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## RESPONSE TO 'ORGANISING FOR QUALITY'

### INTRODUCTION

Napo is committed to the delivery of effective and efficient public services, and recognises that it is necessary to regularly review public service structures to ensure that they are fit for purpose.

Although change is a necessary and expected part of the efficient, governance of public services, there are also a number of key determinants which should underpin such reforms.

Napo's response to the Cafcass Paper "Organising for Quality" identifies a number of areas where this paper and its proposals for reform fall short in respect of these key determinants.

Particular concerns we identify include:

- the lack of detail as to how proposals would be costed and achieved;
- the lack of an evidence base for the proposals;
- the absence of an evaluation of previous change initiatives;
- the lack of any analysis of the risks involved.

Critical to a successful management of change programme is the articulation of a clear vision on the benefits that the changes in structure will achieve; a vision that provides inspiration to staff and ensures that staff are on board and signed up to the necessary reforms. All evidence shows that successful change needs staff support and commitment.

Napo, and its members in Cafcass have been loyal to Cafcass from its formation in 2001. Napo wants to help Cafcass succeed as a successful public service and we therefore trust that this response, and the concerns that it raises on the "Organising for Quality" proposals to date, will be given full and proper consideration.

**General Secretary**  
Napo



# ORGANISING FOR QUALITY

## Response by Napo

### INTRODUCTION

Napo's response to this strategy document should be considered in conjunction with the responses provided for previous, related consultations, particularly, National Standards and Every Day Matters. Our response also takes into account information shared with the unions by CDG during two meetings to discuss the strategy. Whilst we have tried to address what are in our view the key issues, we have chosen not to consider every proposal in detail.

Napo would give a cautious welcome to responses from the CEO which would suggest that some of the less popular ideas outlined in O4Q are being reconsidered. It is important, nevertheless, that we record our views on all the significant issues raised in the document even where we understand they may not be pursued.

There is unanimity in the desire to focus on the quality of frontline practice and Napo will wholeheartedly support any initiatives which seem likely to achieve this goal. Practice cannot, and should not, stand still and we have long argued for a greater focus on practice based research and use of practitioner knowledge and experience.

Napo recognises that Cafcass is required to work within a limited budget, and we will continue to lobby outside of Cafcass to improve this budget, given the wide acceptance that the organisation was under funded from the outset. We are, however, concerned that some of the budget led proposals in this paper could have a damaging impact on long term service delivery, on the working lives of staff and on the credibility of the organisation. Whilst Cafcass may have no choice but to work to the basis that good practice can be achieved within a reduced budget, this is not something that the trade union can endorse with any sincerity.

Organising For Quality proposes major organisational restructuring. We continue to have concerns as to whether its aspirations can be achieved by management restructure, and also whether the organisational costs of restructuring can be seen to be justified by the hoped for improvements. Organisational change is resource intensive, expensive and time consuming. It is also particularly damaging when significant individuals, or grades of staff lose confidence in, or commitment to, the organisation as a result. We therefore have to urge real caution when proposals are being finalised.

In Napo's view certain key themes running throughout the document significantly undermine its persuasiveness:

- the lack of detail as to how proposals would be costed and achieved in practice and the resulting expectation that the reader will simply trust that this can be realised.
- the absence of a good evidence base for wholesale changes in practice.

- the absence of any transparent review or evaluation of previous initiatives such as the London Change Programme
- lack of any analysis of the inherent risks

Additionally, Napo questions why, despite previous requests, no Race, Disability or other impact assessment appears to have been undertaken.

## PRACTICE DEVELOPMENT

The aspiration to put more time and resources into support of front line practice is supported in principle, although we are concerned at an apparent underlying assumption about widespread failures in practice which is not in fact evidenced. Where practice does not meet quality standards this needs to be addressed, but we would urge Cafcass not to take an approach to training or practice support based on the 'lowest common denominator' principle as has been the case in some recent initiatives.

Staff skills are best supported and developed by a good quality supervision model which recognises individual developmental needs and is based on a quality supervisory relationship. Staff do not respond well to compulsory training or quality assurance processes which take no account of their particular stage of development and which can represent a major resource input with limited learning outcomes. We are encouraged to see that a supervisory ratio of 1:12 is still considered as the best model.

Napo has shared with Cafcass for a considerable time, a concern about the unsustainable workloads of Service Managers and the resulting impact this has on practitioners' access to good professional supervision. Over time we have consulted on a number of alternative models which could lead to improvements for this grade and those they support. The proposals for **practice supervisors**, however, have caused considerable concern as it is very unclear from the paper what improvement the introduction of such a role would achieve other than introducing a lower paid management grade.

Such a model has a number of inherent risks including:

- lack of management accountability;
- undermining of 'goodwill' peer supervision arrangements;
- further dislocation of Service managers from practice and team knowledge;
- confusion over appraisal ownership and preparation.

There are also potential difficulties over legitimate payment rates for such a role in the context of Job Evaluation.

However, Napo is willing to continue discussing such a development with Cafcass on the basis that there may be benefits for career development, support to Service Managers and provision of knowledge based practice supervision. Nevertheless, given the current management hope that other proposals will lead to a more appropriate role and workload for Service Managers, it is our view that it would be

more constructive to concentrate on achieving this before considering devising a new job role which brings with it inherent problems.

The concept of a **National practice model** is one we would support in principle, but we await a robust model that justifies this level of roll out. Our views about the draft national standards have been well documented in previous responses and will not simply be repeated here. For a national practice model to succeed it is crucial that it is not only appropriate from a management perspective, but also has practitioner credibility. Members repeatedly comment on the apparent lack of understanding of the roles undertaken and the failure to make use of broad practitioner knowledge and experience. All too often particular new initiatives are given a high visibility by the organisation and promoted as the favoured model without adequate or transparent analysis of local variation/previous experience/genuine professional reservations/evidence base and so on. This is in effect a 'double whammy' in that it risks allowing good projects to fail due to lack of colleague support whilst promoting weak or flawed models nationally, irrespective of legitimate professional concerns.

We continue to raise concerns as to the need for measured and self critical development of **Early intervention schemes**. Issues around safety, congruence with an evidentially focussed Family Justice system and so on remain unresolved. The aspiration towards "*Brokering safe high quality agreements in private law*" is in itself a reasonable one, but the complexity and difficulty of achieving this in most private law cases referred to us should never be underestimated. Brokering suggests a comparatively straightforward process; it is anything but, and this lies at the heart of a significant proportion of private law work. We note the work of Liz Trinder in this context and also note disappointment at how little this work appears to be referenced.

The concept of **case planning** is broadly supported and the potential for improving timetabling and reducing delay is welcomed.

We recognise that given limited budgets, Cafcass needs to find some system to **prioritise work** where pressures are overwhelming. We would support the approach of undertaking prioritisation only after a thorough initial assessment has been undertaken. Experience of the work, perhaps particularly in private law, is that it is very difficult to prioritise as a paper exercise. It is often those cases that look least controversial on the surface where it transpires that the children are experiencing most distress. We would absolutely resist any form of prioritisation that relies on duty schemes and results in changes to appointed guardians or other FCA. The impact of constant changes in social workers on children is well documented and should not be replicated in Cafcass.

We are very concerned about the proposal to allow **complaints** to be investigated during the life of a case. Where a complaint contains a serious allegation the current policy allows for a different route to be taken. No case is made in this paper to explain why Cafcass would wish to encourage further layers of conflict and potentially create evidential confusion by investigating a complaint during the course of a legal process which is itself designed to test all the evidence. The only justification given is that it is DfES policy, but the lack of clear reference to this policy is not helpful and in our view is partial. To quote from the DfES website: " *There*

*are many other organisations connected in some way with the Department — for example, non-departmental public bodies....., and their arrangements for dealing with complaints can vary”.*

## **STAFF DEVELOPMENT**

The issue of **accreditation** for practitioners and managers raises a number of questions. Napo would be willing to consult on this further if it is apparent that accreditation is a constructive means of establishing standards and a confirmation of practice competence where this has not been tested in other ways. For example in relation to more specialist aspects of work. We would wish this to be an encouraging, inclusive approach, but would not see value in accreditation as a means of dividing staff or creating tiers of practitioners. We would also be very concerned at attempts to link “accreditation” with pay. We would further urge against accreditation becoming a means to over-specialise a task which should rightly be in common ownership eg: peer gatekeeping.

The paper refers to “**Valuing staff and offering opportunities and new ways of working**”, but it is very unclear what this means in practice. There is widespread rejection of performance related pay or bonus schemes as these are experienced as divisive and there is such potential for discriminatory decisions. We also have concerns about what appears to be a suggestion that individuals who are somehow identified as having particular skills or creativity are ‘offered opportunities’ outside of normal equal opportunities procedures. It is to be hoped that Cafcass has now learnt that promoting individuals outside a transparently fair process is counter productive and potentially discriminatory, often leading to significant waste of management and union time in resolving the resulting problems.

The proposal to ensure all FCAs achieve specialist PQ awards is applauded. The resources available would however raise questions as to whether this can be achieved.

## **THE NEW ORGANISATIONAL MODEL**

The crux of Organising for Quality is the ability or otherwise of organisational restructuring to achieve the stated objective and in our view the paper, as it is written, does not satisfactorily make the case.

It is unfortunate that the analyses of new and old posts within O4Q fail to take account of the cost of Heads of Service. We understand from meetings with management that some provisional modelling has been done and it is considered that this change could be managed within costs. It is unfortunate that this has not been a transparent process and that costings are only to be shared after consultation. Cafcass should be very concerned that at all levels of the organisation outside CDG there are serious reservations as to how the new structure can be made to add up.

The process of consultation is significantly undermined as a result of lack of information as to how the broad principles can be made to work in practice. In particular, we would have anticipated that some indicative work would have been

undertaken within the remit of Job Evaluation, in order to assess the impact on the pay bill of new posts.

It has not gone unnoticed that the recent programme of voluntary redundancies has led to some problematic gaps in the organisation which are now being covered in a variety of ways. This has inevitably raised the question of how clear the strategic thinking was in offering those retirements and whether this is a pattern that will be repeated as a result of the wider proposals in O4Q.

The proposals include recommendations for a number of changes in management structure and grades. We need to register our serious concern as to the personal impact on our manager members who remain under threat of **redundancy**. This has been undermining and damaging for individuals with negative impact extending beyond those directly affected as staff begin to question how safe an organisation Cafcass is to work for.

The proposed model to remove the **regional structure** and replace it with 30 areas raises particular concern. The paper posits a number of ideas eg: development of business centres, reorganisation of HR functions, which underpin the plans for dismantling the regions. As these suggestions remain in an early planning stage, it is very difficult to support this approach with objective confidence and we are left with real concerns that current support services will be removed before a stable alternative, which is locally responsive, is in place. Whilst we are not irrevocably wedded to a regional structure, we would question what is the objective evidence that the regions have failed in a way that the new proposed structure can be expected not to.

We are also concerned that the new management model appears to be more complex than that which it replaces, something which is starkly illustrated in the diagrams relating to the London Change programme. The lack of clarity about how many areas would be required and on what basis they will be defined, once again raises more questions than it answers. Issues of consistency in practice are raised once the management unit is reduced to two or three teams and other problems arise such as the risk of reduced co-operation between teams. Regions, whatever their failures are believed to be, allow the exchange of knowledge and ideas across a significant range to work bases and a reasonable basis for comparison between differing sites and approaches. Smaller units will structurally tend towards the more parochial and less outward looking.

The proposal for a new grade of **Heads of Service** again suffers from a lack of detail. The information about these roles is extremely general and could apply to a wide range of roles within the organisation of *“full responsibility for general management duties and responsibilities”*(page 26) Proposing such a change without some clearly defined models outlining which managers are responsible for which pieces of work leads to an impression of the strategy being ill thought through. It is therefore impossible on reading the document to have any clear sense of how responsibilities are defined, whether there is a reduction or duplication of management functions and where those functions sit logically within the organisation.

Feedback from members in London, at the very least raises the question whether introduction of this grade has led to any reduction of workload for service managers. Anecdotally we hear of increasing demands down through the hierarchy as a result of this new grade, not of freeing up of time for practice development. Unfortunately the lack of any robust analysis of the impact of introducing this grade means that it is difficult to have any objective discussion about its added value.

One risk that Cafcass must consider is the potential for expansion of Head of Service offices and support requirements over time. It is highly likely that managers at this level will develop expectations as to how their roles are supported in the form of business or other support. How confident can Cafcass be that in 5 years time there will not be 30 area offices replicating in miniature what had previously been done by 10 regional offices?

Comments have been made earlier in the paper about the suggested **Practice supervisor role** and how this fits with the **Service Manager**. It is our view that considerably more work needs to take place before this can be considered with any confidence. How has the 70%/30% split been arrived at? If SMs are spending 70% of their role on staff and cases, what will the differentiation be between practice supervisors and Service Managers? We understand that Cafcass wish to make a clear distinction between case supervision and staff supervision. This is likely to be a difficult distinction to achieve and raises questions about pay differential

Similar difficulties arise when considering the resulting implications for the casework displaced from FCAs who might take up this role. The suggestion that the introduction of **Family Support Workers** will fill this gap is again not convincingly argued. The role of Family Support Worker will be undermined if it is used to undertake core FCA tasks for a lower salary and without the essential qualifications and experience required for an FCA. We remain concerned that there will be a temptation to use FSWs inappropriately to fill gaps. If this were to be the case, individual workers would be at risk of exploitation and risks could be taken in an agency which has been very much refocused as a safeguarding agency. The enthusiasm, interest and particular skills of a grade of staff should not be used to undermine legitimate professional boundaries.

Overall we are forced to conclude that the re-organisation outlined represents a high risk strategy. There is too much reliance on statements that this will be a better approach and a glaring absence of hard-headed detail.

### **National Business Centre**

There has been wide public discussion in Cafcass about the particular problems associated with the proposal for national business centres. We believe there needs to be clarity as to whether the business centres are intended to exist as physical entities or, as we have recently been told, that they are a virtual concept.

Once again our view on this is dependent on information the paper does not provide. It is very sad that a message has gone out to administrative staff that their roles are not valued and indeed the detail of the work they do is not fully understood.

We would give some cautious support to a system by which some individuals took lead responsibility on aspects of business support and therefore reduced unnecessary duplication across the country. But the potential success of this would need to be considered on a case by case basis. We would be very concerned if this approach was to undermine local provision of admin support, which has been built up over years and with a commitment to local service provision.

We would further urge caution about putting into place systems that are reliant on future roll out or development of technology. In our view it would be highly dangerous to dismantle business support systems on the basis of what IT may be able to achieve in the future. The paperless office has been promised for longer than most of us can remember and is still very much a virtual concept! Cafcass needs to balance enthusiasm for new ways of working with realism.

## **Raising Performance**

Much of this paper is predicated on the assumption that there is an overwhelming case for the need to significantly raise performance. Whilst we would not defend poor performance and accept that there is evidence for the need to achieve consistent standards and improve in some areas, we are concerned that assumptions about poor performance have now become unchallengeable received wisdom. This in our view is neither accurate nor helpful to the organisation. We are very concerned that a culture is developing in Cafcass whereby any 'old' practice is perceived as poor and 'new' initiatives are automatically assumed to be superior. This is intellectually indefensible, Cafcass needs to learn to recognise good practice even when it is understated and seek to establish evidence either through research or clear practice knowledge.

The proposal for **performance budgeting** is disappointingly lacking in any rationale. Experience from other public sector organisations leads us to be very sceptical as to whether this is likely to achieve genuine improvements in practice, or whether conversely it will lead to punitive approaches towards some teams and therefore some service users as well as encouraging a culture of creative accounting so that targets are met, but without any real performance improvement.

We therefore ask Cafcass to provide a much clearer rationale for this suggestion, for example, identifying agencies where it has been used constructively and a clear model for how it would work in practice.

The example used in relation to work hours required for s.31 cases is of considerable concern. To suggest a 25% reduction in time for a piece of work in order to match the "most efficient" fails to consider in any meaningful way issues of quality and definitions. Cafcass' own Workloads Policy establishes 133 hours as an average time for this piece of work and to unilaterally attempt to change this is professionally flawed and unacceptable within the context of the Partnership Agreement.

The proposal for performance related pay or bonus schemes is universally rejected as divisive, potentially discriminatory and a fundamental misunderstanding of what motivates staff in a social care setting in the public sector.

The work of the Knowledge, Learning and Development team has in our view been substantially under resourced for many years and plans to improve this can only be welcomed. In fact we would suggest that this is considerably more valued by staff than high profile concepts such as “wikipedia” or a practice advice line about which there exists a healthy cynicism.

Napo has been actively supportive of the development of a mentor scheme which was in fact agreed almost a year ago and is not as such a new initiative. However, we would now seek clarification of the fit between mentors and practice supervisors.

## **CONCLUSION**

Napo has reached the conclusion that Organising For Quality needs considerably more thought and work before it can expect to receive the support of the unions and staff more widely. We are open to continuing discussion and negotiation and careful progressing of the more clearly argued ideas. We fear that a pushing through of this paper without considerable adjustments is high risk and will not have the support across the organisation it needs to succeed.

**Sian Griffiths**  
**Napo Vice-Chair**  
27.2.07