person. The quality of practice in seeing and engaging with children has been further improved through the use of introductory and goodbye or later life letters.

Rationales for the recommendations we make

Why did we prioritise this? Children and families tell us too often that they do not always understand our thinking and the reasons for our recommendations. They have said that this can leave them feeling confused and upset and unsure about what will happen to them.

What did we do? We made the provision of 'clear and reasoned rationales for our recommendations'

one of five key values in our new practice framework (Together). This aspect of practice is now a key focus for supervision and case audit. We have talked for many months in practice about the importance of children in particular understanding the proceedings that are about them, about them having the opportunity to respond to our analysis about what we have heard and then being given the chance to include their words in our reports to the family court. One of our main implementation priorities for Together in 2022 is that no child will be involved in proceedings that they do not understand.

What difference have we made? The percentage of cases where there is a clear and reasoned rationale for the recommendations is now reported as 72% of case audits. This is a significant improvement on previous audits. Progress has been slower in sharing recommendations with children, and this has been incorporated as a key feature of both our seeing and engaging with children improvement priority and the implementation of our new child's plan which requires practitioners to write the child's words about our recommendations into the plan and their reports to the family court.

Supervision and management oversight of children's plans

Why did we prioritise this? Ofsted inspectors identified management oversight and supervision as an area for development in 2018 and the accessibility of the child's plan as an area for development in our 2021 focused visit.

What did we do? We have undertaken a comprehensive review of management oversight and supervision. A new child's plan was implemented on 31 January 2022 with the case management system changing the format at the same time. and we introduced our new policy in April 2022. Case supervision will now be recorded in one place on the child's record to enable reliable data and audit of the quality and impact of supervision. The expectation for all FCAs and children's guardians to seek supervision regardless of their tenure, performance and practice quality, whenever the case management issues, complexity or risks require this are set out as requirements in the updated policy.

Practice expectations have been strengthened in respect of seeking and assessing children's wishes and feelings and in making recommendations to the family court. These recommendations fully address the risk of harm to the child, the strengths in the family, the uniqueness of the child and the influence this has on recommendations, the

impact their experiences have on them, their understanding of our intended recommendations along with their own words in response and a clear analysis and judgement from the practitioner.

What difference have we made? In the 12 months to March 2022, there were a total of 60,689 case plan reviews created by managers and practice supervisors across 36,315 case plans. This is a strong and improving indicator of management oversight in our casework.

Together

With children & families

What is happening for this child?



Strengths in the family system?



What is special and unique about me?



Child Impact



Our words for the child and their response



I can see why you made those recommendations when I was younger



LINK analysis with decision making

Identifying and understanding children's uniqueness

Why did we prioritise this? Successive audits have shown inconsistency in the recording of diverse characteristics, an understanding of how a child's uniqueness impacts on their lived experiences, and ultimately how our recommendations should be influenced by this knowledge and understanding. We have therefore made equality, diversity and inclusion, one of our national practice improvement priorities and incorporated this aspect of practice into the spotlight report for scrutiny by the National Director and scrutiny at the monthly Operational Management Team.

What have we done: We have chosen 'Wanting to know about you and what is important in your life' as one of the five key values of our practice framework. The National Director has convened a team of heads of practice and an assistant director to lead on establishing objectives for equalities, diversity and inclusion to support and challenge operational practice in line with the practice element of the national strategy. We have worked with the Family Justice Young People's Board to produce top tips and knowledge bites to support FCAs to talk to children about their diversity and uniqueness. As a practice improvement priority, equality, diversity and inclusion has been made a focus for practice observations, case audits and practice and learning reviews.

What difference have we made? 82% of our casework sampled since June 2021 has shown good consideration of children's diversity and uniqueness with this being explicitly shown in our recommendations and advice to the family courts. Only a few records had no consideration of diversity (8%) or where diversity issues were identified, they did not underpin the recommendation and advice (10%). The performance results from June to October 2021 indicate that practice has improved further and continues to do so.

Public Law Practice Quality Standards

Why did we focus on this? Cafcass made a public commitment to support the implementation of the recommendations made by the President's Public Law Working Group. In addition, learning from routine case audits and case reviews following significant incidents in public law children's cases has shown the need for further improvement in this aspect of practice.

What did we do? We therefore developed a first set of practice quality standards which describe what 'good looks like' for children's guardians. They are framed as guided self-reflection or self-supervision, rather than detailed practice guidance. We have joined with Essex Children's Services in devising and piloting a collaborative workshop focused on practice in public law. This workshop will be offered

to ADCS regions and individual local authorities. A scoping exercise has been undertaken to identify the specific practice and performance issues for local areas, including short notice applications and care orders at home, as the basis for partnership discussions and the local workshops.

What difference will we make? The impact of these standards in practice will be monitored as one of our practice improvement priorities in the monthly spotlight report and routinely audited in our redesigned quality assurance tool, launching in May 2022.

Learning from compliments, complaints and feedback

Compliments

In 2021-22 we received 1,556 compliments, including 123 from children and 1,024 from adults, where the primary theme has been appreciation of good communication. In particular, children and families have really enjoyed our new introductory letters. Many parents complimented their Cafcass worker on their professional support focusing on how they ensured their children's voices were heard.

Some examples of compliments during the year:

Thank you so much for coming in our life's journey and helping me and the kids through this process. I felt you really protected my kids and their welfare as a top priority, they felt comfortable with you and you eased out their anxiety. I cannot thank you enough for this. No one could do what you did for us and I don't know how to show our gratitude towards you.

Compliment from a child: R was very nice to me. I felt that she listened to all I had to say and I hope she understood how I felt about things. It was very nice to talk to her. I gave her 8.5 out of 10 as I never give anyone 10 as I think there is always room for improvement.

Feedback for E (the FCA) - dealt with the case professionally and sensitively. She provided feedback and information that helped ease the anxieties of the children and me, she was very clear in her report representing the children views and desires and they were happy with the report content, and they felt E was really nice and easy to talk to. As a parent it really helped that E was able to update me on progress and particularly the lack of engagement of the children's father as this helped me soften the blow for the children when he was not cooperative with the process.

I felt E was fair and objective in her dealings and I am really grateful for her help, support and understanding.

Thanks E

Complaints

Between April 2021 and March 2022, we investigated 1,622 complaints from adults and 10 from children. This is an increase of 244 or 18% of adult complaints compared to last year, which is in proportion with the increase in families in open proceedings. In addition, we responded to 1,136 concerns through our early resolution process of which 838 were designated to local managers to work with families to put things right quickly. Our performance in responding to complaints within our target of 15 working days declined substantially in the first half of the year. This was due to reduced staff capacity in the complaints team at a time when additional early resolution work had been transferred to them to ease the pressure on local operational teams. In the second half of the year, timeliness had recovered significantly and by year end, 86% of complaints received a response within 20 working days. Our new complaints policy and process, to be launched next year, will make further improvements to the process, including on timeliness and communication with complainants

We received 10 complaints from children in 2021-22, a decrease on the 14 received in the previous year. These are tracked by the customer services team to ensure action and response from the appropriate service manager is provided to the child. The managers meet with the children, discuss their complaint and send

a full response explaining the action taken. The main concerns identified within these complaints were about children not feeling listened to and not understanding the recommendations. We have made both of these issues a priority in our national and regional improvement planning and they form a central part of the requirements of our new practice framework.

The current process for responding to children's complaints has been updated to improve the timeliness and quality of responses. This was informed by the FJYPB who undertook a review of children's complaints. Our customer services team has introduced a more rigorous process for the oversight of timescales. We are now expecting complaints from children to be completed within 10 working days subject to the child's wishes and availability. They will receive acknowledgement of their complaint on the same working day.

The FJYPB has helped us to develop a more child friendly template for responding to children's complaints. Our work together has also identified learning in respect of some of the language used within some response letters. The joint 'word busting' project led by Cafcass and the FJYPB keeps the spotlight upon language used. The learning is also being shared with managers responsible for providing responses to the complaints.

Ombudsman and Member of Parliament enquiries

We responded to 41 enquiries from the Parliamentary and Health Service Ombudsman and had one investigation proposed. One investigation concluded within the year which was not upheld and it has been more than five years since the Ombudsman fully upheld an investigation about a Cafcass complaint.

We also responded to 185 enquiries from MPs. Common enquiries from MPs this year included constituents who felt they had not been heard within court proceedings, who were dissatisfied with how we had investigated a complaint, or who had questions about court processes or the timeframes for the proceedings. Some MPs sought more general information about how we work with and support families, particularly where there are allegations of alienating behaviours or domestic abuse.

What we have learned from feedback, compliments and complaints, and what we are doing in response

During this last year, we have improved our reports on learning themes to help us focus more clearly on what needs to change. Specific actions are identified for each service area by reviewing the complaint alongside the child's file. The actions

include local and national changes as well as individual practitioner actions which are tracked and monitored through our practice learning review process (PLR).

Our Next Steps in National Learning Panel meets monthly to update and change policy, redesign or improve training and to develop materials as a result of learning from complaints, feedback and significant incidents. In order to bring capacity to the learning from complaints and audits, we have appointed a Learning and Analysis Manager. We have established our Learning Together Cycle as part of the Performance and Accountability Framework with structured and interactive learning events throughout the year to enable FCAs and managers to hear about our learning from complaints and to understand exactly what it is they are being asked to change in practice.

Themes from complaints	What are we doing in response?
Lack of communication during proceedings	<p>Programme of review of long running children's cases including those where a domestic abuse perpetrator programme has been ordered. Contact with children and families is part of the review process.</p> <p>Our priority to explain our rationales to children is also designed to improve our communication with children about why we are making the recommendations that we are to the court.</p>
Safeguarding concerns	<p>Actions are agreed to improve the practice or to protect the child. Steps are taken such as a referral to the local authority or consultation with other professionals who know the child.</p>
<p>Reporting to court</p> <p>Late submission of reports</p> <p>Reports containing errors (factual and grammatical)</p>	<p>Shortfalls in the quality or timeliness of reporting results in supervision. This supervision will take into account factors such as the context and will agree a plan of action which may include a combination of, a period of reduced allocations, increased management oversight such as a review of reports before filing or on closure of the child's file and more intensive support or an improvement plan.</p>
Personal bias alleged in practice	<p>A programme of training is underway to focus on reducing bias in our work.</p> <p>The supervision policy has been rewritten to reflect the priority of increasing the impact and quality of reflective case supervision. The triggers are now clearly set out and include casework where the welfare decision for a child is not easily settled – for example family time with a parent where abuse is known or alleged.</p>

Family Justice Young People's Board work programme

During 2021-2022, the FJYPB has thrived! We have embraced the new hybrid way of working, continuing to undertake many of our commissions virtually whilst enjoying those commissions we do in person. Cafcass has included the FJYPB in every area of its work. The FJYPB has also addressed their priorities with Cafcass.

These include:

- **Communication:** focusing on language, reducing delays in the family court, launching our new FJYPB website and to continue to promote our book 'In Our Shoes'.
- **Information:** focusing on sharing recommendations with children and young people.
- **Equality, diversity and inclusion:** launching our National Charter and promoting the uniqueness of every child.
- **Domestic abuse:** continuing to promote awareness on the impact of children and young people.

- **Promoting the voice of the child:** to embed into our policies and practice and hosting our annual Voice of the Child Conference.

The FJYPB has completed a total of **488** commissions during 2021-2022 and **247** of those were commissioned by Cafcass. Some of the key areas of work with Cafcass in the last year have included:

- The FJYPB has focused on the language that is used across Cafcass and have developed their 'Word Busting' team comprising FJYPB members and Cafcass staff to identify professional jargon or terminology to be replaced with clearer or more respectful terms, or to be given a clearer explanation of those terms that cannot be totally busted. Each month, Cafcass staff have been challenged to bust two words whether it be in their reports, when speaking about or to a child, and even in professional meetings.
- Members have worked closely with Cafcass on developing their feedback strategy and process to ensure that more feedback is received from the children and young people with whom they work, including with the creation of the Hear to Listen service that will be a dedicated and free phone line for children and young people to use to offer feedback on the service they have received. One of our members is the voice of the Hear to Listen service providing

the welcome and instruction messages when children first call.

“Being part of the performance board gives us the chance to see how Cafcass works with children and young people, giving us an insight into their direct practice. The office inspections are a great way for us to contribute on creating a welcoming and inviting environment for children and young people of all ages.”

FJYPB Member

- Members of the FJYPB sit as part of each regional performance board providing a unique perspective on how children and young people might experience Cafcass and its service in a particular area of the country and considering how that relates to Cafcass’ national objectives and the FJYPB priorities. As part of the process, members undertake a child led Cafcass office inspection and lead on focus groups with practice staff.
- The FJYPB has shared its views on the development of Cafcass’ new office design. It has advised on the layout, design and resourcing of the offices and is excited to see how these will develop.
- The personal experiences of the FJYPB members through the family court system have always provided emotive responses and have

encouraged practitioners to reflect on their own practice. Cafcass provided the FJYPB with the opportunity and support for us to create and publish our debut book. [In Our Shoes](#) presents over 30 written pieces by FJYPB members about their experiences and includes aspects of mental ill health, domestic abuse, conflict, and separation. The book is available as a free resource to all professionals, and we hope to inspire in the wider children's justice and in social care systems.

Sustainability report

Cafcass is committed to sustainable practices which consider our environmental, economic and social impact.

Sustainability Steering Group

We have a Sustainability Steering Group, chaired by the Director of Resources, which monitors our progress and promotes these values within Cafcass.

Greening Government Commitments (GGC)

New GGC targets to 2025 were announced during this financial year and consequently the target baseline year has been changed from 2009 to 2010, to 2017 to 2018. This reflects the current government estate and ensures government builds on the progress it has achieved since 2009 to 2010 more accurately. This target framework is set for the period between April 2021 to March 2025.

Mitigating climate change: working towards Net Zero by 2050

We continue to reduce greenhouse gas emissions year on year.

Travel has continued to be low throughout 2021-22 due to the pandemic restrictions and our flexible working policy, our video conferencing enabled laptops with Microsoft Teams and our encouragement of staff to travel 'sustainably smart'.

The emissions from domestic flights have reduced by 87%, compared to our 2017-18 baseline. We will look at how we can take forward new ways of working developed during the pandemic to maintain lower levels of air travel.

Smart meters are still used to ensure accurate billing for utilities and our expenditure on energy has reduced in recent years. Cafcass has made a commitment to a Green Tariff for our electricity moving forward.

Minimising waste and promoting resource efficiency

We have substantially reduced the overall amount of waste we generate. Our waste management data is currently calculated using some estimated data due to diverse lease arrangements across our 32 offices.

We recycle 76% of our waste currently, meeting the 70% target.

Recycling is encouraged in all offices and all confidential paper waste is recycled under a national scheme. As part of our social impact practice, IT equipment that is no longer needed is disposed of ethically by donating it to schools or charities where possible.

Reducing our water use

Our water usage has increased in recent years due to improved data and visibility of usage across our sites. Our baseline year was unusually low, likely due to estimations on sites without access to metered data. We will work with our facilities management providers and MoJ's sustainability team over the next year to assess our water usage to ensure it is accurate and reduce wherever possible.

Procuring sustainable products and services

We are committed to meeting the Government Buying Standards (GBS) best practice specifications wherever possible which help deliver sustainable procurement to meet GGC targets. All common goods and services are procured by the Crown Commercial Service, which streamlines procurement processes, provides value for money and establishes 'framework agreements' to include a sustainable product that meet the GBS mandatory levels. Emphasis has increased within the Procurement Cycle to consider Modern Slavery and Social Values with every procurement undertaken.

Sustainable procurement: we are on track to meet the government target of 33% of procurement spending to reach small and medium-sized enterprises (SMEs); spend with SMEs currently stands at 45% of our spend with suppliers. Please note that our system records SMEs when they are entered into the finance system. If their status subsequently changes this would not be recorded.

All our contracting requirements over £25,000 are either sourced by using public sector purchasing frameworks or are run as tenders which are advertised on the Contract Finder website and are open to the SME market.

Nature recovery and biodiversity action planning

TARGET
AREA
5

We report our sustainability data to MoJ on a regular basis.

Nature recovery and biodiversity action planning is not relevant to the Cafcass estate as we do not own any open spaces. We consider climate change within the Sustainability Steering Group.

Adapting to climate change

In response to the updated GGC, Cafcass will be considering the development of a climate change action plan. Cafcass has a Sustainability Steering Group, which is made up of a cross section of colleagues from all parts of the organisation. The aim of the group is to promote values of environmentally sustainable development and Corporate Social Responsibility in order to inform, inspire and find solutions to the challenges we all face in relation to climate change. This group ensures that sustainability remain part of our ongoing organisational agenda.

An example of such work is that when an office undergoes refurbishment, due to an office move or upgrade, a specification is produced which includes latest environmental advice and places sustainable practices at the heart of the project.

Reducing environmental impacts from ICT and digital

Where possible, Cafcass recycles or reuses IT equipment via our suppliers to reduce our wastage and impact on the environment.

Key



Target met




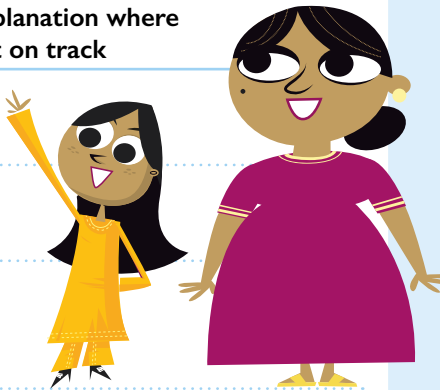

Target not yet met

Please note

2021-22 data has been updated to the new GGC reporting Targets 2021/2025


Target 1 - Reduce our emissions

Overall GGC performance 2021-22 against 2017-18 baseline

Requirement by 2025	2021-22 performance	RAG status	Explanation where not on track	
 Reduce greenhouse gas (GHG) emissions by 41%	-70%			
	Reduce direct greenhouse gas emissions by 23%	-43%		
	Reduce emissions from domestic business flights by 30%	-87%		
Reduce overall waste by 15%	+43%*			Cafcass holds poor data records for waste due to the nature of the estate, which means the baseline year 2017/2018 data is unlikely to be accurate. Due to the nature of the estate we have difficulties obtaining data in relation to waste. Improvement of data is something being worked towards as a future target.
Landfill waste to be less than 5%	0%			
Increase recycling to at least 70%	76%			
 Reduce paper use by 50%	-45%			
	Reduce water consumption by at least 8%	+71%**	Poor water data records in the baseline year 2017-18 make this difficult to track.	



* 2021-22 data includes a larger number of buildings reported on due to improvements in data collection

** 2021-22 data includes a larger number of buildings reported on due to improvements in data collection. Data increased from 5 to 13 buildings

	Indicator	2021-22	2020-21	2019-20	2018-19	Baseline 2017-18
Greenhouse gas (GHG) emissions from buildings and travel	Total gross scope 1 (direct) GHG emissions (tonnes CO ₂ e)	72	80	118	115	175
Non-financial indicators	Total gross scope 2 (energy indirect) GHG emissions (tonnes CO ₂ e)	125	127	157	210	211
	Total gross scope 3 (official business travel emissions) (tonnes CO ₂ e)	589	380	2200	1793	2210
Greenhouse gas (GHG) emissions from buildings and travel	Total emissions (tonnes CO ₂ e)	785	587	2475	2119	2595
Non-financial indicators	Electricity (MWh)	589	548	629	745	745
	Gas (MWh)	393	418	524	414	681
Greenhouse gas (GHG) emissions from buildings and travel	Other energy sources	0	0	0	0	0
Non-financial indicators	Total energy (MWh)	982	966	1153	1159	1426
	Number of domestic flights	2	1	85	93	103
Air travel	Domestic flights (KM)	1757	1020	52134	53220	38676
						


* Slight increase in emissions due to partial return to offices in 2021-22

Target 2

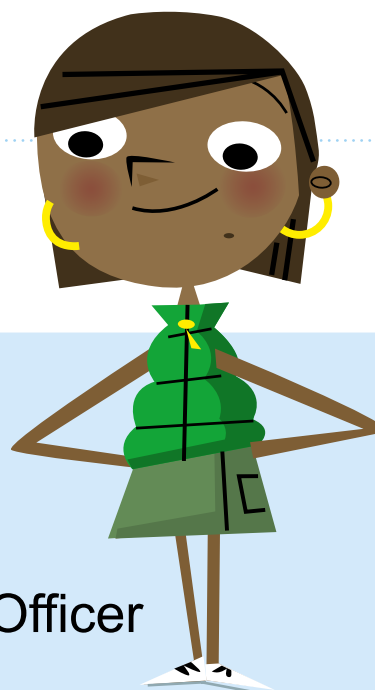
	Indicator	2021-22	2020-21	2019-20	2018-19	Baseline 2017-18
	Non hazardous waste: landfill (tonnes)	0	0	0	0	0
Non-financial indicators (tonnes)	Non hazardous waste: reused/recycled (tonnes)	6.07	11.11	32.10	23.68	5.10
Reduce overall waste	Incinerated with energy from waste	1.11	0	0	0	0
	Incinerated without energy recovery	0.06	0	0	0	0
Non-financial indicators	Total waste (tonnes)	7.28	11.11	32.10	23.68	5.10

* Landfill is shown as zero as we are unable to capture the data currently.

Target 3

	Indicator	2021-22	2020-21	2019-20	2018-19	Baseline 2017-18
Water consumption Non-financial indicators	Total water consumption (m3)	1288	906	560	793	752
						

* Data collection has now increased to 13 buildings and was originally five so usage has increased.



Signed: **Jacky Tiotto**
 Chief Executive and Accounting Officer
 Date: 9 December 2022

SECTION 3



Accountability



Directors' report

The Directors present their annual report, together with the financial statements and auditor's report.

The Chair of the Cafcass Board is Sally Cheshire CBE and the Deputy Chair of the Cafcass Board is Professor Eileen Munro CBE.

The Board is made up of non-executive members, listed below, who have been appointed in accordance with the Membership, Committee and Procedure Regulations 2005.

Cafcass Board membership:

Sally Cheshire CBE

Chair

Professor Eileen Munro CBE

Deputy Chair

Helen Jones

Chair of the Audit and Risk Assurance Committee

Paul Grant

Chair of the Performance and Quality Committee

Catherine Doran

Chair of the People Committee

Mandy Jones

Rohan Sivanandan

Joanna Nicolas

Co-opted Board member

Sophie Humphreys OBE

Co-opted Board member

Dr Susan Smith

Co-opted committee member

Register of interests

Board members have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest; a register of interests can be found on our website.

Information assurance

Cafcass agrees that no unauthorised disclosure of personal data is acceptable but acknowledges that the risk cannot be entirely eliminated. There is a commitment from Cafcass, the Board and the Audit and Risk Assurance Committee to continue the work to focus on mitigation and there are improvements in place to seek to lower the number of data breaches.

In 2021-22, Cafcass recorded 454 data incidents of which 321 were classified as personal data breaches. Eight of these personal data breaches fell within the legal requirement for reporting to the Information Commissioner's Office which represents 0.54% of all Cafcass cases.

Incidents and breaches for 2021-22

	2021-22	2020-21
Total number of data incidents investigated	454	424
Confirmed breaches	321	251
Reported to the ICO	8	9

*ICO concluded no further action in all 8 reported incidents

Statement of accounting officer's responsibilities

Under the Criminal Justice and Court Services Act 2000, the Secretary of State has directed Cafcass to prepare for each financial year a Statement of Accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state affairs of Cafcass and of its net resource outturn, application of resources, changes in taxpayers' equity and cash flows for the financial year.

Under the Criminal Justice and Court Services Act 2000, the Secretary of State has directed Cafcass to prepare for each financial year a Statement of Accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state affairs of Cafcass and of its net resource outturn, application of resources, changes in taxpayers' equity and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual and in particular to:

- observe the Accounts Direction issued by the secretary of State, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed, and disclose and explain any material departures in the financial statements; and
- prepare the financial statements on a going concern basis.

The Principal Accounting Officer of the Ministry of Justice has appointed the Chief Executive as Accounting Officer of Cafcass. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding Cafcass' assets, are set out in 'Managing Public Money' published by HM Treasury.

As far as the Accounting Officer is aware, there is no relevant audit information of which Cafcass'

auditors are unaware. She has taken all steps possible to make herself aware of any relevant audit information and to establish that Cafcass' auditors are aware of that information.

The Accounting Officer confirms that the annual report and accounts as a whole is fair, balanced and understandable. She takes personal responsibility for the annual report and accounts and the judgements required for determining that it is fair, balanced and understandable.

3.3

Governance statement and relationship with the Ministry of Justice

Cafcass is an executive non-departmental public body for which I, Jacky Tiotto, am the Chief Executive and the Accounting Officer. I am personally responsible and accountable to Parliament for the organisation and quality of the work carried out by Cafcass, including its use of public money and the stewardship of its assets.

There have been no material changes in our governance framework during the financial year, other than retaining a bi-weekly Covid-19 Programme Board through which we continue to lead our impact and recovery work. At the time of writing the Board is now called the 'Recovery Board'. Our governance arrangements satisfy the requirements of the main principles of the code 'Corporate governance in central government departments: Code of Good Practice' that are relevant to Cafcass. I consider our Governance Framework to be effective.

The Ministry of Justice

As a non-departmental public body Cafcass is accountable to our sponsor department, the

Ministry of Justice (MoJ). We work within the strategic objectives agreed with MoJ. We agree an annual Delivery Plan with MoJ which reflects our statutory duties, our contribution to MoJ targets, and our plans to deliver efficiency targets.

Regular meetings have been held with MoJ to allow scrutiny of arrangements. We work closely with MoJ on policy development and we contribute in agreed, defined ways to MoJ policy objectives for the family justice system.

The Cafcass Board

The Board use their expertise and experience to establish the organisation's strategic aims and objectives. Their work is supported by three committees:

- 1.** Audit and Risk Assurance Committee: provides assurance to the Board and Accounting Officer on audit, risk and control issues.
- 2.** Performance and Quality Committee: supports the Board in overseeing the performance of services, the quality of casework and the impact of that work on children and families, Cafcass and the courts.
- 3.** People Committee: provides assurance to the Board over the policy and strategy frameworks for the recruitment, retention, reward and development of people.

There is also a Remuneration Committee which is convened as and when needed.

The Family Justice Young People’s Board (FJYPB) works across the family justice system to promote the voice of the child in family court proceedings and is integral to the family justice reform process. A representative of the FJYPB attends each Cafcass Board meeting, providing an update about their work and scrutinising and challenging the work of the Board in the best interests of the children and families we serve.

Meetings attended per member of those eligible to attend

Board member	Board meeting	Audit and Risk Assurance Committee	Performance and Quality Committee	People Committee
Sally Cheshire	4 of 4	n/a	1 of 1	n/a
Eileen Munro	3 of 4	n/a	2 of 4	n/a
Paul Grant	3 of 4	n/a	4 of 4	2 of 2
Catherine Doran	4 of 4	6 of 6	n/a	2 of 2
Mandy Jones	4 of 4	4 of 6	n/a	2 of 2
Helen Jones	4 of 4	6 of 6	n/a	n/a
Rohan Sivanandan	3 of 4	n/a	n/a	2 of 2
Joanna Nicolas	4 of 4	n/a	3 of 3	1 of 1
Sophie Humphreys	3 of 4	n/a	3 of 4	n/a
Susan Smith	n/a	6 of 6	n/a	n/a

The Board met on a quarterly basis and all meetings were open to stakeholders and members of the public to observe. The formal meetings of the Board were supplemented by three Board

briefings attended by the Chief Executive and Corporate Management Team to ensure the Board were kept fully informed of ongoing and emerging challenges.

The Performance and Quality Committee and the Audit and Risk Assurance Committee are mandated to meet on a quarterly basis during the year. The Audit and Risk Assurance Committee held two additional meetings to scrutinise the external audit carried out by the National Audit Office. The People Committee are mandated to meet twice annually.

Internal management structure

The Chief Executive was supported during the year by three directors and two deputy directors. Together they make up the Corporate Management Team (CMT): the Director of Strategy, the Director of Resources, the National Director of Operations, the Deputy Director of Operations and the Deputy Director for Improvement.

CMT meets weekly following a clear governance and decision-making cycle which allows discussion in themed meetings and includes a range of senior managers across the organisation in attendance.

The Operational Management Team (OMT) is led by the National Director of Operations. Its membership is made up of the assistant directors, operational heads of practice, and representatives

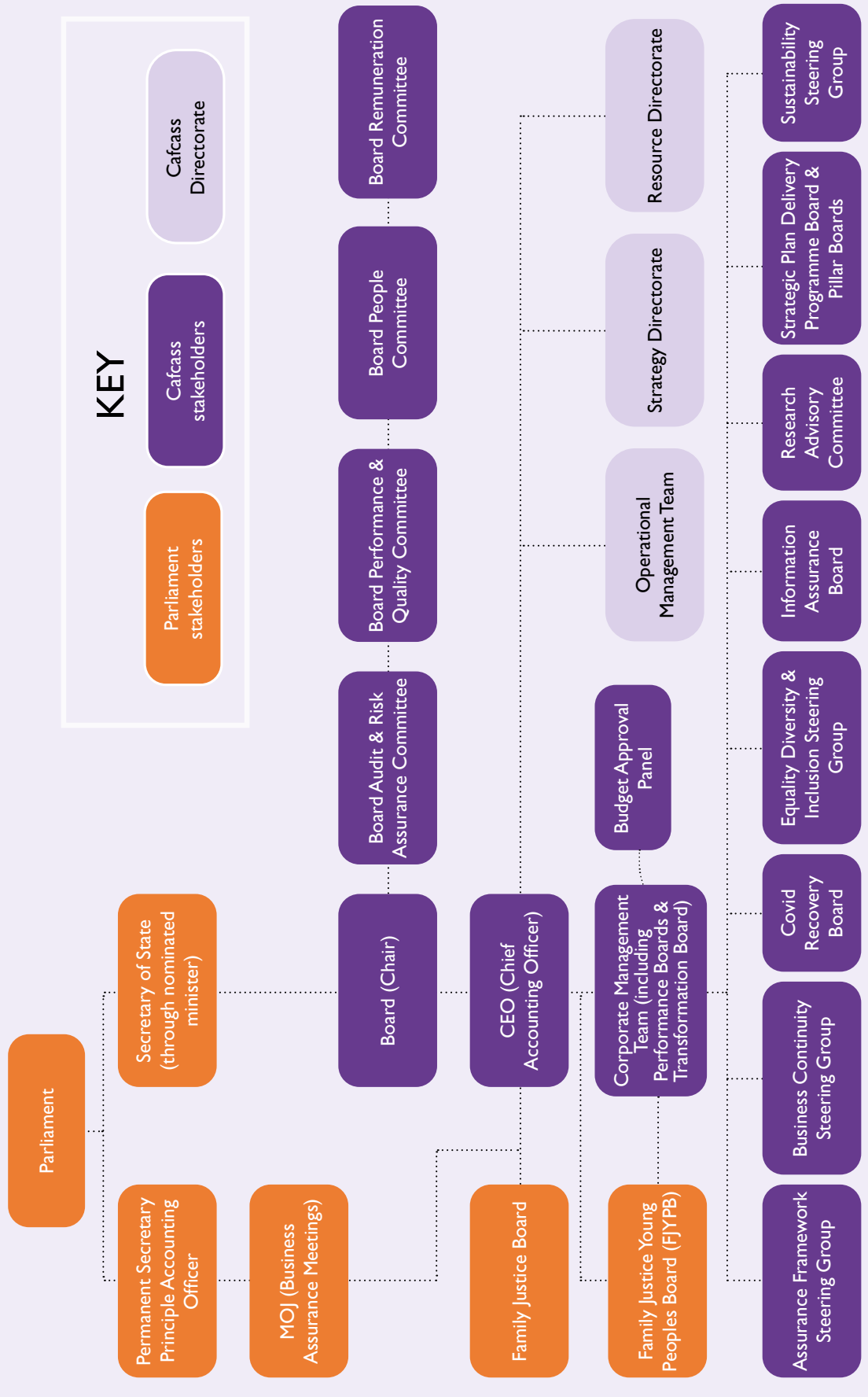
from teams that directly support operational services including Finance, Human Resources and Business Analysis. OMT meets monthly to manage performance across the country.

Service area meetings take place locally every month in each service area to lead and implement corporate and operational decisions into local actions. Local team meetings complete this cascade structure and process, which includes the learning both from things we could have done better and from best practice. Periodic meetings within the specialist functional teams also take place for the same purposes.

The Directors of Strategy and Resources meet regularly with their managers to review performance across their respective directorates.

We have internal boards and groups which are managed by members of the CMT to ensure that we keep abreast of regulations and requirements in line with good governance principles: Operational Management Team, Information Assurance Board, Research Advisory Committee, Innovation and Programme Delivery Board, Business Continuity Steering Group and Budget Approval Panel. A Transformation Programme Board was introduced (within the CMT cycle) during 2021-22 to govern the delivery of the transformational programmes within the Strategic Plan.

CAFCASS GOVERNANCE STRUCTURE



The Board's committees have delegated responsibility to oversee and scrutinise areas of risk, control and governance (Audit and Risk Assurance Committee), policy and strategy frameworks for the recruitment, retention, reward and development of people (People Committee) and the effectiveness of services, the quality of casework and the impact of that work on children, families and carers, Cafcass and the courts (Performance and Quality Committee). Chairs of the Committees meet quarterly with the Chair of the Board and Chief Executive Officer to forward plan agendas and provide a mechanism for Chairs to cross reference risks and issues.

The Chair of the Cafcass Board is Sally Cheshire CBE.

During 2021-22, the Board continued to govern and perform its role effectively and Board members continue to work closely with members of the CMT to provide strong leadership to achieve our priorities.

I am confident that the quality of the data used by the Board is robust. All reports prior to submission to the Board are subject to rigorous quality assurance processes by senior managers. The effectiveness of the systems that generate the financial and performance data contained within the reports is evidenced through positive internal audit and inspection results.

We aim to keep reports clear, concise and focused on the purpose of the Board's reviewing. An example of this is our Performance Report, which provides an overall high-level position and assessment of our performance against our strategic objectives and risks and is aligned with the corporate work programme which drives the actions needed to meet our objectives.

Assurance arrangements

The Audit and Risk Assurance Committee (ARAC) has oversight of the organisation's governance, risk and internal control frameworks. It receives reports on matters of assurance and oversees

the preparation and publication of the financial statements.

ARAC oversees the internal audit programme work and delivery arrangements. The Head of Internal Audit role and internal audit programme are provided through the Government Internal Audit Agency.

In line with our Assurance Framework, we report annually on assurance to the Accounting Officer and ARAC. The annual assurance report identifies the internal controls mapped against the three lines of defence (i.e. operational controls, management monitoring, and independent assurance) and how they are performing. This process is supported by an internal steering group which is Chaired by the Director of Resources. The 2021-22 Assurance Report confirmed that the control environment was adequate and supported the Governance Framework. This report also provides a mechanism for identifying areas to be included in the Government Internal Audit Agency audit programme for further scrutiny of the performance of controls.

Assuring our quality of practice

The introduction of our new practice framework and our practice improvement programme has required us to set out again clearly, what is expected in the ways we hold ourselves to account, oversee practice and learn from feedback.

In so doing, we have been careful to recognise and respect the appointment of FCAs as independent experts and advisers to the family court. Whilst they are employed by Cafcass, regulated by Social Work England and expected to take full account in their practice of what constitutes good practice, our relationship is different as an employer to that which is in operation for social workers in local authority children's services departments for example. In seeking to clarify and balance our accountabilities alongside the independent appointment of FCAs by the family court, we have however also sought to be compliant with the Ministry of Justice working protocol with Cafcass. This sets out the clear expectations of the Chief Executive in respect of her responsibility to assure herself about the quality and effectiveness of practice, to review and record that regularly and to intervene where necessary.

We have taken the time to refine the systems that hold us to account, to assure ourselves that what needs to happen for children and their families in proceedings does happen, to be clear about the role and function of supervision and management oversight and to formalise and set out the range of quality assurance and learning activities that are undertaken regularly. We have introduced the following frameworks and cycles as part of our assurance system for quality of practice.

- **Performance and accountability:** we have introduced a senior leadership programme of activity to oversee delivery and monitor the impact of our annual National Improvement Plan and the eight regional improvement plans which support it. These are set each year on the basis of our annual self-assessment, submitted to Ofsted and reviewed with them at an annual engagement meeting.
- **Management oversight and supervision:** this framework is summarised in our new Management Oversight and Supervision policy, which sets out the expected frequency of audits and moderations, practice observations, child's plan reviews, and the circumstances in which we advise FCAs to seek situational supervision. It also covers expectations for case supervision and quality assurance at case filing and closure.
- **Quality assurance:** our revised quality assurance cycle complements our new management oversight and supervision framework. It has introduced formal benchmarking of our moderation audits, a monthly requirement for assistant directors to audit, and an increase in expectations for the number of moderated quality and impact audits undertaken by heads of practice.
- **Learning together and learning with children:** Our regular practice and learning reviews (three per year for social work

practitioners, two per year for corporate and business services staff) hold learning priorities for all staff drawn from the Cafcass-wide learning plan. These are complemented by a range of learning activities to help our staff apply learning from feedback, serious incidents, complaints and best practice, and to reflect on the regional improvement priorities and evidence of impact.

Internal audit

The planned programme of audit work was met during the year which included five audit reports and an advisory review. Cafcass was given an overall assurance of Substantial.

Rating – Substantial

- Workforce planning
- Caseload management

Rating – Moderate

- Casework quality
- Seeing children
- Significant incident reporting

Actions arising from recommendations made by the Internal Auditor are allocated to named officers who are charged with implementation. Medium and high-risk recommendations are also maintained in a central log held within the Members Office. While the named officers are responsible for completion

of the recommendation and updating of the central log, the Members Office also seek assurance on completion of the actions in between meetings of the Audit and Risk Assurance Committee (ARAC). Where actions have not been completed within the timescale originally set, the officer provides an explanation and a revised date for completion. The updated log of recommendations is presented to each meeting of the ARAC.

As part of the annual Internal Audit Programme, the Internal Auditor allocates time to review progress with those recommendations from audits rated as having Limited Assurance and any high risk recommendations from any other audit reports. The Internal Auditor reports their findings in relation to following up audit recommendations to the ARAC.

Advisory review

The advisory work completed by our internal auditors, GIAA, comprised annual financial checks as part of the year end accounts preparation. This work does not result in an audit opinion but assists in quality assuring our end of year accounting controls in advance of the formal audit of the accounts.

Strategic and business plans

Our Strategic Plan was launched in September 2019 and set the direction for Cafcass over the

four years until 2023. The plan was developed over several months and was informed by the views of staff and partners. Setting out a collective vision and values, the strategy looks outwards with the aspiration of working more closely with partners and families to improve the experiences and outcomes for children and parents involved in family justice proceedings. The strategy sets out three broad strategic goals:

1. To deliver the best quality social work and support service in every case, to help make things better for children and their families, wherever they live.
2. For our staff to have the support, resources and working environment that enables them to sustain excellence in challenging times.
3. To share knowledge, learn from others and use our collective influence to improve the family justice system and wider family policy.

The delivery of the strategic plan is monitored by the CMT and substantive bi-annual reporting to the Cafcass Board.

Business continuity planning

Business continuity planning creates resilience within our processes and tools (such as IT systems) so that we can continue to deliver our service effectively during unexpected disruptive events. Business continuity planning and incident

response is overseen by our Business Continuity Steering Group and Incident Management Team support this work and both are Chaired by the Director of Resources.

How we manage risk

Our risk management policy sets out our approach to risk management and outlines our responsibilities in the management of risk throughout the organisational structure, including how risk is escalated.

This includes the responsibility of CMT members (executive directors) who are senior risk owners of strategic risks and responsible for reporting and ensuring changes to strategic risks and emerging risks are reported to CMT, ARAC and the Board.

The risk management function is managed and delivered within the Resources Directorate and the risk management policy is reviewed annually.

Risk is formally reported to ARAC and the Board on a quarterly basis and details strategic risks and above tolerance organisational risks and mitigation actions being taken. The report is reviewed quarterly by the Audit and Risk Assurance Committee and the Board.

Strategic risk	Quarter			
	Q1/21	Q2/21	Q3/21	Q4/22
Quality of practioners' casework	↔	↔	↔	↔
Information assurance	↔	↓	↔	↔
Remit (budget allocation and management)	↔	↑	↓	↔
Issue resources (demand)	↔	↔	↔	↔
Resources (recruitment and retention)	↔	↑	↔	↔
Performance of technology	↔	↔	↔	↔
Leadership (succession planning)	↔	↔	↔	↔
Influencing system change	↔	↔	↑	↔
Reputation	↔	↔	↔	↔
Issue Covid 19 pandemic	↔	↔	↔	↔

Key:

- ↔ No change in risk
- ↓ Decrease in risk
- ↑ Increase in risk

Acceptable level of risk. Risk is managed within the local business area

Risk acceptable but may require monitoring. Consider if additional controls to reduce risk are available (where cost effective and proportionate). May require escalation to next management level for information

Risk exceeds desirable level. Identify additional controls. Requires escalation to next management level

Risk exceeds acceptable level. Identify additional controls to reduce and manage risk and ensure contingency plans are in place. Immediately report to the next management level

Internal controls that help manage and reduce risk are monitored through our Assurance Framework and categorised using a three-line of defence model: operational controls, management monitoring, and independent assurance. We also conduct a separate risk assessment of the wider environment in which we work, to provide more transparency around our understanding and management of risks outside the organisation, which do or could impact on our work.

Our strategic risk profile at year end was:

- **Quality of practitioners' casework:** Although there has been no decline in quality, the impact of reduced management capacity and oversight means the risk has remained significant during the year. The last national quality audit results were positive and the best since 2017. Improvement plan evaluations have evidenced that the quality of practice has been sustained over the year with some aspects of practice improving despite the demand pressures on family court advisers. Decisions and delivery plans to help reduce the risk, include the implementation of our new practice framework, our prioritisation protocol and a new management oversight and supervision policy, plans to develop a career and qualification pathway, some reconfiguration of management capacity and specific oversight at the fortnightly internal recovery board

- **Information assurance:** The risk reduced from being a significant risk in Q2 due to the overall number of data breaches reducing. In Q3 there was an increase in the number of avoidable data breaches, however with effective systems in place to identify, record and take action to review and mitigate the impact of all data breaches, the risk score has not changed. Mitigation continues to focus on promotion of data protection awareness and a culture of compliance and digital solutions.
- **Remit (budget allocation and management):** The risk was escalated from significant risk to critical in Q2 but then reduced to moderate in Q3 following approval of overspend from the MoJ to recruit staff to manage increased demand. The provisional allocation for 2022-23, has been received and is seen as a positive settlement and reflective of the MoJ's continuing support of Cafcass, enabling maintenance of higher staffing levels. Mitigation continues to be focused on maintaining strong communication with MoJ.
- **Resources (recruitment and retention):** The risk was escalated to being a significant risk in Q2 and has remained the same into Q4 due to increased levels of turnover of staff and availability of social workers within the sector. Turnover has remained high, though still lower than the local authority social work rate of 15%,

but the volume of family court advisers leaving does represent a loss and gap of professional expertise in social work, particularly as new starters need to complete a full induction before taking on a full caseload. Priority remains focused on developing targeted approaches to recruitment in those areas having difficulty to recruit. The Workforce Transformation Programme will deliver investment in retention and a revised recruitment strategy to ensure we have a strong external appeal and brand.

- **Performance of technology:** The risk has remained consistently moderate but with some movement in the impact score in Q2 to reflect that mitigation would reduce probability rather than impact. KPIs continue to be met by suppliers and customer satisfaction has been maintained at a very high level. Investment in system development and new equipment continues to be delivered against plans.
- **Leadership (succession planning):** The risk has remained moderate and impacted by the delay in recruitment of Board members. A restructure of the Corporate Management Team was completed, and two deputy directors recruited. Mapping of critical posts, deputies and succession planning continues.
- **Influencing system change:** The risk was increased to significant in Q3 due to the structures for joint planning and decision-

making not being sufficiently agile to direct resources and action to areas most needed. Q4 saw an improving trend with structures and 'system grip' improving, however, with assessment of risk remaining significant. Mitigation continues to be focused on engagement with partners through MoJ, the Family Justice Board and its sub-groups together with the national recovery board that we chair and the new pilot family justice system reform arrangements in Dorset and Wales.

- **Reputation:** This risk remained consistently moderate. System partners are well informed about changes to organisational guidance and policy. Mitigation focus continues on identification of response to emerging issues including serious incident response and learning from complaints and learning reviews.
- **Resources (demand):** The risk crystallised to an issue in Q1 due to a reduction in timely allocation of children's cases; children's cases taking longer to conclude; and FCAs carrying above tolerance of children's cases. The impact remains critical. The private law transformation programme is reviewing processes for closure of children's cases and allocation. Work continues with local judiciary and authorities to reduce demand pressures on staff. The path to success and improvement relies on finding

different ways of managing parental conflict and reducing the backlog.

- **Covid-19 pandemic:** The risk was converted to an issue in Q1 and the impact remains moderate. The Covid-19 Recovery Board continues to oversee the response to the pandemic and the Covid-19 Contingency Planning meeting considers the impact of absence on our staffing capacity and to ensure our service to children and families is not compromised.

Overall conclusions from the Accounting Officer

I consider that our governance framework has continued to operate effectively with the additional measures outlined in this report which were necessary to manage the impact of Covid-19. We have more than ever continued to prioritise our efforts and resources into supporting the frontline service. Our experience of rising demand, the complexity of the work and the record levels of work staying open longer creates significant challenges ahead. These challenges are not only in how to maintain the quality of our work with children but also, equally importantly, how we can continue to sustain and ensure the resilience and wellbeing of our staff. In this context, while the governance framework in place is working for now, we will continue to keep this under review.

3.4

Our people: remuneration and staff report

The purpose of this section is to provide an overview of our workforce and to set out the pay and benefits received by Cafcass Board members and directors, our pay and pensions' policies, details of staff numbers and costs, and our policies to support staff including equality and diversity commitments.

Our people

Cafcass is one of the top three largest employers of social workers in England. As at 31 March 2022, we had 2,242 employees (2,047 FTE). In addition to the Chief Executive and three directors in post on that date, there were 1,709 social workers and 529 corporate and other professionals.

There were 189 contingent workers, including 55 locum social workers, 114 Cafcass associates who undertake discrete social work assessments and 20 temporary workers in corporate and professional roles.

Social work roles

There were 1,709 social workers in post on 31 March 2022 (1,549 FTE), an increase of 4.3% from the same point in the previous year, continuing the

trend over the last five years. All social work staff are required to be registered with the regulator for social work, Social Work England, and renewal of registration for all eligible staff was completed to the required deadline of 30 November 2021. There were 55 locum staff in social work roles.

Employed social work FTE				
2017-18	2018-19	2019-20	2020-21	2021-22
1,329.7	1,376.4	1,407.5	1,485.1	1,549.4

Turnover

There were 193 social work employee leavers in 2021-22. This equates to a turnover rate of 12.5%, which reflects an increase compared to the previous year (9%).

Starters leavers and turnover			
	Starters	Leavers	% Turnover
Social workers	258	193	12.5%

Cafcass has a more stable permanent workforce when compared to the average for other social work organisations. Cafcass' staff turnover rate and agency rate are below the average for social workers nationally and also below that for the average of other organisations rated outstanding by Ofsted.

Age and gender

Social work staff are predominantly female (87.5%) compared to male (12.5%), which is in line with the

gender distribution of the wider children's social work workforce. 0.18% of staff are recorded as having completed gender re-assignment.

Gender	Headcount	% Headcount
Female	1,495	87.5%
Male	214	12.5%

In 2021-22, 58.5% of Cafcass social work staff were between the age of 30 and 49, with a further 26.3% aged 50 to 59 and 11.9% aged 60 years or older. Cafcass age distribution is therefore significantly older than the wider children's social work workforce and we monitor retirement rates to support workforce forward planning and forecasting.

We have seen a small reduction of 1.6% in the proportion of our social workers aged over 50, compared to last year. The average age of new social work joiners in 2021-22 was 39.4 years.

Age groups	Headcount	% Headcount
18 - 29	56	3.3%
30 - 39	498	29.1%
40 - 49	502	29.4%
50 - 59	449	26.3%
60+	204	11.9%

The qualification of social workers

As at January 2022, 70% of qualified social workers achieved their initial social work qualification more than 10 years ago.

Time since initial social work qualification	% Headcount
Less than 5 years	5%
Between 5 and 10 years since qualification	25%
More than 10 years since qualification	70%

Time in service with Cafcass

On 31 March 2022, 55.7% of social workers had been employed for less than five years.

A further 22.1% had been in post for between five and 10 years, with another 22.2% in post for 10 years or more. Cafcass social work staff have on average significantly longer tenure than the wider children's social work workforce.

Tenure groups	Headcount	% Headcount
Less than 2 years	481	28.1%
2 years or more but less than 5 years	471	27.6%
5 years or more but less than 10 years	378	22.1%
10 years or more	379	22.2%

Social work roles

The significant majority of Cafcass social work roles are family court advisers and these are frontline case holding roles.

Role	Headcount	% Headcount
Family court adviser	1,402	81.4%
Practice supervisor	166	9.6%
Service manager/senior service manager	126	7.3%
Head of practice/social work qualified senior manager ¹⁶	29	1.7%

Social work ethnicity

16.9% of Cafcass social work staff identify as belonging to a minority ethnic group, compared to 17.6% for all Cafcass employees, and 23% for the wider child and family children's social care workforce¹⁷.

16 This includes an additional 14 social work qualified staff who are not included in the previous tables relating to social work roles.

17 Source: Children's social work workforce, Reporting Year 2021 – GOV.UK (www.gov.uk).

Ethnic group	Headcount	% Headcount who have declared ethnicity
Asian	69	4.2%
Black	131	8.0%
Mixed	76	4.7%
Other ethnic group	8	0.5%
White	1,351	82.6%
Not declared	74	n/a

Social work disability

9.9% of Cafcass social work staff have a declared disability, compared with 9.7% of all Cafcass employees. In comparison 20% of the working-age (people aged 16 to 64) population report having a disability¹⁸.

Corporate and business services

There were 533 staff in corporate and business services¹⁹ roles in post on 31 March 2022 (498 FTE), an increase of 6.8% from the same point in the previous year.

Employed corporate and professional FTE				
2017-18	2018-19	2019-20	2020-21	2021-22
401.0	424.1	436.9	466.0	497.8

¹⁸ Source: The employment of disabled people 2021 – GOV.UK (www.gov.uk).

¹⁹ Including the Chief Executive and Directors.

Turnover

The headcount of leavers in the preceding 12 months was 63. This equates to a turnover rate of 13.0% which reflects an increase from the previous year (8.7%).

	Starters	Leavers	% Turnover
Corporate and professional	97	63	13.0%

Age and gender

The corporate and professional workforce is predominantly female (78.6%) compared to male (21.4%).

Gender	Headcount	% Headcount
Female	419	78.6%
Male	114	21.4%

On 31 March 2022, the majority of corporate and business services staff were in the age range 30 to 49 (53.7%). Younger employees aged 18 to 29 made up 17.6% of the workforce with 28.7% aged 50 or over.

Age groups	Headcount	% Headcount
18 - 29	94	17.6%
30 - 39	156	29.3%
40 - 49	130	24.4%
50 - 59	119	22.3%
60+	34	6.4%

Time in service with Cafcass

On 31 March 2022, 46.7% of corporate and business services staff had been in post for less than five years. A further 21.4% had between five and 10 years, with 31.9% having 10 years or more service.

Tenure groups	Headcount	% Headcount
Less than 2 years	120	22.5%
2 years or more but less than 5 years	129	24.2%
5 years or more but less than 10 years	114	21.4%
10 years or more	170	31.9%

Ethnicity

19.8% of Cafcass corporate and business services staff identify as belonging to a minority ethnic group. In comparison, the figure for all Cafcass staff is 17.6%, and for the wider working age population is 13.3%.

Ethnic group	Headcount	% Headcount
Asian	56	11.2%
Black	28	5.6%
Mixed	15	3.0%
Other ethnic group	3	0.6%
White	398	79.6%
Not declared	33	n/a

Disability

9.1% of Cafcass staff in corporate and professional roles have a declared disability. The equivalent figure for all Cafcass staff is 9.7%. In comparison, 20% of the working-age (people aged 16 to 64) population report having a disability.

Remuneration

■ Remuneration policy

Cafcass Board members are appointed by the MoJ according to the Children and Family Court Advisory and Support Service (Membership, Committee and Procedure) Regulations 2005, which sets out all terms of appointment except remuneration, which is determined by the Secretary of State. Board members are statutory office holders and, as such, do not hold a contract of employment. Cafcass Board members are appointed on one, two, three or four-year terms. The remuneration of Cafcass directors is recommended for approval by the Chief Executive to the Remuneration

Committee, made up of the Chair of the Cafcass Board and the Chairs of each of its committees. The MoJ determines the salary of the Chief Executive. Cafcass salaries are established by considering factors such as relevant external comparator pay levels, internal benchmarks, affordability, recruitment and retention risks, and political sensitivity. There was no change to this policy for the 2021-22 financial year.

■ **Service contracts**

Cafcass' appointments of directors are made in accordance with the Cafcass Recruitment and Retention Policy. This policy recognises that in order to provide a high-quality service to the children and families whom we serve, it is vital that we recruit and retain people through fair and open competition who share our aims and values and have the requisite skills and abilities to perform to a consistently high standard. Unless otherwise stated, staff covered by this report hold appointments that are open-ended. Members of Cafcass' Corporate Management Team (CMT) are required to provide four or six months' notice to terminate their contract. Early termination by Cafcass, other than for gross misconduct, would result in the individual receiving compensation by way of payment in lieu of notice, as set out in the individual

contract of employment. No such payments were made to senior executives during the year.

■ **Remuneration of Cafcass Board members and senior management**

Remuneration includes gross salary, benefits-in-kind, and pension benefits (employer's pension contributions). More detail on these is set out below in the remuneration tables.

Single total remuneration figures for Cafcass Board members (Audited)

Board members	Salary (£000)		Bonus payments (£000)		Benefits in kind (to nearest £100)		Pension benefits (£000)		Total (£000)	
	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21
Sally Cheshire CBE	30-35	30-35	-	-	500	-	-	-	30-35	35-40
Caroline Corby (until 25 Jan 21)	-	5-10 (10-15 annualised)	-	-	-	-	-	-	-	5-10 (10-15 annualised)
Catherine Doran	10-15	10-15	-	-	-	-	-	-	10-15	10-15
Paul Grant	10-15	10-15	-	-	-	-	-	-	10-15	10-15
Sophie Humphreys	10-15	10-15	-	-	-	-	-	-	10-15	10-15
Helen Jones	10-15	10-15	-	-	-	-	-	-	10-15	10-15
Mandy Jones	10-15	10-15	-	-	-	-	-	-	10-15	10-15
Professor Eileen Munro CBE	10-15	10-15	-	-	-	-	-	-	10-15	10-15
Joanna Nicolas	10-15	10-15	-	-	-	300	-	-	10-15	10-15
Deep Sagar (until 31 March 21)	-	10-15	-	-	-	-	-	-	-	10-15
Rohan Sivanandan	10-15	10-15	-	-	-	-	-	-	10-15	10-15

Single remuneration figures for Cafcass directors (Audited)

Directors	Salary (£000)		Bonus payments (£000)		Benefits in kind (to nearest £100)		Pension benefits (£000)		Total (£000)	
	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21	2021-22	2020-21
Jacky Tiotto, Chief Executive	170-175	170-175	-	-	100	100	20	29	190-195	200-205
Julie Brown, Director of Resources & Deputy Chief Executive	135-140	135-140	-	-	100	100	34	39	170-175	175-180
Christine Banim, National Service Director (to 27 October 20)	-	65-70 (115-120 Annualised)	-	10-15	-	-	-	-	-	75-80 (125-130 Annualised)
Teresa Williams, Director of Strategy	125-130	125-130	-	-	100	100	36	38	165-170	165-170
Anji Owens, Director of Operational Performance (to 3 July 21)	30-35 (115-120 Annualised)	115-120	-	-	0	100	4	102	35-40 (120-125 Annualised)	220-225
Kevin Gibbs, Director of Operational Delivery (to 18 July 21)	35-40 (115-120 Annualised)	115-120	-	-	400*	6300*	7	53	40-45 (125-130 Annualised)	175-180
Jack Cordery, Operational Director	140-145	5-10 (120-125 Annualised)	-	-	100	-	82	-	220-225	5-10 (120-125 Annualised)

Salary

‘Salary’ includes: basic salary, London weighting, honorarium, overtime, market supplement (discretionary payment for some posts to aid retention and recruitment), buy-back of untaken annual leave, and Pay in lieu of Notice (PILON).

Bonus payments and performance related pay

Performance related pay (PRP) is based on performance in the year. Targets are set annually and based on overall performance towards the achievements of the business plan objectives (stated below). Threshold performance would result in a PRP payment of no more than 10% of basic salary. Performance below threshold would result in no payment being paid. Cafcass has been moving away from including PRP clauses in new Director contracts and therefore no performance related payments were made in 2021-22.

PRP awards for Cafcass staff would be determined by the Chief Executive and must be endorsed by the Remuneration Committee. PRP for the Chief Executive would be determined by the Remuneration Committee and the MoJ.

The strategic objectives that are relevant for PRP consideration are to:

- Show continuous improvement in our performance and in the quality of our work;

- Innovate and reform in public and private law, to use our resources to best effect;
- Develop an evidence base that analyses the diversity related needs of children and families and in turn briefs and trains our staff to respond to these changes;
- Continue delivering savings packages required by innovating throughout all front and back-office functions and across organisational boundaries;
- Use our unique position and insight to generate high impact and timely research to inform our own practice and influence that across the family justice system.

Payments to former directors (Audited)

No payments were made to any person who was not a director at the time but had been a director of Cafcass previously. Any previous payments to former directors are included in prior years' reports.

Benefits in kind

The monetary value of benefits in kind covers any non-cash benefits provided by Cafcass and treated by HM Revenue and Customs as a taxable emolument. Board members' travel costs to the Cafcass National Office are administered via Payroll/PAYE, which acts as a benefit in kind. However, due to a move to virtual rather than

physical attendance at board meetings due to Covid-19 no such benefits in kind were accrued during the year 2021-22.

Additionally, reported Board member figures for 2020–21 are amended to reflect a move from administering benefits in kind through PAYE settlement agreement to payrolling of benefits. Previously reported figures included some double accounting of benefits, which are therefore corrected in this year's report.

Pension entitlements for directors (Audited)

Pension benefits are provided by the West Yorkshire Pension Fund (WYPF), to which Cafcass makes employer's contributions. Further information on the Cafcass pension schemes can be found in Note 1 and Note 22 of the Annual Accounts. The accrued pension at retirement age is the pension earned that the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age.

Cash equivalent transfer value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme (or arrangement) when the member

leaves a scheme and chooses to transfer the benefits accrued in their former scheme. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries.

The pension figures shown relate to the benefits that individuals have accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The CETV figure includes the value of any pension benefit in another scheme or arrangement which the individual has transferred to the pension provider and for which the pension provider has received a transfer payment commensurate to the additional pension liabilities being assumed. They also include any additional pension benefit accrued to the member as a result of their purchasing of additional years of pension service in the scheme at their own cost.

The real increase in CETV effectively funded by the employer excludes increases due to inflation and contributions paid by the Director (including the value of any benefits transferred from another pension scheme or arrangement). It uses common market valuation factors for the start and the end of the period.

	Real increase in pension and related lump sum at retirement age (£2,500 bands) (£000)	Total accrued pension at retirement age at 31 March 2022 and related lump sum (£5,000 bands) (£000)	CETV at 31 March 2021 (£000)7	CETV at 31 March 2022 (£000)8	Real increase in CETV after adjustment for inflation and changes in market investment factors (nearest £000)
Jacky Tiotto, Chief Executive	0-2.5 plus 0-2.5 lump sum	15-20 plus 0-5 lump sum	223	252	22
Julie Brown, Director of Resources & Deputy Chief Executive	0-2.5 plus 0-2.5 lump sum	35-40 plus 0-5 lump sum	448	492	31
Teresa Williams Director of Strategy	0-2.5 plus 0-2.5 lump sum	10-15 plus 0-5 lump sum	100	136	33
Anji Owens, Director of Operational Performance	0-2.5 plus (2.5)-0 lump sum	45-50 plus 50-55 lump sum	668	674	0
Kevin Gibbs, Director for Operational Service Delivery	0-2.5 plus 0-2.5 lump sum	20-25 plus 0-5 lump sum	360	377	14
Jack Cordery, Operational Director (from 05/03/21)	2.5-5 plus 0-2.5 lump sum	5-10 plus 0-5 lump sum	3*	89	85

* Jack Cordery became a director with effect from 05/03/2021. The pensions input amount reflects the period of time the member was a director and was recorded as nil in the prior year reporting.

Compensation for early retirement or loss of office (Audited)

No senior managers received any compensatory payments during 2021-22.

Fair pay disclosure (Audited)

This shows the relationship between the remuneration of the highest-paid director in the organisation as well as the 25th percentile, the median and 75th percentile remuneration of the organisation's workforce. This is based on full-time equivalent salaries. The values for the 25th percentile and 75th percentile are the same due to there being a large proportion of the workforce employed in the same role (family court adviser) receiving the same remuneration and there being no pay award increase during 2021-22.

	2021-22	2020-21
Highest earner's total banded remuneration (£000)	170-175	170-175
25th percentile	£39,018	£39,035
Ratio	1:4.42	1:4.42
Median total remuneration	£43,525	£43,525
Ratio	1:3.96	1:3.96
75th percentile	£43,525	£43,525
Ratio	1:3.96	1:3.96

The following table compares the annual % change of salary, allowances and any performance pay and bonuses for the highest paid director as well

as the average equivalent % changes for the workforce as a whole.

Annual % changes to pay, allowances and bonuses

	2021-22	2020-21
Highest paid Director		
Salary and allowances	0.00%	1.96%
Performance pay and bonuses	0.00%	0.00%
Whole workforce		
Salary and allowances	-0.49%	2.03%
Performance pay and bonuses	0.00%	-100.00%

In 2021-22, nil employees received remuneration in excess of the highest paid director (2020-21 also nil). Remuneration ranged from £13,000 to £175,000 (2020-21 also £13,000 - £175,000).

Total remuneration includes salary, non-consolidated performance-related pay and benefits-in-kind. It does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.

Staff report

Number of senior civil servant (SCS) equivalent staff

Cafcass has 19 staff who are the equivalent of senior civil servants (SCS): 13 members of the Operational Management Team and six senior managers in corporate teams (this excludes

directors, whose remuneration has been set out above).

Salary band	Number of SCS equivalent within band
£70,000 - £80,000	2
£80,000 - £90,000	2
£90,000 - £100,000	6
£100,000 - £110,000	9
Total	19

Staff numbers and costs (Audited)

Cafcass staff members are subject to levels of remuneration and terms and conditions of service (including superannuation) within the general pay structure approved by MoJ. An analysis of staff numbers and costs is set out below, distinguishing between staff with permanent contracts, and staff who are flexible, agency, and self-employed contractors. All staff numbers are presented on an actual basis as at the reporting date (31 March 2022) and reflect head count; staff costs are presented on total cost during the reporting period (April 2021-March 2022).

Staff Numbers (31 March 2022)

Category	Social worker	Other	Total
Cafcass Board members		10	10*
Corporate staff		145	145
Operational staff	1,630	387	2,017
Employed flexible staff (bank/sessional)	79	1	80
Total employees	1,709	533	2,242
Agency staff	55	20	75
Cafcass associates (active)	114		114
Total flexible workforce	169	20	189
Grand total	1,878	563	2,441

*As at March 2022 we actually had seven Board members in post and had three vacancies (two were filled on 19 April 2022 and we continue to hold one vacancy) . We also have two co-opted board members and one co-opted committee member.

Cafcass pay framework

Cafcass staff are employed on the Cafcass pay scale bands 1-10. Each band has a commencement point and a target point with progression based on an assessment of performance after 18 months in post. The pay scale is underpinned by the Cafcass job evaluation framework. Senior management roles

(not including directors) are appointed to spot salaries which are subject to internal and external benchmarking. The Cafcass pay framework does not align with and is not linked to civil service pay grades.

Staff composition – gender, ethnicity and disability

Staff composition groups	Female	Male	Black, Asian and Minority Ethnic	Disability
Directors	3	1		1 (25.0%)
Senior civil service equivalent (excluding directors)	14 (73.7%)	5 (26.3%)	2 (10.5%)	1 (5.6%)
Other Cafcass staff	1897 (85.5%)	322 (14.5%)	373 (17.7%)	200 (9.7%)
Total	1914 (85.4%)	328 (14.6%)	375 (17.6%)	202 (9.7%)

Staff costs (Audited)

	Cafcass Board members	Corporate national office staff	Regional staff	Total
Salaries and wages	114,000	8,716,000	73,993,000	82,823,000
Apprentice levy	-	42,000	357,000	399,000
Social security costs	5,000	873,000	7,882,000	8,760,000
Current service cost	-	3,914,000	33,373,000	37,287,000
Other pension costs	-	4,000	88,000	84,000
Past pension service cost/ (gain)	-	-	-	-
Total payroll costs	119,000	13,549,000	115,518,000	129,185,000
Less recoveries of outward secondments	-	-	19,000	19,000
Locum social worker costs	-	-	6,498,000	6,498,000
Other temporary staff costs	-	46,000	632,000	678,000
Self-employed contractors	-	-	2,650,000	2,650,000
Inward secondees costs	-	-	-	-
Total staff costs	119,000	13,595,000	125,279,000	138,992,000

Sickness absence data

22.3% of our workforce have had some level of absence due to Covid-19. Of these 22.0% of staff had a period of sickness absence and 0.3% of staff had absences which were due to caring responsibilities. All forms of sickness absence (including Covid-19) are included in the data below.

Category	2021-22	2020-21	2019-20	2018-19	2017-18	2016-17
Social workers average working days lost (excluding leavers)	11.1 (10)	8.7 (7.5)	9.6 (7.7)	9.9 (8.3)	8.7 (7.5)	10.6 (9)
Corporate and professional average working days lost (excluding leavers)	9.6 (8.7)	8.3 (7.3)	10.9 (9.1)	8.8 (8)	8.7 (8.1)	8.1 (7.1)
Overall average working days lost (excluding leavers)	10.8 (9.7)	8.6 (7.5)	9.9 (8)	9.6 (8.2)	8.7 (7.7)	10 (8.6)

Consultancy

There has been no expenditure on consultancy during 2021-22.

Off payroll engagements

Cafcass conforms to relevant regulations in respect of tax arrangements for all off-payroll appointments and this includes an assessment of employment status as required under IR35. Where workers are engaged through an intermediary, Cafcass undertakes an assessment of employment status for tax purposes and issues the required status determination statement. Where relevant Cafcass instructs that required deductions for income tax and national insurance are made. Cafcass had previously liaised closely on these matters during 2020-21 with the Ministry of Justice and the Government Tax Centre of Excellence in readiness for the changes to IR35 which took effect from April 2021 and have been audited

subsequently on the same. There have been no identified instances of non-tax compliant off-payroll engagements as at 31 March 2022 and nil challenges of status determination.

Off payroll engagements within Cafcass includes agency workers and Cafcass Associates and those that were in post on 31 March 2022 are reported in the table on page **XX**. Of those there were 39 engagements that were deemed to be 'high paid'. Cafcass provides annual reporting to meet the PES requirement through the Ministry of Justice. There were no high-paid off-payroll engagement in any position with significant financial responsibility.

Exit packages (Audited)

There have been no paid exit packages during 2021-22 or in either of the prior two annual reporting periods.

Pension costs

Cafcass participates in the West Yorkshire Pension Fund (WYPF) scheme and the Principal Civil Service Pension Scheme (PCSPS). The WYPF scheme is a multi-employer defined benefit scheme in which Cafcass' share of the underlying assets and liabilities are identified. The employer contribution rate for 2021-22 was 19.4%. Aon Hewitt Limited are the currently appointed fund actuaries. The contribution rate is based on a combination of future service and the effects of

past service deficits and ill health retirements. Employer's contributions to the scheme for the year to March 2022 amounted to £16.158m (costs relating to the voluntary early retirement programme were nil) with 2,364 employees participating in the scheme (2020-21: employer's contributions £15.802m, voluntary early retirement costs were nil, participating employees 2,173). The last independent actuarial valuation of the WYPF scheme was published on 31 March 2020 and revealed that the scheme was 100.1% funded in relation to past service. That valuation was based on assets and liabilities at 31 March 2019. Following the actuarial valuation, the revised employer contribution rates for Cafcass have been set as follows:

	Contribution rate %	Additional cash contribution
2019-20	16.2%	£3.3333m
2020-21	19.4%	£1.0500m
2021-22	19.4%	£0.6300m

The PCSPS is an unfunded multi-employer defined benefit scheme for which Cafcass is unable to identify its share of the underlying assets and liabilities. The scheme's actuary reviews employer contributions every four years following a full scheme valuation. A full actuarial valuation was last carried out as at 31 March 2016 and revised contribution rates applied from 1 April 2019. Full details can be found at www.civilservice.gov.uk/

pensions. For 2021-22, employer's contributions of £0.0096m (2020-21: £0.0275m) were payable to the PCSPS at 27.1% to 27.9% of pensionable pay, based on salary bands (band 2 and band 3 of PCSPS contribution rates). The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred and reflect past experience of the scheme.

Staff secondments and redeployments

As an arms-length body Cafcass employees are public servants but not civil servants and we do not therefore engage in civil service interdepartmental loans. Each year a small number of staff may be temporarily seconded to other roles both externally and internally and we also receive a small number of inbound secondments such as civil service fast streamers.

Number of secondments by headcount:

	Cafcass employee seconded externally	Seconded to Cafcass from other organisations	Internal secondment	Total
	Grade			
Business services	1		16	17
Family court adviser	5		4	9
Head of practice			1	1
Service manager			3	3
Specialist staff		2	10	12
Total	6	2	34	42

Average duration of secondments:

Type	Cafcass employee seconded externally	Seconded to Cafcass from other organisations	Internal secondment	Total
Grade	Average duration in weeks	Average duration in weeks	Average duration in weeks	Average duration in weeks
Business services	20.6		20.8	20.8
Family court adviser	14.8		16.9	15.7
Head of practice			10.7	10.7
Service manager			19.9	19.9
Specialist staff		10.5	24.3	22.4
Total	15.7	10.5	21.0	20.1

Trade Union recognition and industrial relations

Cafcass formally recognises and has a partnership agreement with Napo and Unison, with National

Partnership Meetings taking place quarterly. During the reporting period, Cafcass has also met with unions on a more regular basis to discuss our response to Covid-19. These discussions have been positive and constructive.

Trade Union facility time

Number of employees who were relevant union officials during the reporting period	Full-time equivalent employee number
12	8.97

Percentage of time	Number of employees
0%	0
1 - 50%	12
51 - 99%	0
100%	0

Summary	Figures
Total cost of facility time	£119,502.63
Total pay bill	£108,104,643
% of pay bill spent on facility time	0.11%

There were no trade union officials with more than 50% of their time allocated to trade union duties. The overall proportion of the pay bill allocated to trade union facility time reduced slightly from the previous year (2020-21 was 0.12%).

Equality diversity and inclusion

Equality, diversity and inclusion overview

Throughout 2021-22, we have continued to strengthen our commitment to equality diversity and inclusion, in relation to the children and families we support and to our workforce. A steering group has been established with the Director of Resources allocated the responsibility to lead implementation of the strategy with the Chief Executive, directors and our senior manager for equality, diversity and inclusion. Members of the group also include the Family Justice Young People's Board, Board member lead for equality, diversity and inclusion and representatives of our staff diversity networks.

Equality, Diversity & Inclusion Strategy 2022-25

Our new Equality Diversity and Inclusion Strategy is scheduled to be launched officially in June 2022. However, significant work has been completed during the year. The results of an independent benchmarking assessment that we commissioned, enabled us to assess the quality of our performance against the Public Sector Equality Duty. This provided important indicators of our strengths as well as the areas which would benefit from increased focus.

Our progress has been driven by proactive leadership from our Chief Executive and directors. They continue to act as visible role

models, demonstrating our Together values and our commitment to supporting the diversity and uniqueness of every child and family we support and every colleague in our workforce.

Actions have been progressed under our four strategic EDI objectives since they were agreed during 2021-22. Each objective is led by member of our Corporate Management Team:

- Better data and insight – used well (Director of Strategy)
- Leadership and commitment (Chief Executive)
- People culture and environment (Director of Resources and EDI Strategic Lead)
- Skilled and confident practitioners and wider workforce (Director of Operations)

‘Positive Action’ programme supporting the development and progression of Black, Asian and Minority Ethnic colleagues

As an employer, Cafcass, is committed to all action that improves the diverse characteristics and experiences of our staff group. During 2021-22, we reviewed our learning development offer and the way in which it supports the progressions of our colleagues. This exercise highlighted that representation of colleagues from Black Asian and Minority Ethnic backgrounds in front line roles, broadly reflects the census data for the working age population. However, there are significantly

fewer colleagues from Black Asian and Minority Ethnic backgrounds in line management roles and even fewer in senior leadership roles within our organisation.

We made a commitment not only to acknowledge this situation, but to take action to address it.

We began work on a 'Positive Action' initiative, authorised by statutory provisions within the Equality Act 2010. The research and planning of a bespoke development programme for our Black Asian and Minority Ethnic colleagues was undertaken and a group of experienced external providers has been identified. We will be trialling this approach to try to offer Cafcass colleagues the opportunity to reach their full potential. This programme is part of a three-year commitment to identifying the most effective ways to support our workforce.

Staff diversity networks

During 2021-22, our staff diversity networks continued to thrive. Our networks play a key role in providing peer support and networking opportunities between staff who may experience additional barriers and challenges. The networks act as important 'critical friends' to the organisation. They enable us as an employer to engage proactively with a wide range of staff, ensure that different voices are heard and help strengthen

trust and confidence. Our staff networks are listed below:

- Ability Matters (staff with disabilities)
- Carers network
- Faith network
- Kaleidoscope (staff from Black Asian and Minority Ethnic backgrounds)
- Pride (staff from the LGBT+ community)
- Mental Health network

Engagement

During 2021-22, our extensive programme of equality diversity and inclusion engagement activity has been focused on improving our understanding of children's uniqueness, how this affects their lives and therefore what is important to include in recommendations to the family court. We also have focused on the importance of our colleagues' uniqueness and the strength this brings to our work with children and families. This engagement activity included a range of activities during LGBT+ History Month and Black History Month and workshops during Inter-Faith Week. Information has been shared through a range of blogs, vlogs, live national events and conferences and development days organised by local areas.

Our diversity, equality and inclusion calendar which provides information about awareness days

and religious festivals is on the front page of our intranet site. The calendar ensures that information is available and prominent to colleagues. Information about these days enables colleagues to remain informed.

Equality, diversity and inclusion charter marks

We recognise that charter marks can help demonstrate the value we place on the diversity and uniqueness of the children and families we support and our colleagues. Charter marks also help guide the development of our service to ensure it meets their needs and aspirations. During 2021-22, the three-yearly review and independent verification of our status as 'Disability Confident Leaders' was undertaken, and we continue to hold the highest level of accreditation. This charter mark highlights our proactive approach to recruiting, retaining and developing staff with disabilities. During 2021-22, we also renewed our membership of the Stonewall Diversity Champions programme which promotes our continued commitment to embedding LGBT+ inclusion into our workplace and the support we provide to children and families. We also continue to hold the Mindful Employer charter mark which emphasises our commitment to a supportive and open culture where colleagues can talk about mental health and be confident, they will receive proactive support.

Diversity Champions initiative

During 2021-22, our Diversity Champions initiative has remained an important resource within the organisation. The role of Diversity Champions is to provide proactive support and engagement across their particular area of practice or corporate and business services.. They are also well positioned to deliver engagement and support through newsletters and workshops which respond to local demographics and local issues. Diversity Champions meet on a regular basis to share ideas and resources and the initiative will be reviewed during 2022-23, with the aim of identifying ways we can further strengthen its impact on the support we provide to children and families.

Peer practice specialists

During 2021-22, our network of 'peer practice specialists' has continued to develop. Peer practice specialists are practitioners who have built considerable knowledge and insight in relation to specific areas of practice that often contain an equality, diversity and inclusion element. They provide colleagues with guidance in relation to their specialist expertise and signpost them to relevant resources and services to support case work. In this way, the breadth of expertise that exists among our staff is shared throughout the organisation.

Equality, Diversity & Inclusion Officer

During 2021-22, we recognised the need for a senior manager to work full time helping us to develop our strategy and priorities in respect of equality, diversity and inclusion. We established a new role of Equality, Diversity & Inclusion Officer, initially on the basis of a six-month secondment. The current post holder commenced the role in March 2022 on a permanent basis. The post is managed by our Chief People Officer in our Human Resources and Organisational Development team.

Equality, diversity and inclusion learning and development

During 2021-22, significant work was undertaken by our Organisational Development team in partnership with our National Improvement Service to develop a half day course which is delivered online by staff volunteers. The course will be a required aspect of employment at Cafcass and available to colleagues during 2022-23. This is a further example of our organisational commitment to ensuring that our workforce has the knowledge and skills to value, promote and understand the diversity and uniqueness of every child and family.

Whistleblowing

Cafcass believes effective whistleblowing is a key component in our strategy to challenge inappropriate behaviour at all levels in the

organisation. It is both an instrument in support of good governance and a manifestation of a more healthy and ethical organisational culture. Our whistleblowing policy and procedure is accessible to all staff via our intranet. It provides advice and guidance on the process for raising a complaint and advises on the protection afforded to whistleblowers who raise concerns. The policy explains how these concerns can be raised with relevant senior managers and this includes the ability to raise concerns directly with a nominated Board member. Although there have been no instances of whistleblowing during the reporting period upon which to assess the effectiveness of our whistleblowing arrangements, the policy and procedure are kept under regular review.

Conflict of interest

Our Conflict of Interest Policy sets out how we manage conflicts of interest as they arise both in terms of case work and any independent work carried out by Cafcass employees. The policy sets out arrangements to avoid such conflicts including the responsibility of staff to raise these and for managers to consider any action to mitigate and conflict. This applies to all staff. Board members are also required to declare and actual or potential conflicts of interest.

Anti-bribery and corruption

Further detail on our anti-bribery and corruption measures can be found on our website.

Management of health and safety

All health and safety issues are overseen and directed by the work of the Health, Safety and Wellbeing Steering Group which includes representation from our recognised trade unions. Health and safety incidents are reported quarterly to the Operational Management Team including a bi-annual report on any instances of violence toward staff. All incidents and accidents are recorded via an online system which is accessible to all staff. Information on health and safety is available to all staff via the Cafcass intranet and through regular communication to all staff. A continued focus of health and safety activity during 2021-22 has been a suite of risk assessments and associated protocols to support Cafcass staff throughout our response to Covid-19. In addition to managing personal risks this has involved an extensive programme of work within Cafcass offices to implement and maintain Covid-safe working environments.

Employee consultation and participation

Consultation on organisational change is conducted in line with the Cafcass Management of Organisational Change Policy including collective

and individual consultation as appropriate. In addition, Cafcass engages with its workforce through staff surveys and during the reporting period this included feedback and input to the impact of Covid-19. Cafcass also operates a number of staff groups and networks covering matters such as diversity, working carers and health and wellbeing. Through these various channels all Cafcass staff have opportunity to share their knowledge, contribute their ideas and participate in organisational and workforce development.

Impact of EU exit

Previously, during 2020-21, we had communicated with all staff and directly to EU nationals on the importance of application for the EU Settlement Scheme prior to the deadline of June 2021.

Since the UK's departure from the EU, we have conducted no recruitment from overseas and have not applied for a sponsor licence. EU exit has not had any effect on Cafcass workforce this year.

There have been no impacts on our spending during 2021-22 as a consequence of the EU exit.



Signed: **Jacky Tiotto**

Chief Executive and Accounting Officer

Date: 9 December 2022

SECTION 4

Financial commentary

In 2021-22, Cafcass received grant funding of £139.286m from the Ministry of Justice, plus £2.139m for depreciation. Included in the grant funding received was £4.700m for additional frontline resources to safely manage the existing and incoming work due to the impact of the Covid-19 pandemic.

We also drew down from the sponsor separate additional funding of £1.540m for child contact intervention services, which are commissioned and managed by Cafcass.

A summary of how we spent our budget is shown below and further details are provided within our 2021-22 Annual Accounts in Section 6.

Total spend reported (£000)

Staff costs	129,844	77.9%
Self-employed contractors	2,650	1.6%
Agency staff	6,498	3.9%
Other charges	23,677	14.2%
Depreciation and amortisation	2,139	1.3%
Partnerships costs	1,901	1.1%
Total spend reported	166,709	

The Cafcass Statement of Financial Position at 31 March 2022 shows net liabilities of £237.035m, including the net pension liability of £236.267m. This reflects the inclusion of liabilities falling due in

future years which, to the extent that they are not to be met from Cafcass' other sources of income, may only be met by future grants or grants-in-aid from Cafcass' sponsorship department. This is because, under the normal conventions applying to Parliamentary control over income and expenditure, such grants may not be issued in advance of need.

The pension deficit as at 31 March 2022 has decreased compared with 31 March 2021 due principally to a higher pension asset return than expected and reduced pension liabilities associated with changes in financial assumptions.

The total of trade payables as at 31 March 2022 is £0.536m (£0.308m as at 31 March 2021).

Interest and late payment charges of £nil has been paid or claimed by creditors under the Late Payment of Commercial Debts Act (£nil in 2020-21).

Parliament has voted Grant-in-Aid to Cafcass for the 12 months following the Statement of Financial Position date. Therefore, despite the Statement of Financial Position of net liabilities, Cafcass operates as a going concern.

It is expected that Cafcass will continue to be fully funded and operate as a going concern for the 12 months following the publication date of this Annual Report and Accounts.

SECTION 5

Parliamentary accountability and audit report (Audited)

This information shows how we have spent the money provided to us by Parliament. It also shows that our annual accounts have been audited.

Our Accounts

The Statement of Accounts of Cafcass for the year ending 31 March 2022 has been prepared in a form directed by the Secretary of State with consent of the Treasury, in accordance with the Accounts Direction dated 12 April 2002 given under Schedule 2, paragraph (13)2 of the Criminal Justice and Court Services Act 2000.

The Accounts are audited by the Comptroller and Auditor General, who is appointed by statute. The audit fee is £83,000. There have been no non-audit services during 2021-22.

Treatment of pension liabilities

Employees of Cafcass are members of the West Yorkshire Pension Fund (WYPF), which is funded on a pay as-you-go basis.

A small number of Cafcass staff retained membership of the Principal Civil Service Pension Scheme (PCSPS) by virtue of their

earlier employment with one of Cafcass' predecessor organisations.

The amount charged to the staff costs for the PCSPS represents the contributions payable to the scheme in respect of current employees in the accounting period. Contributions are charged on a year-by-year basis in accordance with the requirements of the scheme administrators.

The assets of the WYPF, which is a defined benefit scheme, are held separately from those of Cafcass. The scheme assets are measured at realisable value. Scheme liabilities are measured using a projected unit method and discounted at the current rate of return on a high-quality corporate bond of equivalent term and currency to the liability.

The pension scheme surplus (to the extent that it is considered recoverable) or deficit is recognised in full on the face of the Statement of Financial Position. The movement in the scheme surplus/deficit is split between operating charges (within staff costs) and reserves in the case of actuarial gains and losses. Net interest receivable on pension scheme assets is shown in operating cash flows.

Long-term liabilities

There have been significant changes in the organisation's long-term liabilities due to IFRS 16 Right of Use liabilities.

Long-term expenditure trends

There have been significant changes in the organisation's long-term expenditure trends relating to staffing costs.

Remote contingent liabilities²⁰

There are no remote contingent liabilities.

Losses and special payments

	2021-22		2020-21	
	£000	Number of cases	£000	Number of cases
Losses statement				
Administrative write-offs	1	5	0	0
Fruitless payments	0	0	0	0
Total value of losses	1	5	0	0
Special payments				
Compensation payments	38	11	49	22
Ex gratia payments	32	8	0	0
Total special payments	70	19	49	22
Total losses and special payments	71	24	49	22

There were £0.071m of losses and special payments charged to the Accounts as at 31 March 2022 (2020-21:£0.049m). The actual

20 Subject to audit

cash amount paid in the period was £0.071m (2020-21:£0.047m). These payments were made in accordance with HM Treasury guidance.

The certificate and report of the comptroller and auditor general to the Houses of Parliament

Opinion on financial statements

I certify that I have audited the financial statements of the Children and Family Court Advisory and Support Service ('Cafcass') for the year ended 31 March 2022 under the Criminal Justice and Court Services Act 2000.

The financial statements comprise Cafcass's:

- Statement of Financial Position as at 31 March 2022;
- Statement of Comprehensive Net Expenditure, Statement of Cash Flows and Statement of Changes in Taxpayers' Equity for the year then ended; and
- the related notes including the significant accounting policies.

The financial reporting framework that has been applied in the preparation of the financial statements is applicable law and International Accounting Standards.

In my opinion, the financial statements:

- give a true and fair view of the state of Cafcass's affairs as at 31 March 2022 and its net expenditure for the year then ended; and

- have been properly prepared in accordance with the Criminal Justice and Court Services Act 2000 and Secretary of State directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects, the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis for opinions

I conducted my audit in accordance with International Standards on Auditing (UK) (ISAs UK), applicable law and Practice Note 10 Audit of Financial Statements of Public Sector Entities in the United Kingdom. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate.

Those standards require me and my staff to comply with the Financial Reporting Council's Revised Ethical Standard 2019. I have also elected to apply the ethical standards relevant to listed entities. I am independent of Cafcass in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK. My staff and I have fulfilled our other

ethical responsibilities in accordance with these requirements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

In auditing the financial statements, I have concluded that Cafcass's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on Cafcass's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the Accounting Officer with respect to going concern are described in the relevant sections of this certificate.

The going concern basis of accounting for Cafcass is adopted in consideration of the requirements set out in HM Treasury's Government Financial Reporting Manual, which require entities to adopt the going concern basis of accounting in the preparation of the financial statements where it

anticipated that the services which they provide will continue into the future.

Other Information

The other information comprises information included in the Annual Report, but does not include the financial statements nor my auditor's certificate. The Accounting Officer is responsible for the other information.

My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my certificate, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

Opinion on other matters

In my opinion the part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with Secretary of State directions issued under the Criminal Justice and Court Services Act 2000.

In my opinion, based on the work undertaken in the course of the audit:

- the parts of the Accountability Report subject to audit have been properly prepared in accordance with Secretary of State directions made under the Criminal Justice and Court Services Act 2000; and
- the information given in the Performance and Accountability Reports for the financial year for which the financial statements are prepared is consistent with the financial statements and is in accordance with the applicable legal requirements.

Matters on which I report by exception

In the light of the knowledge and understanding of Cafcass and its environment obtained in the course of the audit, I have not identified material misstatements in the Performance and Accountability Reports.

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- I have not received all of the information and explanations I require for my audit; or
- adequate accounting records have not been kept by or returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the parts of the Accountability Report subject to audit are not in agreement with the accounting records and returns; or
- certain disclosures of remuneration specified by HM Treasury's Government Financial Reporting Manual have not been made or parts of the Remuneration and Staff Report to be audited is not in agreement with the accounting records and returns; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for:

- maintaining proper accounting records;

- the preparation of the financial statements and Annual Report in accordance with the applicable financial reporting framework and for being satisfied that they give a true and fair view;
- ensuring that the Annual Report and accounts as a whole is fair, balanced and understandable;
- internal controls as the Accounting Officer determines is necessary to enable the preparation of financial statement to be free from material misstatement, whether due to fraud or error; and
- assessing Cafcass's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Accounting Officer anticipates that the services provided by Cafcass will not continue to be provided in the future.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Criminal Justice and Court Services Act 2000.

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due

to fraud or error, and to issue a certificate that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Extent to which the audit was considered capable of detecting non-compliance with laws and regulations including fraud

I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulations, including fraud. The extent to which my procedures are capable of detecting non-compliance with laws and regulations, including fraud is detailed below.

Identifying and assessing potential risks related to non-compliance with laws and regulations, including fraud

In identifying and assessing risks of material misstatement in respect of non-compliance with laws and regulations, including fraud, we considered the following:

- the nature of the sector, control environment and operational performance including the

design of Cafcass's accounting policies, key performance indicators and performance incentives.

- Inquiring of management, Cafcass's head of internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to Cafcass's policies and procedures relating to:
 - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
 - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including Cafcass's controls relating to the Cafcass's compliance with the Criminal Justice and Court Services Act 2000 and Managing Public Money;
- discussing among the engagement team and involving relevant external specialists, including actuarial experts, regarding how and where fraud might occur in the financial statements and any potential indicators of fraud.

As a result of these procedures, I considered the opportunities and incentives that may exist within Cafcass for fraud and identified the greatest potential for fraud in the following areas: revenue

recognition, posting of unusual journals, complex transactions, bias in management estimates and the valuation of the defined benefit pension liability. In common with all audits under ISAs (UK), I am also required to perform specific procedures to respond to the risk of management override of controls.

I also obtained an understanding of Cafcass's framework of authority as well as other legal and regulatory frameworks in which Cafcass operates, focusing on those laws and regulations that had a direct effect on material amounts and disclosures in the financial statements or that had a fundamental effect on the operations of Cafcass. The key laws and regulations I considered in this context included the Criminal Justice and Court Services Act 2000, Managing Public Money, employment law, pensions legislation and tax legislation.

Audit response to identified risk

As a result of performing the above, the procedures I implemented to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with provisions of relevant laws and regulations described above as having direct effect on the financial statements;

- enquiring of management, the Audit and Risk Committee concerning actual and potential litigation and claims;
- reading and reviewing minutes of meetings of those charged with governance and the Board and internal audit reports;
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business;

I also communicated relevant identified laws and regulations and potential fraud risks to all engagement team members including internal specialists and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of my certificate.

Other auditor's responsibilities

I am required to obtain evidence sufficient to give reasonable assurance that the income and

expenditure reported in the financial statements have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Report

I have no observations to make on these financial statements.

Gareth Davies

Comptroller and
Auditor General

National Audit Office
157-197 Buckingham Palace Road
Victoria
London
SW1W 9SP

Date

12 December 2022

SECTION 6

2021-22 Annual Accounts



Financial statements

Statement of Comprehensive Net Expenditure for the year ended 31 March 2022

		2021-22		2020-21	
	Note	£000	£000	£000	£000
Expenditure					
Staff costs	4	129,844		114,236	
Self-Employed Contractors and agency staff	20	9,148		6,259	
Depreciation and amortisation	7/7.2/8	2,139		184	
Partnerships	21	1,901		1,347	
Other expenditure	5	17,248		19,381	
			160,280		141,407
Income					
Income from activities	3/6	(102)		(77)	
			(102)		(77)
Net expenditure			160,178		141,330
Right of use interest cost			44		0
Pension net interest cost	22		6,487		5,855
Net expenditure after interest	3		166,709		147,185
Other comprehensive expenditure					
Net gain on revaluation of property, plant and equipment	7		0		(59)
Net gain on revaluation of intangible assets	8		0		(2)
(Gain) / loss on re-measurement of pension benefits	22		(108,268)		38,686
Total comprehensive net expenditure for the year ended 31 March 2022			58,441		185,810

The Notes on pages 251 to 310 form part of these Accounts.

Statement of Financial Position as at 31 March 2022

		31 March 2022		31 March 2021	
	Note	£000	£000	£000	£000
Non-current assets					
Property, plant and equipment	7	303		655	
Right of use assets	7.2	5,081		0	
Intangible assets	8	37		57	
Total non-current assets	3		5,421		712
Current assets					
Trade and other receivables	11	4,293		3,787	
Other current assets					
Cash and cash equivalents	12	686		602	
Total current assets			4,979		4,389
Total assets			10,400		5,101
Current liabilities					
Trade and other payables	13	(3,836)		(4,793)	
Total current liabilities			(3,836)		(4,793)
Non-current assets less net current liabilities			6,564		308
Non-current liabilities					
Provisions	14	(2,503)		(2,758)	
Right of use liabilities	16	(4,829)		0	
Pension liabilities	22	(236,267)		(316,967)	
Total non-current liabilities			(243,599)		(319,725)
Assets less liabilities			(237,035)		(319,417)
Taxpayers' equity					
General reserve			(237,646)		(320,239)
Revaluation reserve			611		822
			(237,035)		(319,417)

The Financial Statements on pages 245 to 250 were approved by the Board on 2 December 2022 and signed on its behalf by:

A handwritten signature in black ink, appearing to read 'Jacky Tiotto', written in a cursive style.

Jacky Tiotto

Chief Executive and Accounting Officer

Date: 9 December 2022

Statement of Cash Flows

for the year ended 31 March 2022

		2021-22	2020-21
	Note	£000	£000
Cash flows from operating activities			
Net expenditure after interest	3	(166,709)	(147,185)
Depreciation and amortisation	7/7.2/8	2,139	184
Loss on disposal of assets	5	90	0
Increase in trade and other receivables	11	(506)	(1,242)
(Decrease) / increase in trade payables	13	(957)	630
In-year additional pension cost	22	27,568	15,870
(Decrease) / increase in provisions	14	(255)	316
Right of use assets movement in provisions not passing through SoCNE	7.2	(393)	0
Right of use assets net cash outflow in the year	7.2	(1,769)	0
Impairments	7/8/10	8	261
Release of revaluation reserve due to impairments	10	(3)	(176)
Net cash outflow from operating activities		(140,787)	(131,342)
Cash flows from investing activities			
Purchase of property, plant and equipment	7	0	(449)
Proceeds on disposal of property, plant and equipment		45	0
Net cash inflow / (outflow) from investing activities		45	(449)
Cash flows from financing activities			
Grant-in-Aid from parent department for resource expenditure		139,286	131,282
Other grant funding received		1,540	901
Net cash inflow from financing activities		140,826	132,183
Total cash and cash equivalents			
Cash and cash equivalents at the beginning of the period	12	602	210
Cash and cash equivalents at the end of the period	12	686	602
Net increase in cash and cash equivalents		84	392

Statement of Changes in Taxpayers' Equity as at 31 March 2022

		General reserve	Revaluation reserve	Total
	Note	£000	£000	£000
Balance at 31 March 2021		(320,239)	822	(319,417)
Changes in taxpayers' equity				
Net gain on revaluation of property, plant and equipment	7	0	0	0
Net gain on revaluation of intangible assets	8	0	0	0
Release of revaluation reserve to SoCNE due to impairments	10	0	(3)	(3)
Release of revaluation reserve to general reserve due to disposals		208	(208)	0
Net expenditure after interest	3	(166,709)	0	(166,709)
Pension fund actuarial gain	22	108,268	0	108,268
Total comprehensive expenditure		(58,233)	(211)	(58,444)
Grant-in-Aid from parent department for resource expenditure		139,286	0	139,286
Other grant funding received		1,540	0	1,540
Balance at 31 March 2022		(237,646)	611	(237,035)
Balance at 1 April 2020		(265,876)	937	(264,939)
Changes in taxpayers' equity				
Net gain on revaluation of property, plant and equipment	7	0	59	59
Net gain on revaluation of intangible assets	8	0	2	2
Release of revaluation reserve to SoCNE due to impairments	10	0	(176)	(176)
Release of revaluation reserve to general reserve due to disposals		0	0	0
Decrease in reserves due to transferred out assets	7	(675)	0	(675)
Net expenditure after interest	3	(147,185)	0	(147,185)
Pension fund actuarial loss	22	(38,686)	0	(38,686)

		General reserve	Revaluation reserve	Total
	Note	£000	£000	£000
Total comprehensive expenditure		(186,546)	(115)	(186,661)
Grant-in-Aid from parent department for resource expenditure		131,282	0	131,282
Other grant funding received		901	0	901
Balance at 31 March 2021		(320,239)	822	(319,417)

Notes to the Accounts for the year ended 31 March 2022

1. Accounting policies

These Financial Statements have been prepared in accordance with the 2021-22 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector.

Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the circumstances of Cafcass to give a true and fair view has been selected.

The policies adopted by Cafcass for 2021-22 are described below. They have been applied consistently in dealing with items that are considered material to the Accounts.

Please also reference “The statement of Accounting Officer’s responsibilities” contained within the Accountability report.

a) Accounting convention

The Accounts are prepared under the historical cost convention, modified to include assets at their value to the business by reference to current costs. Without limiting the information given, the Accounts meet the accounting and disclosure requirements of the Companies

Act 2006 and accounting standards issued or adopted by the Accounting Standards Board insofar as those requirements are relevant. The Accounts are also fully consistent with IFRS.

b) Going concern

Parliament has voted Grant-in-Aid to Cafcass for 12 months following the Statement of Financial Position date. Cafcass has evaluated its financial position in relation to Covid-19 and is of the opinion that it is currently not materially affected. Therefore, despite the Statement of Financial Position of net liabilities, Cafcass operates as a going concern.

It is expected that Cafcass will continue to be fully funded and operate as a going concern for the 12 months following the publication date of this Annual Report and Accounts.

c) Property, plant and equipment

Ownership of Cafcass' freehold properties was transferred to the Government Property Agency (GPA) on 31 March 2021 (note 7).

Other property, plant and equipment, except for leasehold properties and right of use assets, have been stated at their value to the business using appropriate indices published by the Office for National Statistics (ONS).

Revaluations above the depreciated historic cost of these assets are credited to a

revaluation reserve. Any downward revaluation of property, plant and equipment below the asset's depreciated historic cost is recognised when it occurs through the Statement of Comprehensive Net Expenditure.

Property, plant and equipment include those assets costing £2,500 or more. Assets valued at less than the threshold are capitalised if they constitute integral parts of a composite asset that is in total valued at more than the threshold. Furniture and fittings are not capitalised but fully expensed in the year of acquisition.

d) Right of use lease liabilities and assets

IFRS 16 Leases is due for adoption across Government bodies reporting under the FReM from 1 April 2022, however HM Treasury has permitted Cafcass to early adopt the standard for the financial year commencing 1 April 2021, in these Accounts. IFRS 16 provides a single lessee accounting model, requiring lessees to recognise assets and liabilities for all leases, unless the lease term is 12 months or less, or the underlying asset is of low value.

Cafcass as lessee: Scope and exclusions

In accordance with IFRS 16 Leases, contracts, or parts of contracts, that convey the right to control the use of an asset for a period are accounted for as leases.

Contracts for services are evaluated to determine whether they convey the right to control the use of an identified asset, incorporating both the right to obtain substantially all the economic benefits from the asset and to direct its use. If so, the relevant part of the contract is treated as a lease.

As adapted by the FReM, IFRS 16 has been applied to leases with nil or nominal (that is, significantly below market value) consideration and arrangements for accommodation between Government departments.

Cafcass excludes two types of leases. Firstly, those relating to low value items which it considers as those where the underlying asset would have a cost of less than £3,500 when new, provided those items are not highly dependent on or integrated with other items. Secondly, contracts whose term (comprising the non-cancellable period together with any extension options, Cafcass is reasonably certain to exercise and any termination options Cafcass is reasonably certain not to exercise) is less than 12 months.

Cafcass as lessee: Initial recognition

At the commencement of a lease (or on the date of transition to IFRS 16) Cafcass recognises a right of use asset and a lease liability. The assets, to be described as “right of

use” assets, will be presented under Note 7.2 Right of use assets.

The lease liability is measured at the value of the remaining lease payments, discounted either by the interest rate implicit in the lease, or where this is not readily determinable, the incremental rate of borrowing advised by HM Treasury. This rate is advised annually by HM Treasury (0.91% for leases recognised in 2021, 0.95% for those in 2022). Where the lease includes extension or termination options, the lease payments will be for the non-cancellable period together with any extension options that are reasonably certain to exercise, and any termination options that is reasonably certain not to exercise. The measurement of lease payments excludes any VAT payable, and irrecoverable VAT is expensed at the point it falls due in line with IFRIC 21 Levies.

The right of use asset will initially be measured at the value of the lease liability, adjusted for: any lease payments made before the commencement date; any lease incentives received; any incremental costs of obtaining the lease; and any costs of removing the asset and restoring the site at the end of the lease.

In the event that a lease contract has expired but Cafcass remains in occupation with no renewed term pending, such contracts will not

be measured or recognised as right of use assets or for purposes of lease liability.

Where a lease requires nil or nominal consideration (usually referred to as a 'peppercorn' lease), the lease will be examined for materiality. Where deemed immaterial, peppercorn leases will not be measured or recognised as right of use assets or for purposes of lease liability. Where deemed material, the asset will instead be measured at its existing use value, with the difference between the carrying amount of the right of use asset and lease liability treated as notional income (or on transition, a credit to the General Fund).

Cafcass as lessee: Subsequent measurement

The lease liability will be adjusted for the accrual of interest, repayments, reassessments, and modifications. Reassessments are reappraisals of the probability of the options given by the existing lease contract, for example where we no longer expect to exercise an extension option; modifications are changes to the lease contract. Reassessments and modifications are accounted for by discounting the revised cash flows: using a revised discount rate where Cafcass becomes or ceases to be reasonably certain to exercise or not exercise an extension or termination option, or the lease is modified to amend the non-cancellable

period, change the term of the lease, change the consideration or the scope; or at the existing discount rate where there is a movement in an index or rate that will alter the cash flows, or the amount payable under a residual value guarantee changes.

After initial recognition, the right of use asset will be measured using the fair value model. Cafcass considers that the cost model (measurement by reference to the lease liability) is a reasonable proxy for fair value, in the case of non-property leases, and for property leases of less than five years or with regular rent reviews. For other leases, the asset will be carried at a revalued amount.

The value of the asset will be adjusted for subsequent depreciation and impairment, and for reassessments and modifications of the lease liability as described above. Where the amount of a reduction to the asset exceeds the carrying value of the asset, the excess amount is recognised in expenditure.

Expenditure for each financial year includes interest on the lease liability and a straight-line depreciation charge on the right of use asset over the life of the lease, together with any impairment of the right of use asset and any change in variable lease payments, that was not included in the measurement of the lease payments during the period in which the

triggering event occurred. Rental payments in respect of leases of low value items, or with a term under 12 months, are also expensed.

Transitional arrangements

Cafcass has applied a number of options and practical expedients on initial adoption of IFRS 16, most of which were mandated by the FReM:

- IFRS 16 has been adopted retrospectively using the 'cumulative catch-up' approach, without restatement of comparative balances.
- There has been no reassessment of existing contracts that Cafcass had previously assessed as containing or not containing a lease. However, new contracts will be classified according to the criteria given in IFRS 16.
- For leases previously treated as operating leases, the right of use assets have been measured at the present value of the remaining lease payments, adjusted for any prepayment or accrual balances in respect of the lease payments. Cafcass has used hindsight in determining the remaining term of leases and no adjustment has been made for leases whose term ends within 12 months of the date of first adoption.

Estimates and judgements

Where a lease is embedded in a contract for services, the amount to be recognised as the right of use asset and lease liability should be the stand-alone price of the lease component only. Where this is not readily observable, a determination will be made by reference for other observable data, such as the fair value of similar assets or price of contracts for similar non-lease components.

Cafcass has determined the lease term by assessing the level of certainty as to whether termination or extension options will be exercised. In making these judgements, reliance has been placed on the professional judgement of estates staff, supported by other business strategies, ongoing business needs and market conditions.

Cafcass has determined that the cost model is a reasonable proxy for fair value in most cases because the rents payable is aligned to open market rates. In the case of longer leases where there are not regular rent reviews, there is a greater chance of divergence between cost and fair value, hence a professional revaluation is appropriate.

Cafcass leases various non-property assets such as vehicles and IT equipment. It has determined that, at the present time, all

non-property leases which are not individually low value, are immaterial. Consequently, no non-property leases have been recognised in these Accounts.

Rolling leases judgement

Cafcass currently occupies eight properties that are out of lease and one peppercorn lease which Cafcass considers immaterial. As such and under the terms of IFRS 16, we have not recognised these properties as right of use assets or for purposes of lease liability.

e) Intangible fixed assets

Intangible assets consist of software and website and intranet costs. These have been stated at their value to the business using appropriate indices published by the ONS.

Revaluations above the amortised historic cost of these assets are credited to a revaluation reserve. Any downward revaluation of intangible assets below the asset's amortised historic cost is recognised when it occurs through the Statement of Comprehensive Net Expenditure.

Intangible assets include those assets costing £2,500 or more. Assets valued at less than the threshold are capitalised if they constitute integral parts of a composite asset that is in total valued at more than the threshold.

Intangible assets are periodically reviewed to ensure that they have been accurately stated at their value to the business.

f) Depreciation and amortisation

Depreciation is provided to write-off property, plant and equipment and right of use assets, and amortisation to write-off intangible assets, on a straight-line basis over their expected useful lives, or for leased assets and right of use assets, over the life of the lease.

Expected useful lives are as follows:

Leasehold improvements	Lease term.
Information technology	Five years.
Telecoms	Five years.
Office equipment	Seven years.
Right of use assets	Lease term.

g) Pensions

Employees of Cafcass are members of the West Yorkshire Pension Fund (WYPF) which is part of the Local Government Pension Scheme (LGPS). It is a funded defined benefit pension scheme. A small number of Cafcass staff retained membership of the Principal Civil Service Pension Scheme (PCSPS) due to their earlier employment with one of Cafcass' predecessor organisations.

Contributions are charged on a year-by-year basis in accordance with the requirements of the scheme administrators.

The assets of the WYPF are held separately from those of Cafcass.

The scheme assets are measured at fair value. Scheme liabilities are measured using a projected unit method and discounted at the current rate of return on a high-quality corporate bond of equivalent term and currency to the liability. The net pension liability is the present value of the defined benefit liabilities less the fair value of the assets. All estimates are performed by Aon Hewitt Ltd, the independent actuary for WYPF and in accordance with International Accounting Standard 19 – Employee Benefits (IAS 19).

The pension scheme surplus (to the extent that it is considered recoverable) or deficit is recognised in full on the face of the Statement of Financial Position. The movement in the scheme surplus / deficit is split between operating charges (within staff costs) and reserves in the case of actuarial gains and losses.

Net interest receivable on pension scheme assets is shown in operating cash flows.

h) Funding

Grant-in-Aid, used to finance activities and expenditure that supports the statutory and other objectives of Cafcass, is treated as financing and credited to the general reserve, because it is regarded as contributions from a controlling party.

Other grant funding (Contact Services funding) is used to provide grants to Child Contact Centres and is also treated as financing and credited to the general reserve.

i) Income from activities

Income from activities is generated from training, student placements and one-off receipts in the year. Income is recognised on the issuing of an invoice. All income is stated net of VAT.

j) Insurance

Except for comprehensive insurance on contract lease and hire vehicles, Cafcass does not insure but carries its own risks for fire, accidental damage and similar accidents and claims at common law.

k) Accounting for Value Added Tax

Cafcass is registered for VAT. It is unable to recover most of the VAT incurred on expenditure, although a small amount of VAT can be recovered where it is related

to the costs recovered in court cases. Expenditure is therefore stated inclusive of any irrecoverable VAT.

l) Financial instruments

Cafcass does not hold any complex financial instruments. The only financial instruments included in the Accounts are receivables, cash, and payables (notes 11, 12 and 13).

Financial assets comprise trade receivable and other receivables. Receivables are recognised at carrying value, reduced by appropriate allowances for estimated irrecoverable amounts.

Trade creditors are short term and are stated at carrying value in recognition that these liabilities fall due within one year.

m) Provisions

A provision is recognised in the Statement of Financial Position when Cafcass has a present legal or constructive obligation arising from past events, and it is probable that an outflow of economic benefits will be required to settle the obligation.

2. Change of accounting policy

New standards, amendments and interpretations issued but not effective for the financial year beginning 1 April 2021 and not early adopted

IFRS 17 Insurance contracts

IFRS 17 was issued by the International Accounting Standards Board in May 2017. It will replace IFRS 4 on accounting for insurance contracts, with an effective date of 1 January 2023. Its impact on Cafcass will be evaluated in due course but is currently not expected to be material.

There were no other significant changes to the accounting policies, as described in Cafcass' 2020-21 Annual Report and Accounts.

3. Analysis of net expenditure by segment

	Operational service areas	Other	Total
	£000	£000	£000
2021-22			
Gross expenditure	97,951	68,860	166,811
Income	0	(102)	(102)
Net expenditure	97,951	68,758	166,709
Non-current assets	0	5,421	5,421
2020-21			
Gross expenditure	90,579	56,683	147,262
Income	0	(77)	(77)
Net expenditure	90,579	56,606	147,185
Non-current assets	0	712	712

‘Operational service areas’ and ‘Other’ reflect the structure of the standard monthly management information provided to Cafcass’ chief operating decision makers.

4. Staff costs

		Cafcass Board members	Corporate national office staff	Regional staff	Total
	Note	£000	£000	£000	£000
2021-22					
Salaries and wages		114	8,716	73,993	82,823
Apprentice levy		0	42	357	399
Social security costs		5	873	7,882	8,760
Current service cost	22	0	3,914	33,373	37,287
Other pension costs		0	4	(88)	(84)
Total payroll costs		119	13,549	115,517	129,185
Temporary staff costs		0	46	632	678
Outward secondments		0	0	(19)	(19)
Total staff costs		119	13,595	116,130	129,844
2020-21					
Salaries and wages		130	7,993	70,746	78,869
Apprentice levy		0	39	341	380
Social security costs		5	818	7,566	8,389
Current service cost	22	0	2,624	23,194	25,818
Other pension costs		0	8	1	9
Total payroll costs		135	11,482	101,848	113,465
Temporary staff costs		0	139	632	771
Total staff costs		135	11,621	102,480	114,236

Please also reference the 'Remuneration and staff report'.

5. Other expenditure

		2021-22	2020-21
	Note	£000	£000
Outsourced finance and ITC services		7,608	7,389
Accommodation costs		4,031	5,901
Travel and subsistence		1,365	558
Office supplies, printing and stationery		871	1,008
Telecommunications and postage		588	1,005
Staff related costs		531	487
Legal costs		456	377
Interpreters and translators		443	315
Fuel and utilities		266	175
Recruitment costs		243	188
Training costs		174	70
External audit costs		83	87
Vehicle costs		66	81
Internal audit costs		63	61
Other		1,013	1,217
Total cash		17,801	18,919
Provisions created in year	14	986	1,221
Provisions no longer required	14	(1,241)	(844)
Movement in right of use assets due to provisions	7.2	(393)	0
Loss on disposal of assets		90	0
Impairments	10	5	85
Total non-cash		(553)	462
		17,248	19,381

2020-21 external audit costs comprise the external audit fee of £0.080m plus an additional £0.007m

2019-20 external audit costs charged.

6. Income

	2021-22	2020-21
	£000	£000
Training	102	77
	102	77

7. Property, plant and equipment

	Land and buildings excluding dwellings	Leasehold improvements	Information technology and telecoms	Office equipment	Total
	£000	£000	£000	£000	£000
2021-22					
Cost or valuation					
Balance at 1 April 2021	0	328	2,488	22	2,838
Additions	0	0	0	0	0
Disposals	0	0	(594)	0	(594)
Revaluations	0	0	0	0	0
Impairments	0	0	(7)	0	(7)
Balance at 31 March 2022	0	328	1,887	22	2,237
Depreciation					
Balance at 1 April 2021	0	328	1,833	22	2,183
Charged in year	0	0	210	0	210
Disposals	0	0	(459)	0	(459)
Balance at 31 March 2022	0	328	1,584	22	1,934

	Land and buildings excluding dwellings	Leasehold improvements	Information technology and telecoms	Office equipment	Total
	£000	£000	£000	£000	£000
NBV at 31 March 2022	0	0	303	0	303
NBV at 31 March 2021	0	0	655	0	655
Asset financing					
Owned	0	0	303	0	303
NBV at 31 March 2022	0	0	303	0	303

	Land and buildings excluding dwellings	Leasehold improvements	Information technology and telecoms	Office equipment	Total
	£000	£000	£000	£000	£000
2020-21					
Cost or valuation					
Balance at 1 April 2020	1,080	328	2,026	22	3,456
Additions	0	0	449	0	449
Disposals	0	0	0	0	0
Revaluations	46	0	13	0	59
Impairments	(261)	0	0	0	(261)
Assets transferred out	(865)	0	0	0	(865)
Balance at 31 March 2021	0	328	2,488	22	2,838
Depreciation					
Balance at 1 April 2020	176	328	1,682	22	2,208
Charged in year	14	0	151	0	165
Disposals	0	0	0	0	0
Assets transferred out	(190)	0	0	0	(190)
Balance at 31 March 2021	0	328	1,833	22	2,183

	Land and buildings excluding dwellings	Leasehold improvements	Information technology and telecoms	Office equipment	Total
	£000	£000	£000	£000	£000
NBV at 31 March 2021	0	0	655	0	655
NBV at 31 March 2020	904	0	344	0	1,248
Asset financing					
Owned	0	0	655	0	655
NBV at 31 March 2021	0	0	655	0	655

Transfer of Freehold Assets

On 31 March 2021, Cafcass entered into agreement with the Government Property Agency (GPA), an executive agency of the Cabinet Office, to transfer the following freehold property assets owned by Cafcass, including all revaluation reserve balances associated with the assets shown below.

This transfer included a transfer of legal ownership of land, buildings and any associated components that were a result of subsequent enhancement since recognition of the original asset.

Asset detail	Purchase date	NBV as at 31 March 2021
		£000
Land and building Peterborough	2001-02	160
Land and building Plymouth	2001-02	150
Land and building Reading	2001-02	365

The assets were transferred to the GPA on 31 March 2021 at nil consideration and in accordance with IAS 20 Accounting for Government Grants and Disclosure of Government Assistance, they were transferred at fair value resulting in a capital grant in kind expense of the same amount.

Cafcass began to pay rent as per the terms set out in the lease that was signed on 18 December 2020

between Cafcass and the GPA, commencing 01 April 2021.

All freehold assets were subject to a professional valuation by Montagu Evans as of 31 March 2021, the date of the transfer and the reporting date. Any movements in book value as a result of this revaluation were adjusted prior to the transfer to the GPA.

7.2 Right of use assets

		Building leases	Total
		£000	£000
2021-22			
Cost or valuation			
Balance at 1 April 2021		0	0
First-time adoption of IFRS 16	16	5,940	5,940
Additions		658	658
Movement due to provisions		393	393
Balance at 31 March 2022		6,991	6,991
Depreciation			
Balance at 1 April 2021		0	0
Charged in year		1,910	1,910
Balance at 31 March 2022		1,910	1,910
NBV at 31 March 2022		5,081	5,081
NBV at 31 March 2021		0	0

Amounts recognised in the Statement of Comprehensive Net Expenditure

	2021-22	2020-21
Depreciation	1,910	0
Interest expense	44	0
Amounts recognised in the SoCNE	1,954	0

Amounts recognised in the Statement of Cash Flows

	2021-22	2020-21
Right of use legal expense	(12)	0
Interest expense	44	0
Repayment of principal on leases	(1,694)	0
Adjustments for IAS 17 accruals and prepayments	(107)	0
Amounts recognised in the SoCF	(1,769)	0

8. Intangible assets

	Information technology	Websites that deliver services	Total
	£000	£000	£000
2021-22			
Cost or valuation			
Balance at 1 April 2021	2,144	89	2,233
Revaluations	0	0	0
Impairments	(1)	0	(1)
Balance at 31 March 2022	2,143	89	2,232
Amortisation			
Balance at 1 April 2021	2,087	89	2,176
Charged in year	19	0	19
Balance at 31 March 2022	2,106	89	2,195
NBV at 31 March 2022	37	0	37
NBV at 31 March 2021	57	0	57
2020-21			
Cost or valuation			
Balance at 1 April 2020	2,142	89	2,231
Revaluations	2	0	2
Impairments	0	0	0
Balance at 31 March 2021	2,144	89	2,233
Amortisation			
Balance at 1 April 2020	2,068	89	2,157
Charged in year	19	0	19
Balance at 31 March 2021	2,087	89	2,176
NBV at 31 March 2021	57	0	57
NBV at 31 March 2020	74	0	74

9. Financial instruments

As the cash requirements of Cafcass are met through the Estimates process, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body.

Most of Cafcass' financial instruments are consistent with the expected purchase and usage requirements of a non-departmental public body and relate to contracts to buy non-financial items. As such, Cafcass is exposed to minimal credit, liquidity, and market risks.

10. Impairments

	Net cost charged to SoCNE	Release of revaluation reserve to SoCNE	Net impact in SoCNE
	£000	£000	£000
2021-22			
Land and buildings	0	0	0
Information technology and telecoms	7	(2)	5
Intangible assets	1	(1)	0
	8	(3)	5
2020-21			
Land and buildings	261	(176)	85
Information technology and telecoms	0	0	0
Intangible assets	0	0	0
	261	(176)	85

11. Trade receivables and other current assets

	2021-22	2020-21
	£000	£000
Amounts falling due within one year		
Other receivables	2,799	1,902
Provision for bad debts	(5)	(10)
Prepayments	1,498	1,893
Travel advances	1	2
	4,293	3,787

12. Cash and cash equivalents

	Cash	Bank	Total
	£000	£000	£000
2021-22			
Balance at 1 April 2021	4	598	602
Net change in cash and cash equivalent balance	0	84	84
Balance at 31 March 2022	4	682	686
The following balances were held at:			
Government Banking Service and cash in hand	4	682	686
Balance at 31 March 2022	4	682	686
2020-21			
Balance at 1 April 2020	4	206	210
Net change in cash and cash equivalent balance	0	392	392
Balance at 31 March 2021	4	598	602
The following balances were held at:			
Government Banking Service and cash in hand	4	598	602
Balance at 31 March 2021	4	598	602

13. Trade payables and other current liabilities

	2021-22	2020-21
	£000	£000
Amounts falling due within one year		
Trade payables	536	308
Other payables	19	1,258
Accruals and deferred income	3,281	3,227
	3,836	4,793

Accruals and deferred income comprise £3.245m accruals plus £0.036m deferred income (2020-21: £3.227m plus £nil).

14. Provisions for liabilities and charges

	Employment claims	Annual leave amount	Dilapidations	Total
	£000	£000	£000	£000
2021-22				
Balance at 1 April 2021	288	961	1,509	2,758
Provided in the year	56	466	464	986
Not required written back	(190)	(961)	(90)	(1,241)
Utilised in the year	0	0	0	0
Balance at 31 March 2022	154	466	1,883	2,503

Analysis of expected timing of discounted flows

Not later than one year	154	0	1,865	2,019
Later than one year and not later than five years	0	466	14	480
Later than five years	0	0	4	4
	154	466	1,883	2,503

	Employment claims	Annual leave amount	Dilapidations	Total
	£000	£000	£000	£000
2020-21				
Balance at 1 April 2020	243	622	1,577	2,442
Provided in the year	186	961	74	1,221
Not required written back	(141)	(622)	(81)	(844)
Utilised in the year	0	0	(61)	(61)
Balance at 31 March 2021	288	961	1,509	2,758

Analysis of expected timing of discounted flows

Not later than one year	288	0	1,411	1,699
Later than one year and not later than five years	0	961	95	1,056
Later than five years	0	0	3	3
	288	961	1,509	2,758

IAS 37 requires the recognition of a provision (a liability that is of uncertain timing or amount) when it exists at the Statement of Financial Position date. It must therefore fulfil the criteria of being a present obligation arising from a previous event, where it is probable there will be a transfer of economic benefits to settle the obligation and where a reliable estimate can be made of the amount of the obligation. Cafcass makes provisions for legal or constructive obligations (liabilities), which are of uncertain timing or amount at the Statement of Financial Position date, based on the best estimate of the expenditure required to settle the obligation.

Employment claims

Employment claims relate to employment tribunal cases that are likely to be brought against Cafcass, which may or may not result in court attendance.

Annual leave amount

The annual leave amount is the monetised value of holiday entitlement approved by management for carry over to the new financial year. It is the liability that Cafcass would have to settle, should it cease to exist as a going concern and accumulated staff leave be crystallised into actual payments.

Dilapidations

Cafcass operates from a number of leasehold properties which include provision for the payment of dilapidations on exit from the premises.

Cafcass considers it appropriate to recognise these liabilities through the creation of a provision whilst premises are in active use, and to accrue for these liabilities once settlement has been agreed.

Provisions have been maintained for these using actual information and industry information on the most likely costs for dilapidations per square metre.

15. Capital commitments

There were no material contracted capital commitments as at 31 March 2022 (2020-21: £nil).

16. Commitments under leases

Reconciliation of IAS 17 operating leases to IFRS 16 right of use liabilities and assets

This table reconciles operating lease commitments at 31 March 2021 to right of use liabilities and assets at 1 April 2021, immediately following adoption of IFRS 16.

	£000
Building operating leases disclosed at 31 March 2021	7,183
Other operating leases disclosed at 31 March 2021	64
Other operating leases de-recognised at 1 April 2021	(64)
Adjustments from IAS 17 to IFRS 16	
Impact of discounting	(279)
Non-recoverable VAT	(649)
Assessments of lease extension periods and break clauses	(15)
Low value, short-term and intra-MoJ leases	(407)
Opening balance right of use liabilities at 1 April 2021	5,833
Adjustments for IAS 17 accruals and prepayments at 31 March 2021	107
Opening balance right of use assets at 1 April 2021	5,940

Finance lease commitments

Obligations under finance leases comprise:

	2021-22	2020-21
	£000	£000
Buildings		
Not later than one year	1,368	0
Later than one year and not later than five years	2,088	0
Later than five years	1,518	0
	4,974	0
Less interest element	(145)	0
	4,829	0

Maturity analysis: Present value of obligations under finance leases comprise:

	2021-22	2020-21
	£000	£000
Buildings		
Not later than one year	1,331	0
Later than one year and not later than five years	2,004	0
Later than five years	1,494	0
	4,829	0

17. Other financial commitments

	2021-22	2020-21
	£000	£000
Not later than one year	2,613	2,453
Later than one year and not later than five years	378	2,808
Later than five years	0	0
	2,991	5,261

Cafcass signed a three-year contract with Littlefish, commencing May 2018, to provide an integrated information and communication technology service across the organisation. The contract's extension option was exercised in 2020-21 and the contract extended for a further two years until May 2023.

18. Related party transactions

Cafcass is an executive non-departmental public body that is sponsored by the Department. The Department as such is regarded as a related party. During 2021-22, Cafcass had various material transactions with the Department, including the receipt of £140.826m grant and additional funding from the Department (2020-21: £132.183m).

Transactions with the Department not related to Grant-in-Aid or other funding are considered not to be material and totalled £0.171m (2020-21: £0.171m).

Cafcass does have occasional small transactions with other Central Government bodies and Local Authorities that are considered not to be material.

All payments made to senior managerial staff are disclosed in the Remuneration Report. A register of interest is held for all Board Members and there were no material related party transactions with Board Members or the Corporate Management Team during the year other than those associated with remuneration for normal duties.

19. Events after Statement of Financial Position date

There has been significant volatility in both investment markets and exchange rates following the Statement of Financial Position date. These are considered non-adjusting events under IAS 10 'Events After the Reporting Period' for which no meaningful mid-year estimates of impact can be made. However, the net impact of all movements through the year will be reflected in the pension scheme's assets and liabilities at 31 March 2023. The proportion of the Fund's exposure to government and corporate bonds was low, with any negative movements offset by other investments in the portfolio. No significant changes in the Fund's asset allocation were required and there has been no ongoing impact in terms of the Fund's liquidity. Investment strategy is managed by

WYPF and therefore no action has been taken by Cafcass in relation to recent market volatility.

In accordance with the requirements of IAS 10, all other post Statement of Financial Position events are considered up to the date on which the Accounts are authorised for issue. This is interpreted as the same date as the date of the Certificate and Report of the Comptroller and Auditor General.

20. Self-Employed Contractors

In 2021-22 we contracted the services of 138 Self-Employed Contractors (2020-21: 124), to whom payments made amounted to £2.650m in the year (2020-21: £2.233m).

As Self-Employed Contractors, they are ordinarily responsible for meeting travel, office and all other expenses related to their work, as well as related tax and national insurance liabilities.

Further to this, agency staff costs amounted to £6.498m in the year (2020-21: £4.026m).

21. Partnership costs

Partnership costs of £1.901m (2020-21: £1.347m) represent the cost of services provided by Cafcass through third party organisations such as contact centres and mediation centres.

Expenditure on partnerships' court ordered contact activities are shown net of expenditure claimed back and received from the Department.

In addition to Cafcass' baseline partnership budget, in 2021-22 Cafcass received additional funding of £1.540m from the Department (2020-21: £0.901m).

22. Pension liabilities

Under the requirements of IAS 19, WYPF's actuary, Aon Hewitt Limited, carried out an accounting valuation for Cafcass as at 31 March 2022, based on a roll forward from the last actuarial funding valuation in 2019. The accounting valuation aims to measure the assets and liabilities of the pension scheme on a best estimate basis in terms of the calculation approach and data used at the end of the accounting period, whilst the actuarial funding valuation carried out every three years determines the scheme's funding position and the cash contribution by employers in future years.

The assets of the scheme are held separately from those of Cafcass and are invested in funds managed externally to Cafcass.

Cafcass accounts for scheme liabilities in accordance with IAS 19 – Employee benefits. The in-year current service cost has been reflected in the Statement of Comprehensive Net Expenditure.

Cafcass considers and follows the recommendations from the actuary for significant estimates and assumptions, including future increases in pay levels.

In addition to the disclosures contained in the Financial Statements, the following disclosures are also in accordance with IAS 19.

Introduction

The disclosures below relate to the funded liabilities within the Fund Administering Authority (the “Fund”) which is part of the Local Government Pension Scheme (the “LGPS”).

The LGPS is a funded defined benefit plan with benefits earned up to 31 March 2014 being linked to final salary. Benefits after 31 March 2014 are based on a Career Average Revalued Earnings scheme. Details of the benefits earned over the period covered by this disclosure are set out in ‘The LGPS Regulations 2013’ (as amended) and ‘The LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014’ (as amended).

Funding/governance arrangements of the LGPS

The funded nature of the LGPS requires participating employers and their employees to pay contributions into the Fund, calculated at a level intended to balance the pension liabilities with investment assets. Information on the framework for calculating contributions to be paid

is set out in 'The LGPS Regulations 2013' and the Fund's Funding Strategy Statement. The last actuarial valuation was at 31 March 2019 and the contributions to be paid until 31 March 2023 resulting from that valuation are set out in the Fund's Rates and Adjustment Certificate.

Note: An entitlement of staff to membership of the West Yorkshire Pension Scheme forms part of the constitution of Cafcass. The scheme is a defined benefit scheme and forms a significant financial staff benefit within the Cafcass reward strategy. Decisions on the collection of employer contributions are taken to provide predictability and stability to future budget requirements. The overall performance of the scheme is reported and reviewed annually by the Audit and Risk Assurance Committee, informed by the work and findings of both the Government Actuary's Department and the LGPS Scheme Advisory Board. Cafcass continues to engage with the scheme administrators to seek assurance on their management of risk.

The Fund Administering Authority, City of Bradford Metropolitan District Council, is responsible for the governance of the Fund.

Assets

The assets allocated to the Employer in the Fund are notional and are assumed to be invested in line with the investments of the Fund for

the purposes of calculating the return over the accounting period. The Fund holds a significant proportion of its assets in liquid investments. As a consequence there will be no significant restriction on realising assets if a large payment is required to be paid from the Fund in relation to an employer's liabilities. The assets are invested in a diversified spread of investments and the approximate split of assets for the Fund as a whole (based on data supplied by the Fund Administering Authority) is shown in the disclosures.

Note: The valuation methodology for unquoted investments is fully disclosed in the Fund's published Annual Report and Accounts.

The Fund Administering Authority may invest a small proportion of the Fund's investments in the assets of some of the employers participating in the Fund if it forms part of their balanced investment strategy.

Note: The Investment Strategy Statement is available via the wypf.org.uk website.

Risks associated with the Fund in relation to accounting

Asset volatility

The liabilities used for accounting purposes are calculated using a discount rate set with reference to corporate bond yields at the accounting date. If assets underperform this yield this will create

a deficit in the Accounts. The Fund holds a significant proportion of growth assets which, while expected to outperform corporate bonds in the long term, creates volatility and risk in the short term in relation to the accounting figures.

Changes in bond yield

A decrease in corporate bond yields will increase the value placed on the liabilities for accounting purposes although this will be marginally offset by the increase in the assets as a result (to the extent the Fund invests in corporate bonds).

Inflation risk

The majority of the pension liabilities are linked to either pay or price inflation. Higher inflation expectations will lead to a higher liability value. The assets are not perfectly correlated with inflation meaning that an increase in inflation will increase the deficit.

Life expectancy

The majority of the Fund's obligations are to provide benefits for the life of the member following retirement, so increases in life expectancy will result in an increase in the liabilities.

Exiting employers

Employers which leave the Fund (or their guarantor) may have to make an exit payment to meet any shortfall in assets against their pension

liabilities. If the Employer (or guarantor) is not able to meet this exit payment the liability may in certain circumstances fall on other employers in the Fund. Further the assets at exit in respect of 'orphan liabilities' may, in retrospect, not be sufficient to meet the liabilities. This risk may fall on other employers. 'Orphan liabilities' are currently a small proportion of the overall liabilities in the Fund.

Changes in accounting estimates

This year we have recommended a change to the approach to setting the CPI Inflation rate and mortality rate assumptions. Auditors may ask for the rationale for these changes to be disclosed. Further information on the change in method and the broad impact of those changes is included within the Assumptions Advice.

Note: This year, the actuary recommended a change in the approach to setting the CPI inflation rate assumption. The CPI assumption is set with reference to the RPI assumption, based on the actuary's Gilts Price RPI curve and not the Bank of England's curve as in prior years. This is due to the former being more technically transparent and a better fit to market pricing. Further to this, the Government responded in November 2020 to a consultation regarding the future of the RPI, and there is now an expectation that the RPI will be significantly lower post-2030. The actuary has also adjusted the gap between the

RPI and CPI assumption pre-2030, to reflect the Consensus Economics survey data that is believed to be driven primarily by higher expectations of mortgage interest costs over the period. This new methodology is adopted by the actuary in response to developments in the market and the economy, to make sure that the recommended assumptions are the best estimate for more accurate calculation of the pension liabilities. These changes are applied across the actuary's portfolio of LGPS clients.

Duration of liabilities

The duration of liabilities is the average period between the calculation date and the date at which benefit payments fall due. The calculated duration, based on the output of the most recent valuation exercise at 31 March 2019, is 19.0 years.

Impact of McCloud judgement

Note: The December 2018 McCloud judgement found that transitional protection arrangements put in place during the reform of firefighters and judges pension schemes was discriminatory on grounds of age. The Government launched a consultation on proposed amendments to underpin in July 2020, and a response to the consultation was published in February 2021. The impact of the McCloud judgement was accounted for in the 2019-20 Accounts under IAS 19, covering a McCloud 'underpin' liability within the current service cost, and an allowance for the service since the

scheme's reforms in the SoFP. The method for valuing the McCloud remedy is closely aligned with the method proposed by the Government in its consultation. In the 2021-22 Accounts we continue to adopt the same approach as in previous years and include the McCloud 'underpin' liability in the current service cost, with no additional impact in the SoFP.

Impact of Covid-19

Note: The outbreak of Covid-19 was declared by the World Health Organisation as a "Global Pandemic" on the 11 March 2020. The ONS data shows that the cumulative deaths in 2020 and 2021 were well outside the range of the outcomes seen in recent years. An allowance for the effect from these excess deaths on the pension liabilities, however, is not made in the 2021-22 Accounts, but will be reflected in the 2022 triennial valuation result and the 2022-23 Accounts.

Additionally, the Covid-19 pandemic has had an indirect impact on the longevity of the Fund's members. Therefore, in the 2021-22 Accounts the Fund's actuary recommended higher future mortality assumption rates, to reflect a slightly more 'negative' outlook on longer-term mortality, compared to the 'neutral' outlook adopted in the prior year's Accounts. This thinking reflects waning Covid-19 vaccine effectiveness and the potential impact of any new variants, although these

impacts may be offset by the rollout of Covid-19 vaccine boosters.

The amounts recognised in the Statement of Financial Position are as follows:

	2022	2021
	£000	£000
Present value of funded obligations	(917,308)	(930,080)
Fair value of plan assets	681,041	613,113
Net liability	(236,267)	(316,967)

The amounts recognised in the Statement of Comprehensive Net Expenditure are as follows:

	2022	2021
	£000	£000
Current service cost	37,287	25,818
Interest on obligation	19,382	17,343
Interest income on plan assets	(12,895)	(11,488)
Net interest cost	6,487	5,855
Expense recognised in the Statement of Comprehensive Net Expenditure	43,774	31,673

Changes in the present value of the defined benefit obligation are as follows:

	2022	2021
	£000	£000
Opening defined benefit obligation	930,080	762,931
Current service cost	37,287	25,818
Interest on obligation	19,382	17,343
Member contributions	5,607	5,356
Actuarial (gain) / loss due to changes in financial assumptions	(48,785)	151,275
Actuarial gain due to changes in demographic assumptions	(9,263)	0
Actuarial loss / (gain) due to liability experience	3,247	(9,053)
Benefits / transfers paid	(20,247)	(23,590)
Closing defined benefit obligation	917,308	930,080

Changes in the fair value of plan assets are as follows:

	2022	2021
	£000	£000
Opening fair value of plan assets	613,113	500,520
Interest income on plan assets	12,895	11,488
Re-measurement gain on assets	53,467	103,536
Contributions by employer	16,206	15,803
Member contributions	5,607	5,356
Benefits / transfers paid	(20,247)	(23,590)
	681,041	613,113

Asset allocation:

	Quoted value at 31 March 2022	Unquoted value at 31 March 2022	Total at 31 March 2022	Total at 31 March 2021
Equities	67.8%	12.0%	79.8%	79.7%
Property	1.6%	2.4%	4.0%	3.8%
Government bonds	7.4%	0.0%	7.4%	8.3%
Corporate bonds	4.8%	0.0%	4.8%	4.6%
Cash	0.0%	2.9%	2.9%	2.0%
Other	0.0%	1.1%	1.1%	1.6%
	81.6%	18.4%	100.0%	100.0%

Actual return on assets:

	2021-22	2020-21
	£000	£000
Interest income on plan assets	12,895	11,488
Re-measurement gain on assets	53,711	103,536
	66,606	115,024

The major financial assumptions used in the valuation were:

	2021-22	2020-21
Pension accounts revaluation rate	3.00%	2.70%
Rate of increase in salaries	4.25%	3.50%
Rate of increase in pensions	3.00%	2.70%
Nominal discount rate	2.70%	2.10%

Estimated pension expense in future periods

Analysis of amount charged to the Statement of Comprehensive Net Expenditure on the provision of services next year:

	Year ending 31 March 2023	Year ending 31 March 2022
	£000	£000
Current service cost	34,776	36,664
Interest on net defined benefit liability	6,159	6,490
Total estimated pension expense	40,935	43,154
Allowance for administration expense included in current service cost	251	236
Estimated pensionable payroll over the period	83,700	78,708

Reconciliation of re-measurement of pension benefits in the Statement of Financial Position

	2021-22	2020-21
	£000	£000
Pension liabilities as at 31 March current year	236,267	316,967
Less: Pension liabilities as at 31 March prior year	(316,967)	(262,411)
Less: Expense recognised in the Statement of Comprehensive Net Expenditure	(43,774)	(31,673)
Plus: Contributions by employer	16,206	15,803
(Gain) / loss on re-measurement of pension benefits	(108,268)	38,686

Reconciliation of in-year additional pension cost in the Statement of Cash Flows

	2021-22	2020-21
	£000	£000
Expense recognised in the Statement of Comprehensive Net Expenditure	43,774	31,673
Less: Contributions by employer	(16,206)	(15,803)
In-year additional pension cost	27,568	15,870

Sensitivity analysis

The approximate impact of changing the key assumptions on the present value of the funded defined benefit obligation as at 31 March 2022 and the projected service cost for the period ending 31 March 2023 is set out below.

Discount rate assumption:

Adjustment to discount rate	+0.1% p.a.	Base figure	-0.1% p.a.
	£000	£000	£000
Present value of total obligation	899,879	917,308	934,737
% change in present value of total obligation	(1.9%)		1.9%
Projected service cost	33,559	34,776	36,028
Approximate % change in projected service cost	(3.5%)		3.6%

Rate of general increase in salaries:

Adjustment to salary increase rate	+0.1% p.a.	Base figure	-0.1% p.a.
	£000	£000	£000
Present value of total obligation	919,143	917,308	915,473
% change in present value of total obligation	0.2%		(0.2%)
Projected service cost	34,776	34,776	34,776
Approximate % change in projected service cost	0.0%		0.0%

Rate of increase to pensions in payment, deferred pensions increase assumption and rate of revaluation of pension accounts assumption:

Adjustment to pension increase rate	+0.1% p.a.	Base figure	-0.1% p.a.
	£000	£000	£000
Present value of total obligation	932,902	917,308	901,714
% change in present value of total obligation	1.7%		(1.7%)
Projected service cost	36,028	34,776	33,559
Approximate % change in projected service cost	3.6%		(3.5%)

Post retirement mortality assumption:

* Adjustment to mortality age rating assumption	-1 year	Base figure	+1 year
	£000	£000	£000
Present value of total obligation	949,414	917,308	885,202
% change in present value of total obligation	3.5%		(3.5%)
Projected service cost	36,237	34,776	33,350
Approximate % change in projected service cost	4.2%		(4.1%)

*A rating of +1 year means that members are assumed to follow the mortality pattern of the base table for an individual that is 1 year older than them.

Mortality assumption:

The mortality assumptions are based on actual mortality experience of members with the Fund based on analysis carried out as part of the 2019 Actuarial Valuation and allow for expected future mortality improvements. Sample life expectancies at age 65 in normal health resulting from these mortality assumptions are shown below. At this accounting date the assumed rates of future mortality have been increased to reflect a slightly more negative outlook as a result of the Covid-19 pandemic.

	31 March 2022	31 March 2021
Males		
Pensioner member aged 65 at accounting date	21.8	21.9
Active member aged 45 at accounting date	22.5	22.6
Females		
Pensioner member aged 65 at accounting date	24.6	24.7
Active member aged 45 at accounting date	25.7	25.8

23. Contingent liabilities

Cost Management Process in Local Government Pension Schemes

HM Treasury (HMT) and the Scheme Advisory Board (SAB) are legally required to undertake periodic reviews of the cost of Local Government Pension Schemes (LGPS), to ensure that such schemes remain sustainable and affordable. These reviews are referred to as the 'Cost Management Process'.

Following the McCloud judgement in the Court of Appeal, both HMT and the SAB had paused their 2016 reviews. However, HMT directions were made in 2021-22, which allowed HMT and the SAB reviews to proceed. The published SAB review recommended no change, and it is expected that the HMT review will also recommend no change. However, the Government reviews are being challenged by a Judicial Review bought by the trade unions. If the Judicial Review is successful, this could result in changes in benefits or member contributions backdated to 1 April 2019.

As at 31 March 2022, the outcome of the Cost Management Process reviews remain unknown, and it is therefore not possible to determine whether they will impact on the LGPS, nor to determine the materiality or costs of their impact on the LGPS. As such, an allowance cannot be made in the Accounts for any potential costs of

improving members' benefits incurred under the Cost Management Process.

24. Contingent assets

There were no qualifying contingent assets as at 31 March 2022 (2020-21: £nil).

Glossary

Cafcass and the Family Justice Young People's Board (FJYPB) have together created a glossary of the more commonly used terms and words in family proceedings. We thank the FJYPB and other colleagues for co-ordinating this, enabling readers to understand the terminology used in our annual report.

For more information about the FJYPB's wordbusting project please visit the Cafcass website*

*Word Busting – Cafcass – Children and Family Court Advisory and Support Service

Adjournment – A decision made by the family court to hold the court hearing at another time because things are not ready or people need more time to do something.

Adoption Order – A type of order made by the family court which transfers parental responsibility to new, adoptive parents and means that a child or young person is no longer legally the child of their birth parents. It allows them to start a new family.

Agency staff/workers – Social workers who do not normally work for Cafcass but will sometimes do work for Cafcass during busy periods.

Area Quality Review (AQR) – A way of measuring how well an area is working. People involved include the Assistant Director/Heads of Service in that area. The AQR findings help form the action and development plans for that area.

Application – This is how a person asks the family court to help them.

Barrister – A legally trained person who advises people going through the family court and speaks for them in court hearings.

Bank workers – Social workers who do not normally work for Cafcass but will sometimes do work for Cafcass during busy periods. These workers do not come through an agency.

C100 form – This is the form used to apply to the courts for a contact or child arrangements order.

Cafcass worker – Depending on what the family court has ordered Cafcass to do, the Cafcass worker (sometimes known as a practitioner or officer) can be known as a family court adviser or a children’s guardian (for more detail, look for their descriptions).

Care order – An order made by the family court when the local authority can prove that a child or young person living in their area is not being looked after properly.

Case file audits – Internal audits which are completed by Cafcass managers to ensure consistency and best practice.

Case Management Conference – This is a hearing where the major issues for a child or young person are talked about and the judge sets out how the family court case is going to proceed.

Child Contact Intervention (CCI) – CCIs are short-term interventions of supervised contact. They are designed to help adults and children establish safe and beneficial contact when this is difficult to do on their own.

Child contact centre – This is a safe place where children and young people can see a parent who they do not live with. Usually, this allows for direct contact, supervised contact or supported contact.

Child arrangements order – When people cannot agree on where a child might live or who they should see, the family court might be asked to decide. The judge will look at what is best for the child or young person and make a decision setting out what people must do.

ChildFirst – Cafcass' Electronic Case Management System which stores Cafcass' case-related information including feedback and complaints.

Children's guardian – Sometimes when the problems within a family are really difficult then the family court will ask for a children's guardian

to help them. The children's guardian is an independent person who is there to keep the court focused on what is best for the child or young person. They will also appoint a solicitor to act for the young person in court.

Consent order – Made by the court where all parties in the case have agreed to what it says.

Direct contact – When a child or young person spends time with someone that they do not live with.

Domestic Abuse Perpetrator Programme (DAPP) – A structured course that aims to help people who have been abusive towards their partners or ex-partners to change their behaviour and develop respectful, non-abusive relationships.

Early Intervention Teams (EIT) – EIT operate in service areas, with Cafcass workers carrying out safeguarding checks to inform the safeguarding letter we provide at the First Hearing.

Family assistance order – An order which the family court can make to provide short term (usually six months) support to a family who agree to it. This can be from a Cafcass worker or a social worker from the local authority.

Family court – This is where important decisions are made about children, young people and their families. It is different to criminal courts where people go when they might have done something wrong. Decisions in the family court are made by

judges or magistrates when people cannot agree about what is best for a child or young person.

Family Court Adviser (FCA) – Sometimes the family court may ask an FCA to meet with a child or young people to talk about their wishes and feelings and to make sure the family court hears what they have to say. The FCA also gives their view to the court about what is best for the child. FCAs do not need to meet all children and young people because sometimes families can agree themselves on what is best.

Family Group Conference – All of the important people in a child's life get together to check that they are safe. It means that everyone knows what is happening and keeps them safe.

Final order – This is the last order made by the family court. The court expects all the people named in the order to keep to it and do as it says and can punish adults if they do not.

Foster carer – People who give a home to children and young people who need a safe place to live. They may have children of their own, or other foster children living with them, in which case you would all live in the same house together.

Guardian's report – The family court will ask the children's guardian to write a report to help it make decisions about a child or young person. The report will include information on their wishes and feelings and a recommendation from the children's

guardian on what they think is best for the child. The report will also include information from the other people involved such as the parents and any other individuals such as experts.

Independent Reviewing Officer (IRO) – IROs help to make sure the best decisions are made for children looked after by the local authority. Their main focus is to make sure that the care planning process for each child or young person is meeting their needs, and to ensure that their current wishes and feelings are given full consideration.

Indirect contact – A child or young person can use forms of contact such as letters, cards or gifts to communicate with a parent where the court considers it is safe and beneficial for them to do so.

Interim care order – This means that the local authority makes decisions about a child rather than their own parents for the short term, before the family court makes a final order. The child will get a social worker to make the decisions day to day.

Issues Resolution Hearing (IRH) – This is a special hearing where the family court decides which issues need to be sorted out and hears arguments about which is a true version of events.

Judge – Sometimes families have problems which they might find too hard to sort out by themselves. A judge works in a family court, listens to everybody and then decides what is best for the

child or young person involved in the case. They have the final say and will make the decision about that child or young person's life.

Level 1 check – A Police Criminal Record Check which is completed by Cafcass' Police National Computer (PNC) team.

Legal Adviser – A legally qualified person who helps magistrates in the family court apply the law. They do not play any part in the decision-making process but are there to advise.

Litigants in person – A party in a case who is self-representing i.e. they do not have legal representation/lawyer.

Local authority (also known as children's social care or social services) – This organisation is responsible for making sure all children and young people in their local area are kept safe by the people who care for them.

Magistrate – This person is a member of the community who volunteers to make decisions that affect families, children and young people. They are similar to a judge but are not legally qualified. They are advised on the law by their legal adviser.

Mediation – When people cannot agree, they go to another person to help them sort it out (a mediator). The mediator talks to everyone and tries to help them find an outcome that they are all happy with. This might mean that they do not have to go to the family court.

Non-molestation order – This is a type of order the family court uses to keep adults, children and young people safe from someone who has been abusive toward them.

Parental order – An order which transfers legal parenthood from a surrogate to the intended parents.

Parental responsibility – Parental responsibility means all the rights, duties, and responsibilities that a parent has to a child or young person. A person or the people with parental responsibility can make decisions about a child such as who they will live with and what school they will attend.

Placement order – An order which allows the local authority to place a child with suitable adopters following care proceedings (even if the parents do not agree).

Pre-proceedings – Work that is carried out by the local authority (sometimes involving Cafcass) before a decision on making a care application is made.

Private law – These cases are brought to the family court by private individuals, generally in connection with divorce or parents' separation. The family court may make a child arrangements order, prohibited steps order or a specific issues order or no order at all.

Prohibited steps order – A parent can be prevented by the family court from doing

something the other parent does not want them to do. The most common type is where one parent is stopped from moving abroad with the child or young person.

Public law – Public law cases are brought to the family court by local authorities where they are worried that a child or young person is not being looked after safely. The family court may make a care order, a supervision order, or no order at all.

Relinquished babies and children – term used to describe where parents feel that adoption may be the best option for providing a permanent, safe future for their child (the child is ‘relinquished’).

Rule 16.4 cases – These are particularly difficult or complicated family court cases where the judge decides to make the child a party to the case under rule 16.4 of the Family Procedure Rules 2010. A Cafcass guardian will be appointed to represent the child in the case.

Safeguarding letter – This is a letter that a Cafcass worker will write and send to the family court. They will speak to the parties (usually the parents) and ask about the child or young person’s safety and any worries that they might have.

Section 37 report – S37 is the power by which a judge can order a local authority to investigate a child’s circumstances and report back to the court within eight weeks explaining whether or not the local authority considers it necessary to initiate

proceedings that would place the child in local authority care. If the local authority decides this is not necessary, they must set out the basis on which they have reached their decision.

Section 7 report – This report is ordered by the family court and makes either Cafcass or the local authority investigate all the circumstances of the family, often including the wishes and feelings of a child or young person, and send a report to the court.

Section 8 – the court can make four different orders (i) Child Arrangements orders (ii) prohibited steps orders (iii) Specific Issue orders (iv) orders under the Inherent jurisdiction (a special power exercised only in the High Court).

Section 16A risk assessment – a duty held by Cafcass officers to undertake a risk assessment whenever they have cause to suspect that the child concerned is at risk of harm.

Self-employed contractor – social work staff who are offered work on a case-by-case basis to assist in providing additional capacity and have a contract for services for each individual case.

Separated Parents Information Programme (SPIP) – A course which helps parents to understand how to put their child first while they are separating, even if they are in dispute with their former partner.

Sessional workers – former Cafcass staff who stay to complete case work which occurs after their departure from the organisation, for example by attending a final hearing and/or closing an existing case rather than having to reallocate that case to a new worker.

Social worker – These specially trained people help to make sure children and young people are safe and properly looked after. They will work with families to help make it possible for children to stay safely with them. If the family court decides that it is not possible, they will help to make sure there is somewhere else that is safe where a child can live.

Solicitor – A legally trained person who provides advice to people going through the family court and can speak for them in court.

Special guardianship order – This family court order allows another person to become a child's 'special guardian'. It is for children who cannot live with their birth parents and gives parental responsibility to the special guardian so that they can make decisions alone about the child's life.

Specific issue order – This order is made by the family court when there is an important issue to be resolved but parents cannot agree on it. For example, which school a child should go to.

Supervised contact – This is a type of direct contact which requires a supervisor to make sure

that the child is safe with the other person. This may be done in a contact centre.

Supervision order – A supervision order makes the local authority take responsibility for advising, assisting and befriending a young person, and ensuring that the child or young person is kept safe in the care of their parents.

Supported contact – This is direct contact whereby a child contact centre worker gives some support to the adults so that they can meet the needs of their child.

GENERAL

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