



Guidance

Cafcass focused visits during the restart of routine inspection

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Introduction

Ofsted inspects the Children and Family Court Advisory and Support Service (Cafcass) under section 143 of the Education and Inspections Act 2006. The last inspection of Cafcass took place in 2018 under the previous framework. Cafcass was graded outstanding, resulting in the next inspection being due in 2021.

Ofsted's routine inspections were suspended in March 2020 because of COVID-19 (coronavirus). Ofsted has agreed with the Secretary of State, in respect of its other inspection functions, that a phased return to routine inspection should concentrate on providing assurance across as many providers and services as possible. Therefore, when we introduce inspections of Cafcass under the new framework, our approach will be in line with that overall aim: to provide assurance pending the return to full graded inspections.

We will introduce routine focused visits as part of the new framework for the inspection of Cafcass (from April 2021). As part of a phased return to routine inspection, we feel that a focused visit is an appropriate way to hold Cafcass to account. The focused visit will provide assurance about the quality and impact of practice with children and families involved in family court proceedings before we begin routine inspection of Cafcass under the new framework. We will not make a graded judgement on our 4-point scale because a focused visit looks at only part of Cafcass's practice rather than the full evaluation across all its statutory functions as at an inspection.

Unless otherwise specified in the guidance below, inspectors will follow the guidance and methodology in the main body of the [Cafcass inspection framework](#).

Deferrals

Cafcass may request a deferral of a visit. We will decide whether a deferral should be granted in accordance with [our policy](#).

Inspectors will take all reasonable steps to work within the arrangements that Cafcass has put in place to manage the impact of COVID-19. The lead inspector will work with Cafcass to ensure that, whenever possible, the visit can go ahead. We are working closely with the Ministry of Justice and in line with current government guidelines.

Scope

The focused visit will evaluate the quality and impact of key decision-making and assurance about practice in the COVID-19 context. It will cover the following practice areas:

- private family law proceedings
- public family law proceedings
- impact of leaders

We will focus on specific elements within these practice areas, as set out below.

Private family law proceedings

In this area, inspectors will evaluate the quality and impact of Cafcass's practice to inform decision-making for children in:

- the national family business centre and early intervention before first hearings
- work after first hearings, up to and including making recommendations to the family court
- whether to see children and where to see them, including whether this is face to face or remote

Public law family proceedings

In this area, inspectors will evaluate the quality and impact of Cafcass's practice to inform decision-making for children in:

- how children's guardians manage and prioritise children's cases allocated to them
- whether to see children and where to see them, including whether this is face to face or remote
- circumstances where a local authority seeks a secure placement to deprive a child of their liberty and/or to place a child in an unregistered placement

Impact of leaders

In this area, inspectors will evaluate:

- how leaders prioritise and allocate work, taking into account competing demands and including how they use the prioritisation protocol
- the 'line of sight' to the quality and impact of practice with children and families
- management and workforce capacity, including responses to staff's well-being
- the effectiveness of leaders in leading and contributing to the local and national family justice system

Focused visit arrangements

In keeping with the principles of the new Cafcass inspection framework, the lead inspector will determine any specific lines of enquiry or emphasis identified through the off-site analysis of data and information. They will consider Cafcass's context, including the local impact of the pandemic.

Inspectors will need to look at what has happened for children and families in family court proceedings during the 6 months before the visit. This is so they can understand Cafcass's practice to inform decision-making for children. Ofsted's evaluation criteria, which sets out our description of good practice, will still apply. Our focus will be on child-centred practice that has been carefully risk assessed to result in the best possible decisions for children, in the context of the pandemic. We are evaluating and seeking assurance about the quality and impact of practice within a challenging context, when circumstances may have resulted in decisions, and/or practice, that were different to those taken in normal times. Inspectors will give credit where there is evidence of practitioners and managers doing the right thing for children in the circumstances.

The inspection team will usually be 6 social care Her Majesty's Inspectors (HMIs). An Ofsted Senior HMI will be the quality assurance manager (QAM) for the visit.

The 2 days of fieldwork will usually start on a Tuesday, Wednesday or Thursday. The lead inspector will share a timeline with specific dates when they notify Cafcass of the visit.

Notifying Cafcass and requesting information

We usually carry out inspections and visits with 5 working days' notice. The lead inspector will telephone the CEO 5 working days before fieldwork begins, at around 9am. The lead inspector will request the information listed in [Annex A](#) of the inspection framework and offer a more detailed call the same afternoon to set up the visit.

In addition to the usual matters covered at a set-up call, the lead inspector will:

- establish whether there have been any changes to strategic oversight since the start of the pandemic (for example, changes of senior personnel and any invocation of the priorities protocol)
- establish which offices are open, which staff are working in an office or from home and any changes in working practices

To minimise the burden on Cafcass, the lead inspector will not usually contact Cafcass after the set-up call until the second week. Cafcass may contact the lead inspector in week 1 if it has queries or difficulties arise. Ofsted's senior analytical officers (SAOs) will also be available to answer any questions that Cafcass may have about providing the information listed in [Annex A](#) of the inspection framework.

Week 1 – notice period off site

Usual day of the week	Activities
Monday (day 1)	Lead inspector off-site evaluation of information
Tuesday (day 2)	Lead inspector phone call to CEO to announce the focused visit Afternoon 'set-up' telephone conference – lead inspector and CEO
Wednesday (day 3)	Cafcass shares child-level data, information about audits and performance and management information
Thursday and Friday (days 4 and 5)	Full team off-site evaluation of evidence Telephone conference team meeting

Week 2 – fieldwork

Day	Activity
Day 6	Team off-site evaluation (any necessary travel)
Days 7 and 8	Fieldwork – primary evidence-gathering

Off-site evaluation

When the lead inspector notifies Cafcass of the visit, they will request some of the information set out in [Annex A](#).

We recognise that, due to COVID-19, local practice on recording may have been different from the usual practice. Cafcass should set out any differences for the lead inspector and SAO in its submission, so that they can take this into account in their analysis.

Week 1 – notice period

The lead inspector will give notice 5 days before fieldwork begins. They will offer a more detailed set-up call later that day.

By the end of day 3, Cafcass shares child-level data lists identified by the lead inspector and a list of recently audited cases. The lead inspector will discuss what audit activity has occurred in recent months and agree the appropriate request with the CEO at the set-up call.

When Cafcass shares the child-level data lists, it should indicate the specific date range that each list covers.

Week 2 – off-site analysis

By the end of day 5, Cafcass shares the information it uses to manage its services. This request is based on our usual [Annex A](#). The lead inspector will detail the specific items needed for the focused visit.

The lead inspector will carry out most of the off-site analysis. They will prepare a briefing for the inspection team and identify tasks for team inspectors during their analysis days.

An SAO will analyse the child-level data and management information provided by Cafcass. This is to give the lead inspector an overview and assurance about decision-making points in Cafcass. Their analysis will also use the data to identify children whose experiences inspectors will evaluate.

Before fieldwork, the lead inspector will talk to stakeholders, such as the local family judiciary, local authorities and HM Courts & Tribunals Service, as they deem necessary.

The lead inspector will tell Cafcass which children's cases inspectors want to look at. This is so Cafcass can arrange discussions with practitioners or the most suitable alternative professional during fieldwork.

Fieldwork (gathering primary evidence)

Inspectors are likely to carry out a mix of on-site and off-site evidence-gathering. They will determine the balance between these on a case-by-case basis, taking into account the local context and working arrangements. The arrangements will be agreed as part of the set-up meeting. This may result in some or all of the team working remotely for the full duration of the visit. We will keep our practice under close and regular review to ensure that it reflects developments in government guidance and practices in Cafcass and the family court.

Inspectors will use phone and video calls to speak to Cafcass staff and practitioners. This will include using the screen-sharing function so that social workers can show examples of their work as if the inspectors were sitting with them.

At the set-up call, the lead inspector will explore how inspectors can access the Cafcass electronic case-recording system. This will likely involve asking Cafcass to upload case materials to an appropriately secure data-sharing platform or to make laptops available to inspectors or, if neither is an option, at least one inspector visiting a Cafcass office to access their systems.

Inspectors may use video calls to engage with children, parents and carers.

Letter of findings

We will set out our findings in a letter following the focused visit. The letter may identify areas of strength and good practice and areas where improvement is needed most, in relation to the practice that inspectors looked at.

If inspectors find serious and/or widespread weaknesses, they will include a section that identifies areas for priority action. If inspectors identify an area for priority action, the letter will be subject to additional moderation. If this will affect the dates that we share the draft and final letter, we will write to the CEO to confirm this.

We will quality assure letters before we send a draft copy to Cafcass.

Cafcass will have 5 working days after we send the draft letter to make any comments on the letter, inspection process and its findings. We will respond to Cafcass's comments when we send the final letter. If Cafcass wishes to submit a formal complaint, it will have 5 working days after we send the final version of the letter to do so.

We will usually publish the letter on our [reports website](#) 8 working days after we send the final version to Cafcass. If Cafcass submits a complaint within the deadline set out above, we will not publish the letter while we consider the complaint.

Timeline for writing the letters of findings

Activity	Timescales
Draft letter sent to Cafcass for any comments	10 working days after inspectors complete fieldwork
Cafcass has 5 working days to return any comments about the findings and the inspection process	11 to 15 working days after fieldwork
Final version of the letter sent to Cafcass (pre-publication, under embargo)	22 working days after fieldwork
Cafcass has 5 working days if it wishes to submit a complaint	23 to 27 working days after fieldwork
Letter published on Ofsted's reports website	30 working days after fieldwork

Conduct and complaints

Inspectors must uphold the highest professional standards in their work and treat everyone they encounter during visits fairly and with respect and sensitivity. Inspectors must at all times adhere to the [code of conduct](#).

Any concerns or complaints during the visit will be handled in line with Ofsted's [complaints policy](#). If Cafcass wishes to submit a formal complaint, it will have 5 working days after we send the final version of the letter to do so. If Cafcass submits a complaint within the deadline, we will not publish the letter while we consider the complaint.

Action plan after a focused visit

After a focused visit, we will ask Cafcass to update any existing action and/or improvement plan from the previous inspection. We will ask Cafcass to send this updated action plan to us when it shares its self-evaluation in preparation for the next annual engagement meeting.

If a visit highlights an area for priority action, we will ask Cafcass to share the updated action plan that responds to the priority action within 70 working days of receiving the final focused visit letter. We will also ask that Cafcass shares a draft of its updated action plan within 20 working days of receiving the focused visit letter. Although there is no legal obligation to do so, we ask Cafcass for its cooperation in this because the approach represents a proportionate means of encouraging improvement. Its purpose is to provide assurance that Cafcass is taking appropriate action with urgency commensurate to the seriousness of the findings.

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