

NIGALA

NI Guardian Ad Litem Agency

*A voice for Children and Young People
in Family Courts*

ANNUAL QUALITY REPORT 2017/18



FORWARD



Peter Reynolds
Chief Executive

It gives me great pleasure to present the Northern Ireland Guardian ad Litem Agency's Fifth Annual Quality Report. The Report documents the journey which NIGALA has taken over the past year to give effect to the DOH vision as set out in *Quality 2020 - a 10 Year Strategy to protect and improve quality in Health and Social Care in Northern Ireland*.

As Chief Executive of the Northern Ireland Guardian Ad Litem Agency (NIGALA), I am committed to the provision of high quality standards of service in advising the courts of children's wishes and feelings and independently representing and safeguarding the interests of children who are the subjects of Specified Public Law proceedings and Adoption proceedings in Northern Ireland.

Guardians ad litem are highly dedicated and skilled professionals, and as such they play a vital role in the provision of safeguarding children's best interests at a critical point in the State's intervention in family life. This intervention is normally to protect children from abuse and neglect and only embarked upon when other interventions have been unsuccessful. It typically involves difficult judgements in balancing the rights of the child and birth family to be together and the right of the child to be protected from harm.

The NIGALA has undertaken a broad range of work and activities in delivering its core business objectives, despite working under increasingly challenging circumstances. This year NIGALA recorded 763 new requests from court input involving 1190 children and young people.

Against a UK decrease in the number of care applications by 2.7% compared to 2017, figures which represent the first annual drop in application in recent years, the picture for Northern Ireland is one where there has been no significant rise in demand compared to last

year but a levelling off in the number of court appointments for guardians. Despite this, there has been a 27% rise in care applications over two years with a 22% increase in the number of children. The reason for these increases is not yet understood and there is no way of knowing whether this 'levelling off' is a future trend or not. The NIGALA has sought to absorb this increase in work over two years within its current resources, supplemented by non-recurrent funding from the Department.

The Agency has embarked on a process of re-engineering to find better and more effective ways to provide its service, including efforts to improve collaborative working within the sector, and working closely with the Department of Health to increase front-line staffing. This is being underpinned by better management information on our work and a sharing of this information with key stakeholders to better manage expectations.

Our fundamental role in representing children and young people to safeguard their interests has remained unchanged. Linked to this and striving towards ongoing quality improvement, NIGALA has actively pursued the development of a network of organisational partnerships within the respective frameworks of social care and family justice. It is an important strategic objective for NIGALA to have a central role in improving 'social wellbeing' through strengthening social work and interfacing with stakeholders. I am pleased to report the Agency is increasingly placing itself at the forefront of partnership discussions which creates the climate for improving outcomes for children and families.

In the past twelve months we have contributed to a range of strategic initiatives with the primary focus on providing a platform for the participation of children and young people in the court process. We have welcomed the opportunity to share our practice wisdom, knowledge and skills with members of the Northern Ireland judiciary, who are also on a journey to help children and vulnerable witnesses articulate their own 'oral testimony' as a key component of our justice system.

The Agency supports continuous improvement in a variety of ways, most notably through the work of the recently established '*Inter-Agency Childcare and Legal Issues Group*' which presented its first social-legal seminar in March 2018, exploring the challenges of determining 'competence' in the context of longstanding emotional and physical neglect.

This seminar was chaired by The Honourable Mr Justice O'Hara (Family Judge) with presentations from our legal colleagues, the Voice of Young People in Care (VOYPIC) all complemented by key messages from research. In the context of collaboration, it is important to recognise the support the NIGALA receives from our local universities, the Panel Solicitors, Barristers and the Judiciary. I would wish to acknowledge how much is delivered by many in addition to their 'day-to-day' job that does not always receive the recognition it deserves. The common objective is to achieve what must be at least a safe and at best, lasting outcomes for children in which their 'voice' must be heard.

NIGALA is not immune from the wider systemic challenges and changes which are impacting on health and social care. Such are the nature of these changes characterised by increasing demands, a more active and participative collaborate approach across a wide spread of organisations and services is required. Underpinned by attitudinal and behaviour change, I make no apology for highlighting how the NIGALA is promoting 'working across boundaries' and a new 'leadership culture'.



Peter Reynolds
Chief Executive NIGALA

INTRODUCTION

Quality 2020 was officially launched in November 2011 by the Minister for Health, Social Services and Public Safety. The purpose of Quality 2020 is to create a strategic framework and plan of action that will protect and improve quality in health and social care over the next 10 years.

Its vision is for the HSC *'to be recognised internationally, but especially by the people of Northern Ireland, as a leader for excellence in health and social care'*. It highlights five strategic goals necessary to realise this vision:

- **Transforming the culture;**
- **Strengthening the workforce;**
- **Measuring the improvement;**
- **Raising the standards and**
- **Integrating the care**

Quality 2020 defines quality under three main headings:

Safety – avoiding and preventing harm to patients and clients from the care, treatment and support that are intended to help them;

Effectiveness – the degree to which each patient and client receives the right care (according to scientific knowledge and evidence-based assessment), at the right time in the right place, with the best outcome;

Patient and client focus – all patients and clients are entitled to be treated with dignity and respect and should be fully involved in decisions affecting their treatment, care and support.

In line with the 'Quality 2020' principles, NIGALA agrees that quality is everyone's business and is a part of everyday business and within the HSC there is never a time to be complacent and always room for improvement.



This Quality Report sets out what NIGALA has achieved to improve its services under each of the five strategic goals: Transforming the Culture; Strengthening the Workforce; Measuring the Improvement; Raising the Standards; and Integrating the Care. This Report gives a number of examples of quality improvement within each of the five areas and reports on progress on goals highlighted in last year's report.



1. Transforming the Culture

Organisational culture is based on shared attitudes, beliefs, customs and rules; it is defined as the way an organisation conducts its business and it affects the organisation's productivity and performance. Not only is social care facing challenges of greater complexity than ever before, but to more effectively deal with these challenges the demands for leadership is increasing exponentially. New notions of leadership stress that leadership is not simply the domain of a few but is prevalent throughout an organisation; leadership that emphasises care for staff through leadership behaviour is more relevant than ever before.

The NIGALA seeks to place the child at the centre of its activities and to promote the behaviours required to support the delivery of the Agencies strategic objectives linked to service improvement and improved outcomes for service users.

In 2017/18 NIGALA has endeavoured to transform its culture in a range of ways including the following –

- **Developing mechanisms of Communication Internally**

Communication has been identified by the *Staff Culture and Climate Survey* and *Investors in People* as an area requiring development. In previous Quality Reports NIGALA has been open and honest about challenges the Agency has faced around communication and as such has developed its *Communication Plan 2017 – 2021*.

NIGALA is committed to following clear communication principles for employees, service users and other stakeholders. All communications activity should be:

- Open and honest;
- Relevant, accurate, sensitive and timely;



- Recognise the importance and value of engaging with service users, employees and stakeholders;
- Be accessible in line with our values: Promoting Diversity and Equality; and
- Reflect the principles of confidentiality, Data Protection, Freedom of Information and other relevant legislation.

Maintaining and developing good internal and external communications is of the utmost importance to NIGALA, particularly during a period of change for the arenas of Health and Social Care and the Justice System in which NIGALA operates. There are a number of drivers shaping the external context in which NIGALA functions, including:

- Northern Ireland Assembly *Programme for Government*;
- Department of Health's *Health and Wellbeing 2026: Delivering Together*;
- Developments in the Family Courts, including the *Programme for Government* key indicator to improve the effectiveness of the Justice System and a number of judicial reviews aimed at achieving better outcomes for court users and creating a more responsive system which improves access to justice;
- Department of Health's *Improving and Safeguarding Social Wellbeing: A Strategy for Social Work in Northern Ireland*;
- Financial austerity;
- A consistent demand for the service of Guardians ad Litem; and
- The changing demographic of children, young people and families in Northern Ireland.

The diagram below sets out NIGALA's Key Communication Streams with Internal Stakeholders.

Internal Stakeholders

Staff Meetings
Intranet
Digital Signage
Bi-annual Newsletter
CEO Briefings
Staff Innovation Forum
Social Media - Facebook & Twitter
Joint Consultative Committee
Professional Development Groups
Sharing Skills Sessions
Appraisal & Supervision
Staff Survey
Training Event / Awareness Session
NIGALA Board

Some of the above communication streams have been utilised by the Agency for some time but a new development that took place in 2017/18 was the formation of a *Staff Forum*. The Agency hopes that this forum will assist in improving communication throughout all facets of the Agency by -

- Providing a platform for open and honest dialogue between management and staff
- Discuss operational and strategic issues
- Review communication within the Agency and develop an effective communication strategy
- Promote staff engagement across all staff groups and sites
- Consider management of change initiatives in NIGALA and develop a change management protocol to ensure there is meaningful engagement with staff when a change initiative is considered

- **Developing mechanisms of Communication Externally - Communication Protocol between NIGALA & the HSC Trusts**

The requirement for NIGALA and the HSC Trusts to work collaboratively was a key recommendation of the *'Care Proceedings Pilot'* (September 2017) and a *Communication Protocol* was developed in 2017/18 to promote effective working relationships.

The *Social Work Strategy 2012-2022; Improving and Safeguarding Social Wellbeing* reflects the Department of Health's commitment to social work as a valued and valuable profession providing a unique service to individuals, families and communities. Social workers work with some of the most vulnerable and marginalised people in society, promoting their rights, challenging inequalities and improving their life chances. Social workers, working in different settings share a common purpose to improve and safeguard the wellbeing of individuals, families and communities. They do this by empowering people to manage their own lives, promoting people's independence, supporting people's social inclusion and participating in society and by helping people to keep safe and well.

Social work values help social workers to make ethically informed decisions where there are conflicting interest and competing rights. Nowhere is this more relevant than when children's needs and plans come before the courts where the importance of timely decision making for them is vital. As social work practitioners, the words of Sir Nicholas Wall eloquently captures the collective responsibility of those working, in this most challenging area of social work with children and young people –

'As practitioners, we deal with complex issues and we must always remember that at the heart of every family there is a child – a child who every day learns, changes, grows and ultimately adapts themselves to their environment - for better and for worse'

To improve our family justice system in Northern Ireland, the Care Proceedings Pilot was launched in December 2015 seeking to promote good decision making and reduce unnecessary delay for children subject to care proceedings. When its findings were published in 2017, one of its recommendations was for NIGALA and HSC Trusts to *'work*

together to finalise a joint protocol, which sets out how both agencies will work together and which clarifies the role of each agency'.

Recognising the need for effective, appropriate, open, accurate and straightforward communication, NIGALA and the five HSC Trusts have delivered on this important recommendation in a way which is timely and which evidences a commitment to collective leadership. The Communication Protocol demonstrates a collaborative and outcomes based focus for children and their families and provides evidence of working across traditional boundaries to address the ever increasing complexity and demands on our services.

- **Board Connectedness and Visibility within the Agency – Developing Trust**

As reported in last year's Quality Report, the NIGALA Board has undertaken to improve its connectedness within the Agency. One successful method of doing this has been the introduction of a half hour slot within board meetings whereby guardians, panel solicitors and other practitioners have the opportunity to address the Board. This has been mutually beneficial to all parties.

For example one guardian ad litem spoke to the Board on the implications for practice of a particular court judgment. Two other guardians addressed the Board on the positive benefits *Professional Development Groups* have for their colleagues and themselves. A panel solicitor spoke about the role of the solicitor as part of the tandem approach to representing children and young people and the challenges solicitors are facing as part of the recent review of civil justice. The impact of this can be seen from the following quote from the NIGALA Board Chair, Mr. Bernard Mitchell, in the NIGALA Annual Report 2017/18:

Board input and effectiveness remains a key priority, and as Chair, I am pleased that as a Board we are hearing directly from key stakeholders, including young people, on a regular basis. To this end the Board has commissioned a 'common interest debate' with partners in care and family justice to utilise the benefits of collaborative working. It is my hope that the outcomes of such an event will form the basis of some new thinking and ways of working, to be reported on in the forthcoming year.

2. Strengthening the Workforce

Health and Social Care is changing and the demand for services is rising inexorably. In these challenging circumstances NIGALA recognises the need to reshape our service and to support our workforce to deliver new and innovative ways of working. In this wider context of change NIGALA is seeking to continuously improve and raise standards of practice and service delivery.

Most successful organisations will testify that employees are the most important resource for any company. How they are treated and how much they value the organisation they work for will have an impact on how it performs. Diversity, health and safety, workplace conditions, personal development, work/life balance and remuneration are all issues that responsible employers need to address to ensure a happy, motivated workforce.

According to the book, *The Joy of Work, Jobs, Happiness and You* (Warr and Clapperton, 2009), extensive research has demonstrated links between being happier in a job and being better at a job, and companies with higher than average employee happiness exhibit better financial performance and customer satisfaction. NIGALA prioritises the need to create and maintain positive work environments and leadership that contributes to the happiness and nurturing of their staff as a potential resource.

NIGALA has many strengths in terms of its workforce. Our retention rates are amongst the highest in the HSC family (4.2%) in Northern Ireland with the majority of staff throughout corporate, administration, guardian ad litem and management having been with the Agency for more than 10 years. However there is no room for complacency and, as already acknowledged, staff across all sectors are faced with unprecedented levels of change and increased workload demands.

NIGALA is working to develop both a culture which welcomes change and innovation and to develop strong leadership at all levels to support these changes. This can be achieved

through strengthening and developing the workforce to enable capacity to deliver. Whilst change is inevitable, management is committed to reducing the impact on staff by improving communication of why the change is necessary or required, prioritising and staging change and ensuring that change supports the overall mission of the Agency.

It may be a cliché, but the old adage that an organisation's primary asset is its staff is particularly true for NIGALA. We are, and always have been, a lean organisation with a flat management structure whose resources are predominantly used to provide a voice for the child in court proceedings via guardian representation. Therefore we are very aware that our workforce needs to be continuously strengthened and developed to meet the increasing demands it faces.

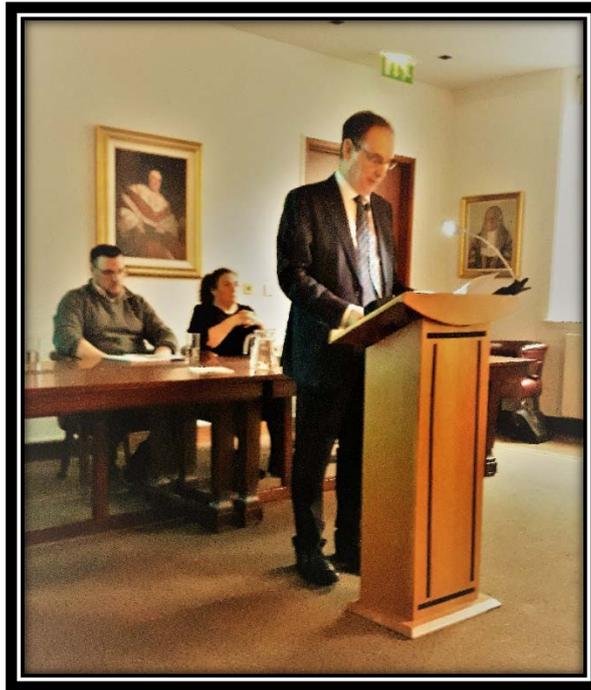
In 2017/18 NIGALA has endeavoured to strengthen its workforce in a range of ways including the following;

- **The Establishment of the *Inter Agency Childcare & Legal Issues Group***

The NIGALA has established a multidisciplinary working group to facilitate understanding and information exchange on legal issues between lawyers, social workers and relevant stakeholders in respect of childcare legislation, policy and practice in Northern Ireland. The '*Inter-Agency Childcare and Legal Issues Group*' has representatives from academia, the voluntary sector - *Adoption UK, Children's Law Centre, Fostering Network, Voice of Young People in Care (VOYPIC)*, legal and social work social work professions. The group will co-ordinate and host two seminars per year.

The topic for the inaugural seminar held on 6 March 2018 was '*Considering Competence in the Context of Neglect*'. The theme emanated from a recommendation made in a case management review undertaken by the *Safeguarding Board for Northern Ireland (SBNI)*. The case highlighted the need for training on assessing competence where the young person had experienced significant neglect. The range of inputs included consideration of the issues which inform the legal determination of competence and an overview of literature and research on the cumulative impact of neglect on children and young people's overall health and wellbeing.





Mr Justice O'Hara addressing the Inter Agency Childcare & Legal Issues Group March 2018

- **Guardian involvement in Local Engagement Partnerships**

Under the auspices of the Social Work Strategy, a Local Engagement Partnership (LEP) will operate in each Trust area and should be set up as a cross sectoral partnership with a core membership consisting of social workers, social work managers, service users and carers. Trusts, as the main employers of social workers, provide the leadership and support for the establishment and implementation of the LEPs.

Eight guardians ad litem are now involved with the five LEPs.

- **More Connected - Monthly Staff Newsletters**

NIGALA News was first created in November 2017 and has since been issued to all staff on a monthly basis.

The newsletter was developed on the basis that staff needed regular 'bite-size' updates, rather than lengthy quarterly updates. It features contributions from each area of the organisation; NIGALA Board, SMT, Corporate Services, Communications and Admin and Guardians. All staff are emailed prior to the newsletter production and asked to forward anything they wish to be featured to the Communications Team.

Most articles and information are work related but we encourage staff to let us know of their achievements/ awards/ good news stories and to include pictures where possible. The Agency also uses the newsletter as a platform to inform staff of upcoming seminars and/ or training events that they may wish to attend. It is also a good way to reach everyone when, for example, asking for feedback regarding the Staff Forum etc.

The Newsletter is sent using a free software package called *Mail Chimp* and is issued to all staff in the last week of each month. It is compiled and produced by the Communications Manager then reviewed and approved by the Head of Corporate Services / CEO prior to sending.

3. Measuring the Improvement

NIGALA recognises the need to evaluate the impact of service improvement initiatives on service users. Currently improvement is measured through the following mechanisms -

- NIGALA Quality Framework
 - NIGALA Governance Framework
 - Personal & Public Involvement
 - Young Persons Forum
 - Top Tips for Judges
-
- **NIGALA Quality Framework**

In March 2018, NIGALA was subject of an Internal Audit regarding quality assurance mechanisms within the Agency. Internal Audit stated that although there are various elements of quality assurance in place, NIGALA '*has not documented and formalised the required extent of quality assurance in relation to case management*'. Whilst there were no significant findings in this report which impacted on the assurance level provided, in the absence of this, Internal Audit concluded it was difficult to determine whether the quality assurance mechanisms currently in the organisation are sufficient. As a result of this the Agency has developed a framework to address this conclusion which sets out the range of quality assurance and quality improvement initiatives within NIGALA.

In year NIGALA has now developed a *Quality Framework* to provide assurance to the Board/SCGC on the organisation meeting the requirements laid on it by legislation and the Department of Health. This framework has a number of documents associated with it, which inform the scrutiny agenda of the Board and provide assurance to the Board on key aspects of the organisation.

The *NIGALA Quality Framework* has been drafted under 4 key themes:

1. Framework, in the establishing legislation and expectations of NIGALA as an Arms-Length Body. Examples of assurance under this heading are the *NIGALA Professional Standards* and annual *Learning & Development Plans*.
2. Improvement, in the performance and service delivery of NIGALA. Examples of assurance under this heading are *Supervision* and *Professional Development Groups*.
3. Scrutiny, in the governance reporting to the Board. Examples of assurance under this heading are *Performance Reports* and *Training Records*.
4. Assurance, in the opinions provided to the Board by the Accounting Officer, Internal Audit and the NI Audit Office. Examples of assurance under this heading are Northern Ireland Social Care Council (*NISCC*) *Registration* and *Investors in People Award*.

- **NIGALA Governance Framework**

In year NIGALA undertook a review of its governance arrangements with a view to ensuring the quality and veracity of its arrangements.

Good governance is important. An organisation with good governance makes the right decisions in the right way and ensures appropriate systems are in place to ensure those decisions are implemented correctly.

To ensure a quality approach to this, NIGALA has developed a *Governance Framework* drawing together the systems and processes, and culture and values by which it is directed and controlled. This was drafted to complement the activities through which it engages with its stakeholders, including the Department of Health, and also demonstrating accountability for its work.

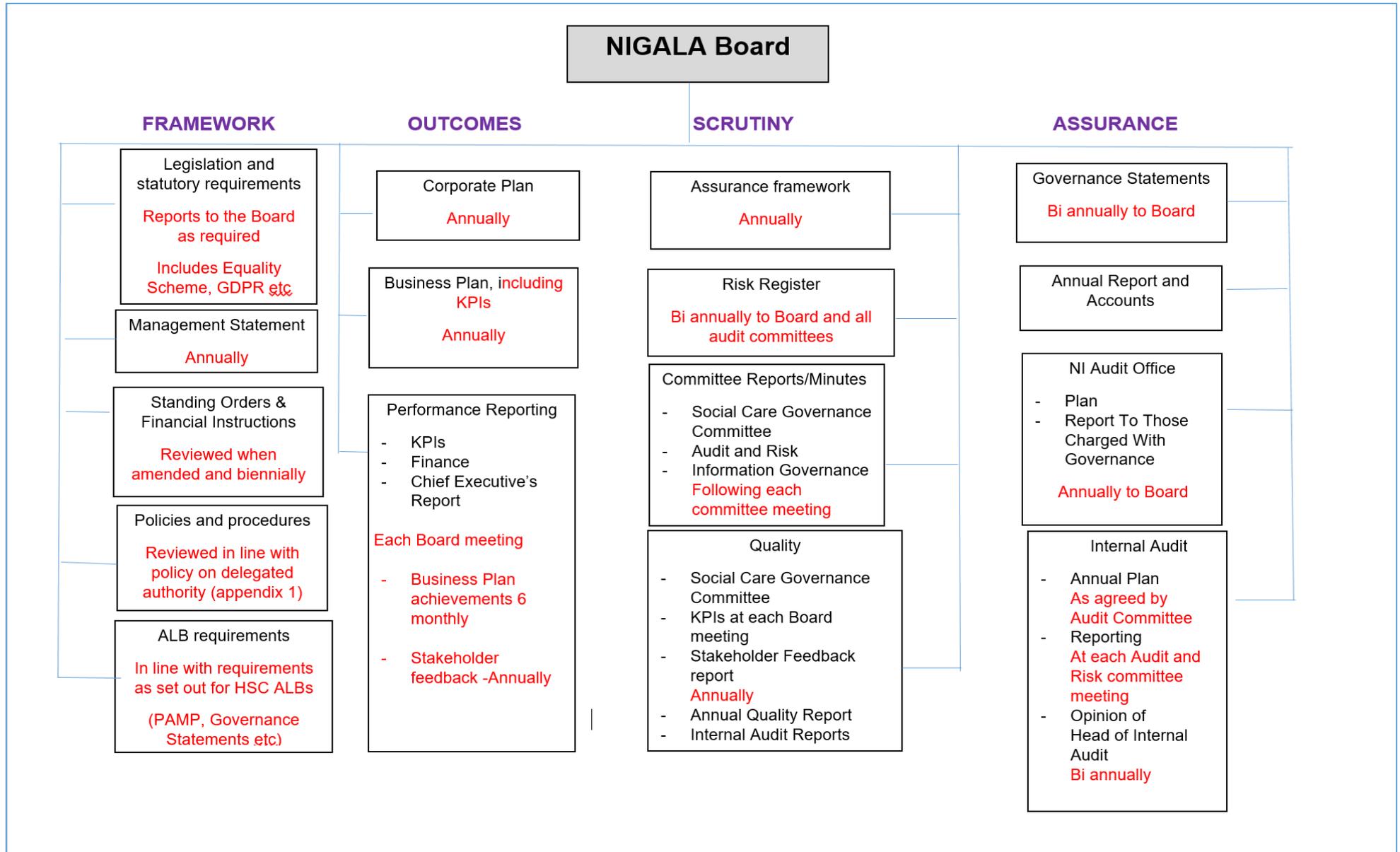
The Framework enables the NIGALA Board to monitor the achievement of its strategic objectives in line with the principles of good governance.

The NIGALA Governance Framework draws together a number of associated documents, which inform the scrutiny agenda of the Board and provide assurance to the Board on key aspects of the organisation.

The NIGALA framework was drafted under 4 key themes:

1. Framework, in the establishing legislation and expectations of NIGALA as an Arms-Length Body
2. Outcomes, in the performance and service delivery of NIGALA
3. Scrutiny, in the governance reporting to the Board
4. Assurance, in the opinions provided to the Board by the Accounting Officer, Internal Audit and the NI Audit Office.

The Framework and associated documentation for the Board is set out in the following chart.



- **Personal and Public Involvement**

Listening to the voices of children and young people is a core element of the NIGALA mission and we actively seek to hear what they say.

Feedback

As part of the process to improve service delivery to children and young people, the NIGALA provides feedback opportunities to children and young people (aged 5 years and over) at the end of their court proceedings.

Currently children and young people can provide feedback using paper and online questionnaires or through the assistance of a VOYPIC worker.

During 2017/18, a total of 80 children and young people took the opportunity to share their views and their experience of our service. Of the young people and children who responded 96.3% thought our service was excellent or good. No child or young person thought the service was poor.

In providing their feedback young people told us what was most helpful about having a guardian. Some of their comments were;

- *“She explained things so I understood”*
- *“The most helpful thing was that she told me about what happens at Court”*
- *“Explained everything, listened to me and told the Judge what I wanted”*
- *“He let the Judge know what I wanted and told me everything that was happening in Court”*
- *“I got to go to Court”*
- *“He got my point across”*

- **Young Persons Forum**

During 2017/18 NIGALA has sought to integrate children’s feedback into how we improve our service by setting up a *Young People’s Forum*. Through the Forum the young people devised a charter called *My Expectations* which highlighted what they wanted to convey to



guardians and other professionals who are involved in their lives. NIGALA has adopted these into its work activities and the approach to achieving its objectives. The expectations are outlined below –

My Expectations

1. I should always be at the centre of everything during the care proceedings.
2. My needs, wishes and feelings must be considered at every stage of the process.
3. Judges need to listen and hear from me directly, in person or by letter.
4. It is always best for the judge to hear the powerful feelings included within my words.
5. I have to be able to build a trusting relationship with my Guardian to help me talk about my most private and painful wishes and feelings.
6. It is most important that my words are not changed when the Guardian is explaining my wishes and feelings to help the court understand my life.
7. I should also be supported by Trust Social Workers to participate in decision making discussions at my LAC review meetings. It's my meeting about my life.
8. Adults should not make decisions about my life without me knowing and having been consulted to participate in decision-making discussions.
9. If things are not going well for my parents and they can't look after me, I should have the opportunity to have a new family to help make my life a bit easier.
10. I have the right to be safe and to have a better life. Make my life as good as it can be.
11. My relationship with my siblings may actually be my most positive and important relationship.
12. Sibling relationships are sometimes seen as secondary to my relationship with parents but my sisters and brothers are equally as important. Our relationship must be protected so it can continue and grow stronger.
13. It doesn't matter how much we fight as sisters and brothers, we still love each other. My siblings are my most important lifelong bond.
14. It is my right to have regular contact with my family, no matter how complicated, difficult or even upsetting it might be sometimes. Contact is not just about now; it's also about my future relationship with my family.
15. Trust social workers must organise and protect the maintenance of regular, ongoing contact arrangements so I do not suffer any long delays or extended periods of time when I can't see my siblings.



• **Top Tips for Judges**

Regarding their participation in court proceedings, the young people also drew up ‘*Top Tips for Judges when Meeting Me*’ -

These recommendations were shared at the *NIGALA 21st Anniversary Conference* in November 2017 and such was the response to them that the Head of the Family Division, Mr Justice O’Hara, asked for them to be shared with the full judiciary and this was done by two care experienced young people at a conference organised by the *Legal Studies Board* on the 8 March 2018. Feedback from the Legal Issues Board was that the young people were ‘*fantastic!*’



Top Tips for Judges Meeting Me

1. Listen to what I tell you
2. Please read information about me before we meet to help you understand who I am
3. Explain to me if you might not be able to agree with what I want to happen
4. Be honest and direct with me about what is possible / safe
5. Help me to feel comfortable - remember I may feel nervous so please keep our meeting informal
6. I might need to ask to meet with you more than once during the proceedings (at the beginning / in the middle / as part of the final hearing)
7. Try to make sure the care proceedings are sorted out faster, not delayed but also not rushed.

NIGALA2017 

4. Raising the Standards

NIGALA has carried out key pieces of work under the Raising the Standard strategic goal including –

- Complaints about the Northern Ireland Guardian Ad Litem Agency
- Duration of Proceedings & Audit of 400 day plus cases
- Collaborating with others

The following are some examples of progress made in this area of quality improvement.

- **Complaints about the Northern Ireland Guardian Ad Litem Agency**

The NIGALA received one complaint about its services in the course of the year. Complaints are a valuable way to learn how to improve services. The NIGALA takes all feedback very seriously and is constantly reviewing the service it offers to improve the experience of children and young people and those it works with.

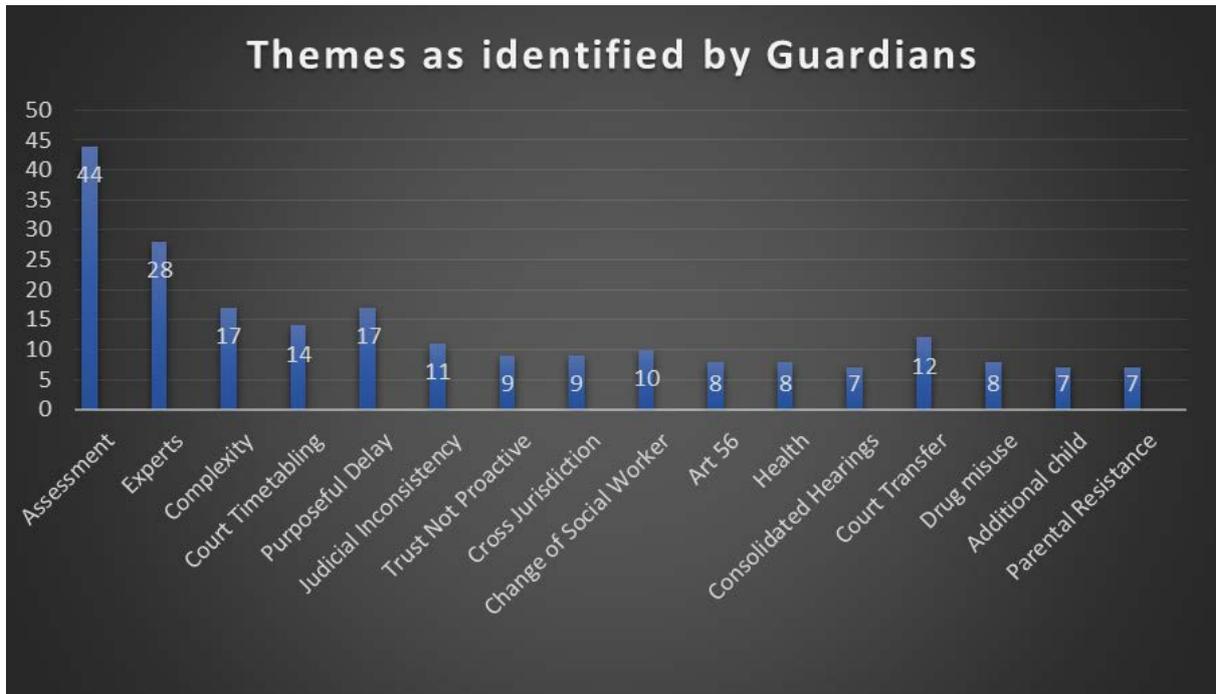
- **Duration of proceedings**

The need to achieve timely and sustainable outcomes in keeping with the child's age and assessed needs is a shared aspiration in court proceedings. Over the past year the NIGALA has seen 669 cases closed and had an ongoing live case load of 630 cases at any one moment in time. Whilst the number of requests for the appointment of a guardian has remained comparable over the past two years, cases have not been closed with a final court hearing at the same rate, with the result that the live caseload and children requiring ongoing support has increased.

The average duration of a case with the NIGALA is 257 days. However, the Agency is monitoring those cases which are exceeding the average duration times. The NIGALA has found that 25% (an ongoing average of 160 cases) of its live case load is taking over 400 days to complete.

The overall performance for the NIGALA for the year ended 31st March 2018 can be seen in the chart below (add chart from Annual Report p. 20)

Due to concern about the impact of cases going beyond 400 days, the Agency's *Quality Assurance & Training Manager* carried out an audit in February 2018 on the perceived reasons for these delays from the point of view of the guardian. The rationale for the audit was based on the following - unprecedented demand, to gain a better understanding of the reasons for longer cases, to hear the guardian perspective and to inform discussion with stakeholders. The main themes that emerged are highlighted in the chart below –



The main reason for delay is linked to assessments, either Trust led assessments or assessments from experts. More than 50% of guardians indicated that this was an issue in their case. Comments on this were typically around assessments being late, having to wait

for assessments and a perception that some courts were allowing more assessments than were necessary.

Delay emanating from expert witnesses were mentioned in many cases. Issues in identifying a suitable expert, agreeing an expert and expert reports being late were issues mentioned.

NIGALA is keen lead in stakeholder consultation and cooperation in sharing these findings with the Trusts, the DOH, the Directorate of Legal Services, the Judiciary and solicitors. To that end we held a stakeholder engagement afternoon in May 2018 to share these concerning findings and have agreed to work together in an attempt to reduce the length of proceedings where possible.

- **Collaborating with others**

NIGALA - part of the SBNI Board, HSC Leadership Network, '*Signs of Safety*' Steering Group; leading on work under the auspices of the *Shadow Family Justice Board* e.g. on experts.

Through the *Shadow Family Justice Board* NIGALA has taken a lead in revising guidance relating to the Instruction of Experts in public law proceedings (a recommendation from the Care Proceedings Pilot).

HSC Leadership Network is looking a common themes relevant to the wider social work family in areas such as retention, recruitment and promoting social work values and practice.

NIGALA is part of the steering group for the regional implementation of Signs of Safety. Part of this integration programme includes adapting NIGALA practices to regional strategic changes.

5. Integrating the Care

The objective of the Quality 2020 strategy to integrate the care is to develop integrated pathways of care for individuals. Northern Ireland has an integrated HSC system but in order to be effective there should be seamless movement across all professional boundaries and sectors of care. This has implications for the transfer of information and how data is held.

As an *Arm's Length Body* and a small specialist service, NIGALA sits outside of the integrated health and social care service to some extent and therefore has a greater challenge in evidencing examples of compliance with this particular strategic goal of Quality 2020. However within these constraints we offer the following examples of good practice.

- **NIGALA Conference 2017**

On the 17th November 2017, the NIGALA hosted in Belfast a UK/Ireland wide Conference to reflect current practices and thinking with regard to representing the views of children and young people in 'public law' court proceedings. When we embarked on planning a conference to mark 21 years since the introduction of the Children (NI) Order 1995, this led us to think about the journey of children and young people as part of this process. It was important to acknowledge in this time-frame, a changing society which had moved significantly since the year this important piece of legislation was introduced.

In the planning and preparation of this Conference, there were two defining considerations; firstly, a conference about children and young people's 'voices', must have children and young people physically present with the conference providing them with a platform for 'their' messages to be heard unfettered;

Secondly it was important to extend the platform of speakers and contributors beyond Northern Ireland to ensure a rich and representative cross-section of legal and social work practitioners, including academics and policy makers.

The Conference was held at the Hilton Hotel in Belfast and was attended by more than 200 delegates. A summary eight page newsletter-type report on the conference was published by NIGALA and is available from the Agency on request. A summary eight page newsletter-type report on the conference was published by NIGALA and is available on the NIGALA website or in hard copy from the Agency on request.

There were positive messages from the day about what we did well. The action points from the workshops and most importantly the feedback from young people provides us with lessons for learning and a road map to help us improve our service over the coming years.



Left to Right: Adam McEntee, Anthony Douglas (Cafcass), Professor Brid Featherstone (University of Huddersfield), Elly Farmer & Nick Crichton (District Judge)

- **Common Interest Debate**

The NIGALA Board initiated a ‘common interest debate’ in 2017/18. In response to an invitation by NIGALA to participate in a discussion of stakeholders to consider the current pressures and problems which exist across the family justice system and which impact on children in particular, a number of responses have been made (HSC Trusts, Law Society and DoH) which will allow a workshop to take place in in 2018/19.

In the invitation to stakeholders to participate, the following extract was taken from the ‘Review of Civil and Family Justice’ in Northern Ireland’; in considering the way forward the Right Honourable Lord Justice Gillen, said of his work;

'Other recommendations that I would see as a high priority, and which resonate with me greatly on a personal level, are those designed to make the justice system more accessible and responsive to children and those with additional needs. The 'best interests' principle demands that the voice of the child must be heard'.

Recognising we are all part of the wider family justice system, the purpose of this workshop is to hold a 'common interest debate', involving key stakeholders to look at possible options to ensure we are meeting our obligations to children as best we can and to ask ourselves are there remedial actions which can be taken in the short to longer term. Any decisions regarding possible action requires a joined up systemic approach.

- **Understanding the impact of Care Proceedings in later life**

In April 2017 the NIGALA Board meeting was the first in the history of the Agency to be attended by a former Looked After Child. She was supported by her guardian, who was involved with her approximately 16 year ago. This renewed contact came about when this young woman contacted the Agency in 2016 seeking access to her records dating back to the time of her court proceedings. She had also been in contact with the HSC Trust seeking access to her records held in Trust files. She gave a presentation to the Board entitled 'The Child's Perspective'. The Board listened with great interest about her experiences of retrieving her case records and her reflections on how the various professionals in her life reported on her as a child and at a time of her life when there was great uncertainty. She highlighted a number of key learning points for all professionals working with children and young people;

- Having the same social worker is important and having experienced the same guardian she felt able to build a trusting relationship which was invaluable; she has never forgotten the involvement of the guardian;
- Listening to the child is important. She described how her guardian '*listened to her story*' and took on board her '*wishes and feelings*';
- She talked about how professionals described her and her family and asked that the language used be 'honest', 'open' and where possible in 'positive' language.

The Board and Executive Team reflected on these points, which acted as a timely reminder that the children we represent today are the adults of tomorrow and as such they may seek answers from their guardian about their past lives. The Board agreed she presented some very powerful messages based on her own life experiences and the contribution of the guardian was highlighted as affirming and positive.

CONCLUSION

NIGALA remains committed to quality improvement and continued service development. Despite the challenges of workload and continuing financial austerity, 2017/18 has proven to be a positive year for the Agency, with our 21st Anniversary Conference being a highlight. Guardians who attended the conference commented that they felt proud to be doing the job they do working for NIGALA. There is a feeling within the staff group that the Agency has returned to its core values and is seeking to put children and young people at the centre of all we do, despite the financial and governance requirements of any public sector body.

Under such conditions, the core values of NIGALA have become increasingly important in shaping and prioritising the service we deliver. We continue to focus primarily on safeguarding the interests of children in specified public law and adoption proceedings in Northern Ireland. Many of these children represent some of the most vulnerable in society. Maintaining the centrality of children in decision making within NIGALA along with a continued commitment to quality, accountability; and transparency will be the hallmarks of how NIGALA responds to austerity in the years ahead.

Going forward the Agency will ensure that our children and young people remain a priority alongside the continued focus on the development and support of a highly professional, qualified guardian ad litem workforce.