

Family Proceedings Advisory Service Committee Meeting

Thursday 4th May 2017 2pm

Royal Court Library

MINUTES

FPAS Present:

Chief Probation Officer, Chair

Deputy Children's Convenor, CYCT

Advocate from Randell & Loveridge

Representative of Royal Court

Legal Aid Deputy Administrator

Children's Social Care. – CfHSC

Vulnerable Children's officer, CfESC

Head of Operations of the Office of the Committee *for* Home Affairs (from 14.30)

1. FPAS Apologies

Chief Secretary of the Office of the Committee *for* Home Affairs

NGO Representative

Alderney Greffier

2. Minutes of previous meetings

Minutes of the meeting dated 18th January 2017 were approved with minor amendments.

3. Matters Arising

- Children First Course

The NGO representative had previously offered an introductory session to interested parties to see the content of the course which is designed to give information to parents on the effects of separation on children. This has yet to be actioned.

The representative of the Royal Court expressed interest in a session for the judiciary as did the representative for Education, Children's services and Family Bar.

ACTION: Children First to be asked by CPO to make relevant arrangements.

- **Family Proceedings Advisory Service Update Report (18.1.17)**

There was a discussion surrounding the Children (Children’s Convenor) (Guernsey & Alderney) Regulations, 2010 (the “**Regulations**”) and the recommendation that the applicant, or their advocate notifies the Convenor within five days of a section 17 application.

The Convenor has written a letter to all members of the Bar informing them of the need to comply with these regulations.

ACTIONED: Deputy Children’s Convenor

4. Family Proceedings Advisory Service update report from CPO:

Family Proceedings Advisory Service Committee meeting 4th May 2017

Head of Service Report

Workloads and Statistics

Meetings of the committee will be scheduled 3 times a year in January, May and September.

To ensure some consistency in reporting FPAS workloads the statistics are now reported on a rolling 12 month basis with a comparison to the previous 12 months. This system of collecting statistical information was commenced in May 2016 therefore this is the first 12 month comparison.

The annual report for 2016 is tabled for review at this meeting. It will then go before the Committee *for* Home Affairs and be published on the public access government website.

The 5 FPAS officers (4.7 FTE) are currently working on a total caseload of 94 (including 3 mediations), with 3 unallocated cases. Delay in allocating cases and addressing the presenting problems can lead to further entrenchment of positions and every effort is made to triage and prioritise allocation.

COMPARATIVE STATISTICS FOR THE 12 month period ending 30.4.17

Number of new cases referred by:	01.05.16 – 30.04.17	01.05.15 – 30.04.16
Magistrate’s Court	54	48
Royal Court	22	36
CYCT	14	17
Juvenile Court	12	15
Total New Cases	102	116
Mediation cases referred by:		
Royal Court	3	9
Magistrate’s Court	2	3

Greffe	1	5
Advocate	2	4
Self	14	3
Total New Mediation	22	24
Short Notice Hearings		
Number Attended	24	10
Time Spent	31.25 hours	23 hours
Specific Work		
Number of cases	4	6 (partial year)
Time Spent		9 hours
Complaints Received		
No. received	1	1
Work on Closed cases		
No of cases	21	15 (partial year)
Time spent	31.5 hours	23.25 hours

COMPARATIVE STATISTICS by 4 month periods

Number of new cases referred by:	01.01.17– 30.04.17	01.01.16 – 30.04.16
Magistrate's Court	16	16
Royal Court	7	17 (including 2 adoptions)
CYCT	3	7
Juvenile Court	5	2
Total New Cases	31	42
Mediation cases referred by:		
Royal Court	1	2
Magistrate's Court	0	1
Greffe	0	3
Advocate	1	3
Self	2	2
Total New Mediation	4	11
Short Notice Hearings		
Number Attended	12	3
Time Spent	22.25 hours	15 hours
Specific Work		
Number of cases	1	6
Time Spent		9 hours
Complaints Received		
No. received	1	1
Work on Closed cases		
No of cases	12	15
Time spent	8.25 hours	23.25 hours

Priority Based Budgeting

The Committee for Home Affairs has completed a budgeting exercise under accountants Price Waterhouse Cooper.

In relation to FPAS the review informs recommendation 5 of the Marshall report that *the CfHA should review the staffing, resources, and expectation of FPAS to ensure that it is equipped to fulfil its responsibilities.*

The report noted that many of the services in CfHA, including FPAS, deliver services to meet statutory or legal requirements and therefore have a minimum which must be maintained, limiting the opportunity for flexibility with service levels.

FPAS was one service identified as experiencing a change in volume of work with increased demand leading to pressure on existing resources.

The overall budget for the FPAS is £433,833, with 90% dedicated to staff costs.

Opportunities for change:

In the longer term mediation continues to be identified as a means to reduce FPAS time and court/legal aid costs for private law proceedings.

Legislative change in regard to private law, residence and contact disputes involving children being managed through the Tribunal system is a recommendation in the Marshall report which would need to be addressed by CfHSC as sponsors of the Law, in close consultation with the Courts.

External Inspection of the service: (recommendation 4 of Marshall Report)

Senior HMI, Social Care Policy Ofsted, is coming for a scoping visit on 22nd and 23rd May to meet the Committee and the Deputy Bailiff and a family court judge. Dates for the inspection team to return for the full inspection are not yet finalised. It is anticipated that they will be here for about a week and may need contact with partner agencies as detailed in the ToR below.

The terms of reference are currently as follows:

1. *The quality and effectiveness of FPAS in private law practice with families.*
2. *The quality and effectiveness of FPAS in public law practice with families.*
3. *The quality and effectiveness of work with children and families in the CYCT (Child, Youth and Community Tribunal)*
4. *The quality and effectiveness of mediation practice in private law proceedings.*
5. *The leadership and management of FPAS.*

The inspection activity will be as follows:

- *To evaluate and consider a sample of public and private law cases where children are involved, both in the Courts and the CYCT to judge the quality of front line practice and management and the difference it makes to the lives of children, young people, their families and carers. This will include discussions with FPA's, including their managers and other professionals working with the child or young person.*

- *To evaluate a sample of mediation cases and to review the effectiveness of mediation within the current system*
- *With their consent, meet as appropriate with children, young people, parents and carers.*
- *Shadow practitioners in their everyday work for example observing practice in court and the work of practitioners with children and families.*
- *With their consent, consult with key partners, for example HSC children's services, the Office of the Children's Convenor, the family judiciary, advocates and the Children's Executive.*

The Scrutiny report has been made available to the inspection team so that the particular issues raised by Professor Marshall can be considered.

It is anticipated that there will be actions identified from the inspection which will then be considered for implementation alongside the Marshall recommendations.

The recommendations of the inspection report will be published and, depending on the recommendations, a review period set.

Conference 31st March 2017.

FPAS hosted a one day conference/training opportunity for local advocates and social workers working with children in legal proceedings.

The conference was attended by a full range of professionals working in the family court system. Feedback received indicates that it was a welcome opportunity for networking and that further such sessions would be welcomed to provide a discussion space to improve liaison and understanding between workers in different disciplines.

Staffing

The Head of FPAS has elected to retire at the end of April 2017. The Chief Probation Officer has been providing additional support to FPAS in the absence of the Head of Service and a review of staffing will continue to look at the most effective structure for the Service. The focus will be on maximising front line staff to facilitate timely allocation and processing of cases.

The review will be informed by the PWC report once published, and by outcomes from the inspection.

In the meantime a new FPA has been appointed on a 6 month contract. The new member of staff is not a qualified Social Worker (see recommendation 1 of the Marshall report) but has relevant transferable experience and will be allocated work accordingly.

An FPA is acting up as senior practitioner to cover some supervision and allocation tasks.

One external social worker was employed to undertake a piece of work in Portugal.

Training undertaken by FPAs

FPAS Training record 1.1.2017 – 30.4.2017

1 FPA	Supporting Emotional Development	Hautes Capelles Primary School	13.01.17
1 FPA	Initial mediation training	NFM	15.03.17
2 FPA's	30 Years as a North London lawyer	Barbara Hopkin	30.03.17
5 FPA's	Achieving Best Practice for Children in Court Proceedings	FPAS Conference	31.03.17

Comment on update report: Feedback from the Conference on 31st March was that more time could be given for discussion between professionals in the form of breakfast meetings.

5. Annual report

The annual report 2016 had been previously circulated for comment from the Committee:

- Statistical summary (page 4 2016 Annual report), the Deputy Convenor asked if the stats with regards to CYCT could be broken down so could differentiate between being appointed by Convenor at investigation stage rather than appointed by Tribunal.
- With regards to the Mediation stats (page 15 2016 Annual Report) it was felt that the 'did not proceed' stats were maybe not a true reflection as the process of mediation had not always started but a lot of admin work had been involved in sending out mediation letters and leaflets and follow ups.

Action: Amendments as discussed to be made. The AR will then be considered by the CfHA before publication.

6. Progress on Marshall Report

An update was given on the report, it was agreed that no further action would be taken on recommendation 6 by this committee as Guernsey Legal Aid now the responsibility of the CfESS who are considering this recommendation separately.

With regards to recommendation 8 it was felt that a meeting between FPAS, CYCT, CHSC and the Law Officers should take place for preliminary discussion.

Action: Deputy Convenor to arrange preliminary discussion.

7. Ofsted inspection

A senior inspector is coming for a scoping visit on 22/23 May to meet the Committee, the deputy Bailiff and a family court judge. It was thought that the inspector would want to meet the FPAS

Advisory Committee and a meeting will be arranged for 23rd May. The representative from Education asked for clarity over their role in the Committee.

ACTION: FPAS admin to arrange meetings and circulate Ordinance and Schedule 4 to Committee members.

8. AOB

In light of the retirement of the head of service the CPO advised that there will be a review of staffing and structure of the service after the inspection.

9. Date of Next Meeting

It was agreed that the next meeting should be held in September after the next FCUG meeting and that a date should be obtained for this from The Greffier.

The meeting concluded at 15:00