

# NIGALA

NI Guardian Ad Litem Agency

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



# QUALITY REPORT 2021-22



# Foreword

This is the Northern Ireland Guardian ad Litem Agency's Ninth Annual Quality Report for the year 2021-22. 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 best 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 safeguarding children's best interests at a critical point in time when state intervention in family life is deemed to be necessary. 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.

Core to the delivery of our service to children and young people is providing a quality service by skilled professionals who can implement change and improve outcomes for service users. At the heart of the Agency's work is a commitment to provide a consistent, safe and effective service to all children and young people who are subject of legal proceedings.

This is my first year as Chief Executive with NIGALA. I have used the opportunity to get to know the organisation its systems and processes and to adopt a strategic approach to the development of Quality Improvement within the Agency. The approach has been developed in collaboration with staff, the Senior Leadership Team (SLT) the Operational Leadership Team (OLT) and the Board.

The initial focus was on the system of allocation of cases to the Guardians ad Litem once the Court has decided a Guardian appointment was required. Once notified of an appointment, NIGALA allocates the case to a Guardian. This is a complex task which requires the professional social work understanding of the allocating manager around the case requirements, the specific legal process and the needs of the children. The process is supported by administrative staff who ensure that all the notifications and information is processed in line with procedures. This process has been reviewed and written up so there is transparency within the agency and with our stakeholders about how we manage the demand for Guardians, within finite resources.

This is important as NIGALA is a demand led organisation and we have a statutory duty to provide a Guardian when requested. Managing allocation and the subsequent unallocated or waiting list cases is a vital part of managing quality within the Agency. Cases involve one or more children and we need to ensure that we do not, in any way, contribute to delay as this is not in the best interests of children.

The allocation process has been improved. It is discussed at the OLT meetings with the two Assistant Directors (AD) and the Principal Guardian Practitioners (PGP) and allocation cover is provided on a rotating fortnightly basis instead of monthly by the two ADs. From the 83 cases on the waiting list in April 2021 this has reduced to 40 at the end of March 2022.

The exploration of the allocation process has led to a number of other quality initiatives; we have developed a specific focus on data and the use of data. The Agency uses an internal electronic data collection system called Guardian Case Information System (GCIS). This is bespoke to the Agency and enables us to collect and collate information about an individual case as well as the workload each and all the Guardians hold. We now produce a quarterly performance report which goes to the Board. This has been very well received and has created a focus on how we deliver our services and the quality of our work. The focus on data the use of data and improvements on our reporting has continued during the year.

The Guardians are qualified Social Workers and have to comply with practice standards to maintain the quality of their work. This includes maintaining their registration with the Northern Ireland Social Care Council (NISCC), fulfilling their Continuous Professional Development (CPD) through attendance and engagement in learning and development and through supervision and appraisal processes. During the last year the NIGALA Supervision policy has been reviewed and updated to reflect the new regional Social Work supervision policy. This has included the introduction of facilitated peer group supervision sessions in line with the regional Signs of Safety (SoS) model of practice and an increased the number of individual supervision sessions. This will continue to be implemented and reviewed over the next year. This will afford greater support to staff and also contribute to a shared learning culture within the agency to support the quality improvement agenda.

During September and October 2021 a series of engagement sessions were held with staff to outline the areas for improvement and to actively listen to views and feedback from staff. These were held virtually and facilitated by the HSC Leadership Centre using digital feedback processes to capture all the feedback. The outworking's of these sessions was a report which highlighted three main areas for the agency to focus, Data, Culture and Improvement. This has been the basis of the action plan we have embarked on during the year. This aligns us well with the Quality 2020 - a 10 Year Strategy and we have a proactive focus on quality improvement outlined in our Action Plan. The Agency will continue to develop and improve the allocation process, will look at the management structure to ensure staff are appropriately supported, will continue to improve with a focus on data and culture.

COVID 19 has continued to impact the way in which we work. We have a greater reliance on digital solutions; the Courts are continuing to use Sightlink, we can link with young people through digital means as well as face to face, internal meetings are mainly online which has reduced the amount of travel for staff, and staff have continued to work remotely or in a hybrid way.

Children's lives continue to be impacted by societal pressures, the rise in the cost of living, increased poverty, increased mental health issues, the increase in substance misuse, the impact of COVID and stress within families resulting in a continued rise in the need for

support and a continued increase in the numbers of children coming into care. The Agency received 724 Requests for Guardians in 2021-22. This is comparable to the requests received in the previous year (727 requests). The number of cases closed in year was 836 which is significantly up from the previous year's total of 524 cases.

Continuous improvement and providing a quality service remain our over-riding objective for the next twelve months and we hope to build on our strengths in the interests of the children and young people we serve. Finally, my heartfelt thanks to everyone in the Agency, Board members, guardians, the administration and corporate team and management team for all their hard work and dedication to the service.



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**Dawn C Shaw OBE**  
**Chief Executive**  
**NIGALA**

# Content

|                |  |           |
|----------------|--|-----------|
|                | <b>Introduction</b>                    | <b>6</b>  |
| <b>Theme 1</b> | <b>Transforming the Culture</b>        | <b>7</b>  |
| <b>Theme 2</b> | <b>Strengthening the Workforce</b>     | <b>14</b> |
| <b>Theme 3</b> | <b>Measuring the Improvement</b>       | <b>17</b> |
| <b>Theme 4</b> | <b>Raising the Standards</b>           | <b>23</b> |
| <b>Theme 5</b> | <b>Integrating the Care</b>            | <b>26</b> |
|                | <b>Learning from Covid-19 Pandemic</b> | <b>31</b> |

# Introduction

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The quality strategy for HSC in Northern Ireland, as set out in Quality 2020, is *'to be recognised internationally, but especially by the people of Northern Ireland, as a leader for excellence in health and social care'*. The strategy 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**

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.

# 1. Transforming the Culture

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In line with Health and Social Care strategy NIGALA seeks to make achieving high quality the top priority at all levels in the organisation. It promotes and encourages partnerships between staff, service users and carers to support its decision making.

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.

During this year we worked with the HSC Leadership Centre to develop the quality and improvement agenda within the Agency. This was commenced with a Collective Leadership Training session to reinforce the HSC culture and values which the Agency has adopted.

## HSC Values



This was well attended and very well received. It provided a good basis on which to develop further staff engagement and a more focused quality improvement approach within the agency.



The HSC Collective Leadership Strategy, Health and Wellbeing 2026: Delivering together outlines the research which underpins an approach based on high quality, compassionate care and support and that high performing health care organisations are characterised by a culture of collective leadership as opposed to command and control. It also shows that it is compassionate leadership behaviours combined with a strong focus on quality improvement that create cultures where people who work across health and social care are able to deliver high quality, continually improving, compassionate care and support. Collective leadership consists of four key components: Leadership being the responsibility of all; Shared leadership in and across teams; Interdependent and collaborative system leadership and Compassionate leadership.

One of the starting points for embedding the collective leadership approach is through the engagement with staff. As part of the new Chief Executive's introduction to the staff team, three introductory sessions were held with the Guardians, and one with the Corporate and Admin team, via zoom in line with the COVID restrictions at the time. They were informal sessions and had a wide ranging discussions, the current challenges for the Agency in terms of financial constraints, increasing numbers of children coming through the courts, the increased caseloads, lack of learning and development opportunities as well as the impact of COVID were all discussed.

This led to a number of immediate improvements around sharing information and learning and development opportunities with a focus on use of SharePoint to make information easily accessible.

An initial action plan was produced with a focus on quality and improvements within the Agency.

## Improving Data

The first priority was the improvement and presentation of our performance data.

Regular reports were presented to the Board and were reviewed regularly by the Senior Leadership Team (SLT); this was mainly a snapshot of information which did not facilitate

trend analysis or more in depth scrutiny. A new Quarterly Operations report to the Board was produced, providing a meaningful and robust data set which better reflects the work of the agency and provides assurance to the Board on operational work. This improvement has become the basis on which performance information is presented to the Board.

The core purpose of the Agency's work is to represent the best interests of the children and young people in Court and to report to the Court the wishes and feelings of the child regarding their circumstances and preferred outcome to the court proceeding. This is done through the appointment of a Guardian Ad Litem by the Court, subsequently allocated to a child or young person by NIGALA.

### **Improving Quality of the Service**

Guardians are qualified Social Workers and as part of their ongoing professional development and support they are required to participate in supervision. This is a mechanism for supporting and developing the quality of practice within the Agency.

The Supervision Policy had been in development the previous year but due to COVID the final sign off and implementation was delayed. Through a number of focused meetings the policy was finalised and presented to the Social Care Governance Committee for approval. The policy reflects the strategic direction of the new Regional Supervision policy for Social Workers and best practice whilst acknowledging the limitations within the agency due to a very limited management structure. The proposal increases the individual supervision to Guardians in their Social Work role and provides a more structured group supervision to enable peer learning and support. The latter is led by the three (temporary) Principal Guardian Practitioners and the 1:1 sessions will continue to be conducted by the two Assistant Directors, for the 50 salaried guardians, who are also responsible for the line management of the Guardians.

## Allocation of Guardians to Case Requests from the Court

Allocation is challenging for the agency when the number of cases being referred and the capacity of guardians to take on new work has been reached. A waiting list of 40 cases was the agreed number which could be managed without impacting significantly on delay. At the beginning of April 21 the waiting list was 83, the existing process was that one of the two ADs managed allocation for one month at a time, and given the numbers, this means little other work is able to progress due to the complexity of the task. It has also been restrictive in terms of staff leave and other commitments. The allocation process has been reviewed and updated. This was the result of two workshops going through the process in detail. The two ADs along with key administrative support staff and the three Principal Guardian Practitioners (PGP) were in attendance at the meetings. A flow chart has been produced for the system, with step by step guidance. This will form the basis of the operating procedural guidance and will assist in standardising and streamlining the approach to allocation. Improvements to recording on the Guardian Case Information System (GCIS) have been collated and have been taken forward through links with the developer of the system. The allocation was be led by the three PGPs from September 2021 with oversight and support from the two ADs. This increased our capacity to undertake the task and share the workload. It resulted in a reduction in the waiting list to 40 by the end of March 2022.

# OVERVIEW

1 April 2021 - 31 March 2022

**928** Live Cases (as at 31 March 2021)



**724** Cases Requests

(received from 1 April 2021 - 31 March 2022)



**836** Cases Closed involving

**1263** Children

(1 April 2021 - 31 March 2022)



**812\*** Live Cases (as at 31 March 2022) involving

**1381** Children



\* Note: Categorisation may change in the life of a case, e.g. cases merged due to linked siblings.



**1157**

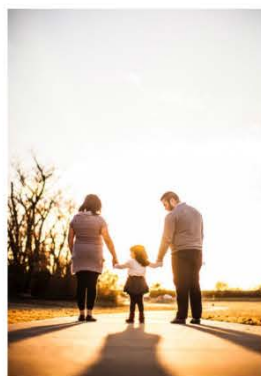
**Children allocated a Guardian**

(from 1 April 2021 - 31 March 2022)



**29.4%**

213 Return Cases



**104**

**Children have had a Final Hearing in Court and have been Adopted**

91 x Placement Adoptions

9 x Step-Parent Adoptions

4 x Relative Adoptions

## Engaging with Staff

Three further staff engagement sessions, facilitated by the HSC Leadership Centre, took place during September and October 2021. Originally planned as face to face sessions, but due to the COVID 19 guidelines at the time they were held virtually and made best use of technology to capture feedback from staff.

A report was produced following the sessions which captured all the staff feedback. It identified three key themes for the Agency for improvement; Culture, Data and Improvement. This has formed the basis on the ongoing improvement agenda for the agency during the year and will continue into next year as well.

One of the first “quick wins” from the staff engagement report was the establishment of the Guardian Operating Framework. This has been set up under a new section on the intranet called Guardian Social Work. The Folder contains sub folders for each of the key elements of Guardian practice including induction, allocation, the refined role, solicitor panel, polices procedures and court report templates. This provides all the information in one easily accessible place with the intention of clarity of roles and expectations to assist in standardising practice and improving quality of service to children. This has been set up with support from the information governance manager, BSO and the two ADs who have provided the content.

To further progress the actions from the staff engagement plan, a Service Level agreement has been finalised with the HSC Leadership Centre. This will increase the opportunities for short courses for all staff, including the admin and corporate staff who had fed back on the lack of training available to them. Other opportunities including management training and coaching will be available to staff as part of the agreement; use of rooms at the Beeches centre and access to the associates who work for the Leadership centre are also included.

In the first year of operation it will include the Improvement work identified as part of the staff engagement feedback and this will be undertaken by the consultant who facilitated the staff engagement sessions, who also has specific expertise in QI. The two ADs and

head of corporate services have previously completed QI training so this will also enable them to use these skills to bring about improvements across the agency using the QI methodology.

This will commence in March 2021 and the commitment is for one day per month to support the work for 6- 8 month period during 2022.

Three virtual sessions were held with staff to share the feedback from the Staff engagement sessions in January 2022. These were relatively well attended. The presentation which had previously been made to the Board was shared with staff with an opportunity for discussion. A new folder was set up on the intranet for the full report, the executive summary, the presentation and all of the feedback from each session so this is available to staff to easily access. This was to further develop the collective leadership approach and provide better communications and transparency within the agency.

## 2. Strengthening the Workforce

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Over the past two years Health and Social Care has reshaped how it delivers many of its services. In these challenging circumstances NIGALA recognised the need to evolve our services and to support our workforce to deliver new and innovative ways of working. In this wider context of change NIGALA is seeks to continuously improve and raise standards of practice and service delivery.

This has included:

- Virtual court hearings, requiring NIGALA bringing together key stakeholders such as the Court Service IT, BSOIT and BSO Legal Services. A working model was agreed which allowed an effective working system to be provided to all involved in court processes.
- More emphasis on a virtual approach to meetings with tools such as Zoom for all key stakeholders.
- Staff moving into a new communication world between themselves on social media.
- Virtual team professional development meetings
- Online training and skills sharing

Whilst much of this is tied to technology, the key to success though comes from all the people who are working together to deliver a quality service. This training has been incorporated into the organisation's overall training support, particularly in maintaining the personal development of all staff.



Maintaining and increasing the training and development provided to staff has been a key theme in this year. Measuring these has always been a challenge for organisations. One key recognised measure for all organisations though is the resources provided to support

training. In financial terms the Agency spent £23,000 on training and development this year compared to £8,000 in the previous year. This included individual support, group sessions and also mandatory training. To manage individual requests for training a Post Entry Training application process has been introduced.

NIGALA has until now had an informal arrangement with the HSC Leadership Centre to provide training and development, very much limited to online learning packages. The Agency has continued that online work and developed an online training module on “Risk Management. However, the Agency has also negotiated a service level agreement with the Centre which will expand the use of the Centre and provide ready access to their skills and resources. This will support bespoke projects and also individual development.

The frontline staff for the Agency is the Guardians Ad Litem. On a weekly basis, training opportunities are sent to all Guardians, allowing them to maintain their personal and professional development and support their social work registration. The training is expansive and varied reflecting the complexity of their role. The training itself is online and provided by specialists in the social work field. This provides differing perspectives on what is a challenging and demanding working environment. An added benefit is with most of the training provided is online it does not incur fees. Over the year 47 opportunities have been offered to Guardians.

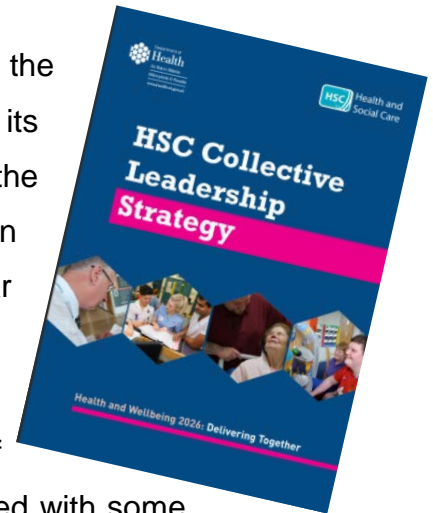
Joint learning and improvement sessions have taken place with organisations and bodies including HSC Trusts; SBNI; Women’s Aid and with the legal profession which have focused on regional initiatives and issues relevant to the practice of Guardians including the implementation of Signs of Safety, Guidance on Care Orders at Home, and the impact of domestic violence/trauma upon children.

Over the past 2 years the Agency has been piloting a Principal Guardian Practitioner role to support the supervision function. The scope of the role has been ambitious, reflecting the twofold aspects of supporting and developing practice alongside undertaking leadership and strategic initiatives. The balance between “providing an expert practice perspective to assist other practitioners and managerial staff in the discharge of NIGALA’s statutory functions” was challenging. The role also provides an opportunity for career



progression and enriched job opportunities/ responsibilities as over time Guardians can become deskilled and distanced from the wider HSCT strategic context. The outcome though has been positive and the pilot will now be progressed to introduce this new role in the Agency structure.

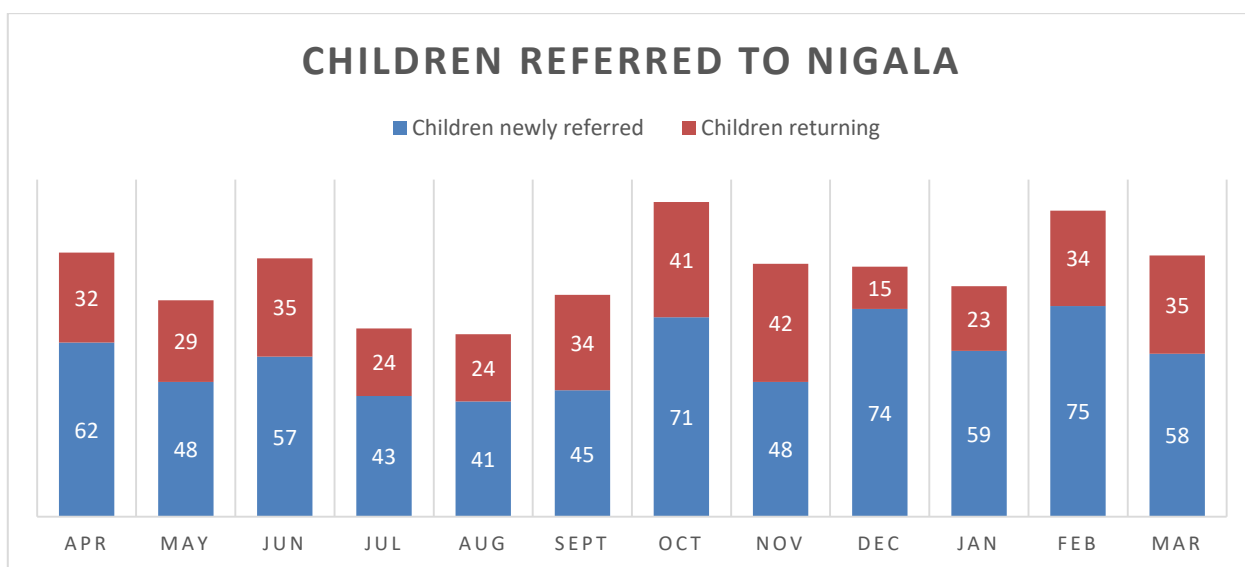
Bringing the best out of people has been a key theme for the Agency in year. This reflects the HSC commitment to its Collective Leadership Strategy. One particular challenge for the Agency is its peripatetic working model. To provide support in this the Agency ran an accredited programme to staff in year entitled “Leader as Coach”. The programme was aimed at managers and also Guardians to promote a coaching culture in the wider team. This approach is seen to increase staff motivation and performance. The programme was well received with some 16 participants and the Agency will seek to run the programme again in the coming year.



### 3. Measuring the Improvement

Improvement has been a clear priority during 2021-22 within the Agency. It commenced with the development of the Quarterly Operations report which is presented to the Board and shared with staff. This reporting puts a time bound period for all the relevant data rather than a snap shot or end of year report. This has enabled the Agency to interrogate the information produced from the GCIS data system and has increased the scrutiny both by the Social Care Governance Committee and the NIGALA Board.

This has led to a considerable improvement both in the reporting but also the understanding of the work of the agency, the nature and variation of the workload and the impact of increased numbers of children coming into care.



This improvement in reporting has led to a number of other quality improvement initiatives which are highlighted within this report, the implementation of the new supervision policy, the facilitated staff engagement process, the development of an action plan which focusses on areas for improvement across the Agency based on a collective leadership model.

The objectives of the staff engagement sessions were to connect staff with their and HSC values; to outline and connect staff to current challenges and opportunities for NIGALA; to develop shared purpose and build will for active problem solving and collective leadership and to develop a shared team action plan to deliver better system performance relating to NIGALA Waiting lists. The workshop were arranged to ensure all participants had the opportunity to:

- Individually and collectively decide how they would support each other to work together throughout the day;
- Reflect on the challenges experienced in the last 18 months and what they are proud of;
- Listen to reflections and thinking of the CEO and an Assistant Director/Head of Corporate Service in conversation;
- Individually and collectively formulate and pose questions to the CEO and Assistant Director/Head of Corporate Service within a confidential approach;
- Identify challenges within current practice;
- Understand what is within the control of NIGALA and its staff;
- Identify and prioritise possible change ideas as first steps to improving the system;
- Step forward to become involved in further developing change ideas.

All staff within NIGALA were invited to attend: Senior Leadership Team (4); Guardians (50) and corporate/administration staff (17), with 70% of NIGALA staff attending the workshops across 3 days.

Each workshop was attended by the CEO and one Assistant Director or Head of Corporate. The Chair of NIGALA was also present for part of the first day's session.

Each workshop had 3 parts; our current context; identification of issues and generation and prioritisation of change ideas. Each workshop was delivered via Zoom, supported by Jamboard, Mentimeter and breakout rooms.

The feedback from each of the sessions was collected and collated and resulted in a themed approach to the work planned for next year under three key headings Culture Improvement and Data.

## **1. Improvement**

- a. Use Quality Improvement approaches to understand current system of challenges including waste and management within systems and processes, involving all stakeholders;
- b. Within current systems and processes seek to achieve earlier identification of where delays emanate from and address;
- c. Develop theory of change through use of driver diagram to address challenges based on all information available;
- d. Develop a SMART action plan to involve:
  - Review of 'Quick Wins' and 'Requiring Planning' solutions for validity based on current knowledge of the system and additional knowledge from understanding of the system;
  - Identification of tasks within 'quick wins' which can be actioned now;
  - Identification of short, mid and longer term actions/improvements from workshops to share with staff, build will and drive staff investment in bigger picture.

## **2. Data**

- a. Use meaningful continuous data to aid decision making, focus improvement efforts and demonstrate change is an improvement;
- b. Identify and use meaningful data to influence;
- c. Identify and use meaningful data for reporting.

## **3. Culture**

- a. Involve staff who have stepped forward to help develop the changes and service and promote 'team' approach;

- b. Address concerns of vulnerability relating to clarification of roles, expectations and governance to promote a safer working environment;
- c. Investigate and develop support for staff, for example INSPIRE.
- d. Build on continuing to develop a Collective Leadership culture through compassionate leadership, collaboration and networking.

This has resulted in a detailed action plan, the progress of which is reported regularly to the Board. The focus of which is improvement. The two Assistant Directors and the Head of Corporate services have all completed the regional QI course which equips them to be able to take forward these initiatives using quality improvement techniques.

The Agency has also secured additional support from the HSC Leadership centre to support this work and assist with the development of a Quality Management approach which will underpin the work of the Agency in the next 2- 5 years and help shape the new 5 year Corporate Plan 2023 – 2028.

### **Service User Engagement**

Feedback from service users are a valuable source of information. Over the course of the year no complaints were received; a total of 24 compliments were received from those with whom the Agency engaged.






Children and young people's feedback is an integral element of ensuring that Children and Young People are at the centre of NIGALA. When the case before the Court concludes, children and young people over the age of 7 years are provided the opportunity to provide feedback on their experience of the Guardian service and tell us what mattered to them during the time they had a Guardian. The responses we receive are shared and reflected upon and contribute to us integrating the experience of children and young people into our practice development and improvement. This has included ensuring children and young people's words are reported verbatim in court reports and as an organisation, incorporating in our Recording Policy that recording practice reflects the understanding that the future readers of our records are the children we are working with today.

The figures for feedback between 2020-21 and 2021-22 show that there has been a significant increase in the number of children receiving feedback opportunities in 2021-22. This may be as a result of the increased number of cases closing as we emerge from the pandemic.

Feedback has been sent to a total of 389 children during 2021-22 with 125 returns (32%). This is an increase from the previous year when feedback was sent to 205 children and young people and there were 99 returns. Whilst the percentage of returns is lower this year by 16%, it is important that an increased number of children have had the opportunity to make a choice to provide feedback.

The feedback app was piloted during 2020/21 with a group of 15 Guardians. The app then became available to all Guardians during 2021/22. Currently the rate of return from paper copies is 7% higher than the rate of return through the app.

Feedback also identifies dissatisfaction, and this is also reflected upon by the organisation and individuals. Overall the satisfaction rate was 93% happy/very happy.

|   |   |   |   |   |                      |
|---|---|---|---|---|----------------------|
|  |  |  |  |  | <b>Didn't answer</b> |
| <b>1</b>  | <b>0</b>  | <b>5</b>  | <b>23</b>   | <b>93</b>   | <b>3</b>             |
| 1%  | 0%  | 4%  | 19%   | 74%   | 2%                   |

Children's feedback provides us with invaluable data on what we are doing well and where we can improve our service to children and young people.

Reciprocal feedback is completed upon conclusion of every case by a Guardian/Solicitor. In addition to that we annually seek feedback from Solicitors and this helps us to evaluate the Guardian service. In 2021-22 an annual evaluation was e-mailed to the 130 NIGALA Panel Solicitors with 64 responding (49%). Completed evaluations provided feedback on the Guardian role across a range of areas. Amongst the comments provided were:-

*“My experience of GALs is that they are very focused from the commencement of cases and bring analysis to bear from the outset”*

*“My experience of GALs is that they are at all times child focused”*

*“My experience has been that the GAL allocated has the child’s wishes and feelings and best interests as a priority. Sometimes these can conflict especially with older children and the appropriate balance has always been struck”*

*“The level of analysis is excellent and can often be the document before the Court that is of most benefit to the Court”*

Feedback on the Guardian service is also sought annually from the Judiciary who are a key stakeholder. The annual evaluation for 2021-22 was e-mailed to 21 members of the Judiciary and three responses (14%) were received. Undoubtedly Covid-19 impacted with reliance on remote hearings and a significant reduction in the number of in person hearings. Going forward it is important to re-establish and strengthen collaborative working relationships with the judiciary to inform and support service development.

Despite the low return rate the standard of the Guardian reports was evaluated as either excellent or good with all three responses indicating that the GALs always clearly represent the child’s wishes and feelings. The overall feedback from the judiciary contained the following comment

*“Clearly the Covid-19 pandemic has presented challenges to all those involved in public law cases and Guardians are no different. In particular Guardians, for understandable reasons, have been unable to have the contact they normally would have with subject children. As we hopefully emerge from the previous restrictions I would hope and expect Guardians to resume their well-established practice of maintaining regular contact with the children they represent and be in a position to provide the court with an informed update regarding the child/children. All too often at the many pre-trial reviews there can be a tendency to focus on the parents and their issues”*

## 4. Raising the Standards

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Under the overriding arch of Social Care Governance, and the NIGALA Professional Standards, we are establishing a framework of clear evidence based standards and best practice.

The entry point for a child /young person to NIGALA is with the Allocation process. Administrators and Allocation Managers respond to referrals by using a triage process which prioritises children's cases for allocation to a Guardian.

The Allocation process has been increasingly supported by data generated by the GCIS system which enables greater consistency in ensuring a child is allocated a Guardian in a timely manner. Increasing use of GCIS data also contributes to measuring efficiencies and monitoring trends and improvements.

Other related ongoing initiatives also referred to in this report include the Delay Pilot, which is identifying patterns and trends relating to children and young people's experience of how their cases are navigated through HSC/NIGALA/Court processes.

To ensure that children receive a consistent quality service, a working group in NIGALA consisting of Guardians and Managers developed standardised court report templates, which were successfully piloted in 2020/21 and have since been approved by the Judiciary. The report templates have now been integrated into the Guardian Case Information System (GCIS) for use by all Guardians to ensure all children receive a consistent service from NIGALA.

As part of the assurance function of the Social Care Governance Committee, the Social Care Governance Committee Workplan has identified specific areas for audit in order to highlight best practice and to identify areas for learning and improvement. A recent recording audit has highlighted strengths across recording as well as providing the basis



for an Improvement Plan to address recording in NIGALA, understanding that the infants and children who are the subjects of cases today will be the readers of the records in the future.

NIGALA has implemented their revised Supervision Policy, which is in compliance with the Regional Supervision Policy for Social Workers in Northern Ireland. The model of supervision in NIGALA provides a link between supervision and the delivery of consistent quality service for all children/young people. Supervision therefore is integral to ensuring accountability and ensuring that children and young people receive a high quality consistent service.

The Supervision process is underpinned by the practice standards as set out in the NIGALA Professional Standards, reinforcing a consistent approach to ensuring all children and young people receive a quality service from NIGALA. In addition to one to one supervision, peer group supervision has been implemented as part of the supervision infrastructure in NIGALA, based on a Signs of Safety approach. Peer group supervision provides a forum for reflection and risk sharing, which is a critical element for a robust independent assessment.

Supervision is essential to good social work practice. Social work supervision is an interactive professional relationship and reflective process that focuses on the supervisee's practice, professional, development and well-being, with the objectives of improving, developing, supporting and providing safety for the practitioner and their social work practice. Supervision in NIGALA is a core component of the Agency's overarching Quality Assurance mechanisms which incorporates the NIGALA Professional Standards (2019). During this year the Agency has enhanced and strengthened its supervision support to Guardians, implementing a revised policy.

The NIGALA Appraisal Policy has been revised and is compliant with BSO Appraisal Policy. The "Appraisal Conversation" enables a reflective approach to Guardians individual achievements, goals, learning and improvement and an opportunity to engage with the Agency's aims and objectives for meeting the need for children and young people who are appointed a Guardian in NIGALA. Our recently introduced Mid-Year Review meetings

complement the Supervision and Appraisal Processes, by providing an opportunity to re visit objectives set at Appraisal.

## Engagement with Stakeholders

Our key stakeholder group are children and young people and our engagement with them is both through feedback at the end of their individual proceedings, and with our Young People's Forum.

Feedback forms are sent to children and young people at the end of their proceedings, in either paper form or through an app. The content of feedback is shared with individual Guardians and overall feedback content and rates of feedback, both sent and returned, are monitored and reviewed to identify where gains have been made and where improvement is needed. Embedding a culture of feedback and promoting opportunities for children and young people to provide feedback is an ongoing project within NIGALA.

A Youth Forum was set up in NIGALA in 2017 and has been running with a small but dedicated group of young people since that time. The aim and purpose of the Forum is to provide a platform for children and young people's participation within the Agency. Over the last two years, the young people have contributed to our understanding of the impact upon them of the Covid pandemic by sharing "My Covid Stories," told us of their experience of attending Looked After Child Reviews, which were shared with VOYPIC as part of their development of standards for children and young people's attendance at meetings, as well as identifying "What Matters When My Guardian Meets With Me." tips shared with Guardians.

Going forward, NIGALA wishes to continue to develop the Youth Forum to provide a platform for children and young people to engage with and contribute to the organisation as part of a group as well as continue to promote the opportunity for individual feedback from children and young people on their experience of our service.

## 5. Integrating the Care

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The Guardian Ad Litem Agency is uniquely placed, as a regional social work service at the interface of HSCT's and Courts, to promote shared opportunities for learning and development in the HSC and with external partners. An Assistant Director is a member of the Law Society Children Order Panel Boards, and the Shadow Family Justice Delay Sub-Committee. The Agency hosts the Inter-Agency Childcare and Legal Issues Group which delivers an annual seminar. The group comprises representatives from the legal profession practising in family law, social workers and allied professions. Its aim is to facilitate understanding and information exchange on legal issues between lawyers, social workers and relevant professionals in respect of childcare legislation, policy and practice

### **NIGALA/HSC Pilot on Delay**

The issue of delay in court proceedings and the impact on children has been a source of concern for some time. The Care Proceedings Pilot, aimed at promoting good decision making and minimising unnecessary delay for children subject to care proceedings was launched jointly by the Departments of Health and Justice 2015. The key findings were published in October 2017.

The Shadow Family Justice Board established a sub-committee on delay in 2019. It soon became apparent that focusing on a retrospective review of cases was not viable in the absence of robust, objective data. Inevitably anecdotal "evidence" could not assist in establishing an understanding of the multifaceted sources of systemic delay which is necessary to identify and agree actions to tackle delay.

The NIGALA/HSC pilot was identified as a means of collating data at the outset of Care Order proceedings to inform our collective understanding of the factors that contribute to delay. The six month pilot commenced on 1/12/21. The Principal Practitioners for Court in the five HSCT's met with an Assistant Director and a Principal Guardian Practitioner in

NIGALA to identify what information it would be beneficial to capture at the outset of proceedings from the documentation accompanying the Art 60 appointing a Guardian issued by the court. The following data was agreed:

- Use of pre-proceedings
- Initial placement setting
- Child protection registration status
- Current legal status
- Siblings placed together or apart

The baseline data capture will conclude at the end of May 2022. We met monthly to review and verify the data for the cases in their respective Trusts. Robust data capture will support the second phase of the pilot-tracking cases at 300 days duration to establish the sources of delay. An agreed template has been devised to establish the following information.

- date of and reason for court transfer,
- instruction of expert (by whom and type of assessment)
- instruction of independent social worker (by whom and assessment identified)
- any additional assessments identified
- Jurisdiction issues – kinship options outside jurisdiction e.g. National/International checks and assessments required, use of interpreters.
- Parental capacity issues – which may necessitate parents being represented by the Official Solicitor
- Concurrent criminal proceedings
- Vacated hearings-reason

The collation of the data from the perspective of HSCT's, Guardians and Solicitors will identify recurrent themes and inform the work of the Shadow Family Justice sub-committee on delay.

## NIGALA Solicitor Panel

The NIGALA Solicitor Panel was established in 2012 and was reconstituted in 2021 for a five year term. Solicitors are required to be members of the Law Society Children Order Panel for a minimum of two years in order to be eligible to join the NIGALA Panel. There are 130 Solicitors on the Panel- they nominate their first and second preference Trust location for undertaking Guardian work- the first preference is typically the Trust location within which their office is located.

The “Protocol for the Working Relationship between NIGALA Panel Solicitors and Guardians” identifies mutual expectations of their respective of roles and responsibilities. The “tandem model of representation” has been described as “a working synthesis of children’s rights and Children’s welfare” (Timms 1998).

A reference group with Guardian and Solicitor representatives meets quarterly to oversee and support the effective operation of the Panel and the associated governance arrangements. It is important that Guardians and Solicitors are aware of relevant strategic initiatives and practice developments that impact on their role and the operation of the Panel. The Agency responded to the DOJ consultation during 2021 on “The introduction of Standard Legal Aid Fees for Solicitors in the Family Proceedings Court”. While the DOJ has delayed the introduction of subordinate legislation until early in the next Assembly mandate the implication for the NIGALA Panel will be kept under review. Links have been established with the Legal Services Agency (LSA) in anticipation of the registration scheme scheduled to be operational in January 2023 which will require all Solicitors undertaking legal aid work to be registered with the LSA.

Two joint Guardian/Solicitor training events are hosted annually. Training topics are identified through the reference group. On 2/2/22 The Safeguarding Board hosted a seminar entitled “Withholding Contact/Parental Alienation” addressing the practice challenges on considering contact in the context of acrimonious parental relationships where there are allegations of domestic abuse and implacable hostility. There were inputs from SBNI, Women’s Aid and Dr Julie Doughty (Law Lecturer University of Cardiff) and a Solicitor. Resources referenced were issued after the seminar.

The Agency is represented on the Law Society's Children Order Panel Advisory Board (COPAB), the regulatory body for Solicitors. This enables collaborative working and information sharing.

## Regional Guidance on the Placement of Children under a Care Order at home - May 2021

The NIGALA was represented on a working group involving Health and Social Care, colleagues from the Belfast and Northern HSCT's with policy input from the Department of Health to devise the guidance. The guidance was devised primarily in response to recommendations for Case Management Reviews undertaken by the Safeguarding Board NI. Its development took account of practice learning, case law, judicial reviews, finding of two audit reports on children subject of Care Orders placed with parents alongside a growing body of theoretical knowledge and research on the impact of neglect and trauma on children.

The working group determined that the scope of the guidance should incorporate the entire process from the initial stage of decision making to the instigation of pre-proceedings.

The aim of the guidance is to improve practice and support a consistent regional approach. The Guidance was disseminated regionally by the working group members through a number of zoom webinars.

The guidance was disseminated to the NIGALA Solicitor Panel.

## Joint Training

The Inter-Agency Childcare and Legal Issues Group hosted a seminar on 9/5/21. "NAI-Challenges for Practitioners in Family Court Proceedings" examined the challenge of child focused practice and the



complexity of care planning at the interface of criminal and childcare proceedings. The seminar was attended by Social workers from the voluntary and statutory sector, Solicitors and Barristers and members of the judiciary.

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# Learning from Covid-19 Pandemic

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During 2021-22 NIGALA continued to provide services to children whilst complying with the COVID 19 advice and guidance from the Public Health Agency and the NI Executive. NIGALA had put in place at the start of the pandemic measures to enable staff to work remotely. This continued during 2021-22. The Belfast Office base remained open throughout with minimal cover and social distancing measures in place. Staff who needed to work in an office base were afforded this opportunity whilst monitoring of numbers was in place and a track and trace system of staff. The two satellite offices were also available if required whilst adhering to the guidelines.

There has been considerable learning for NIGALA during COVID.

- The measures which were put in place including contingency measures, to support staff in working remotely were successful.
- The office based administrative and corporate staff were able to work from home which had not been possible previously this has supported better home work life balance especially for those with child care or other caring responsibilities.
- For a number of Guardian staff who would have worked in a hybrid model; working from home, in the office, attending court and visiting children and families in the community this way of working was less impactful except for increased remote working.
- The use of the virtual platform for the Courts, Sightlink, enabled Guardians children young people and parents/ carers to link in remotely to hearings. This has had significant advantage for staff as it removed the necessity to wait within the court for a hearing making use of time more efficient.
- Some young people preferred linking with guardians through virtual platforms to express their feelings and wishes.
- For some children and young people the use of virtual contact was less successful and they preferred face to face contact.



- The ability to link remotely with the Trusts to attend for example, Looked After Children meetings made for more efficient use of guardian time and reduced the need to travel.
- The ability to use virtual platforms (mainly zoom) to hold meetings internally and externally has proved very successful and enabled business as usual to continue. It has also been useful for staff engagement sessions and to keep staff linked in with developments within the Agency.
- The use of virtual platforms has reduced staff travel for business purposes, resulting in a reduction of spend.
- Remote working has meant that current processes and systems have had to be adapted or reviewed to align with new ways of working. It has supported the move towards more digital solutions and identified areas for which this remains an issue.
- There have been some less positive learning. Staff have reported an increased sense of isolation. Missing coming into the office regularly to meet with colleagues and having social contact with others. For some staff this has resulted in a reluctance to return to the office even minimally.
- Some Guardians have reported the restrictions on visiting children young people and families at the height of the restrictions made it more difficult to build a relationship with children to be able to best represent their feelings and wishes within the court. Visits to children were reinstated in line with guidance but required a risk assessment; this was felt to be cumbersome by some Guardians and restricted the flexibility they previously had to visit at will.
- On occasions virtual connections were poor or disrupted and the ability to link to other organisations preferred virtual platforms, meant connections were lost or were not satisfactory which was disruptive and impacted on the ongoing work especially with other stakeholders in a case. This caused frustration.
- Guardians also reported concern that on some occasions when decisions were being made by the Court through an online process, the seriousness of the process was not as apparent to parents who were part of the hearing. If parents were joining from home there was concern about appropriate support for families if the decision was not as they would have wished.