

**CHILD WELFARE IN THE UK : THE EXERCISE
OF PROFESSIONAL JUDGEMENTS BY SOCIAL
WORKERS**

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THE EXERCISE OF PROFESSIONAL JUDGEMENT

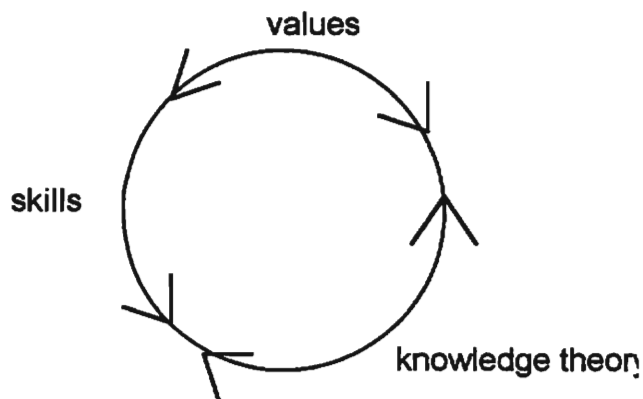
BY SOCIAL WORKERS IN CHILD WELFARE

Another paper could be given concerning the differences and similarities of judgements between the professions. But, in concentrating on the exercise of professional judgement by social workers, I hope that others will reflect, on the extent to which my observations are applicable or inapplicable to their own experience. Indeed this may actually be helpful in improving interprofessional dialogue.

I have chosen this as the focus of my paper because there has been, recently, a welcome acknowledgement that, whatever care and thought goes into devising and applying procedures to protect children, procedures are critically dependent on the exercise of good judgement. Indeed, decisions to invoke, or not to invoke, the procedures themselves involve the exercise of judgements in tense, complicated and sensitive situations. Unfortunately, however, what precisely is meant by 'professional judgement' is rarely discussed or analysed. This is what I will try to do today.

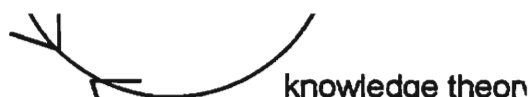
It is conventional to describe the elements which go into the making of good professional judgements as threefold, a combination of values, knowledge or theory and skills. These seem good enough pegs on which to hang my discussion. As we shall see, they raise profoundly difficult questions.

The first point to make concerns the interaction of these components. Whilst we may separate them for purposes of discussion, in reality, professional work in the field of human relations, to a greater extent than much other professional work, requires understanding of the way each component affects the other.



From this we see that :

- Arrows between values and knowledge / theory go both ways



- Arrows between knowledge/ theory and skills go both ways
- there is only a one way arrow between values and skills. If anyone thinks it should be two way, tell me afterwards !

A few brief examples, by way of clarification

Taking the first, we can see that :-

a) our values influence what knowledge/ theory we want to learn about in the first place. For people at this conference, the protection of children against abuse is a basic value, a moral stance. In the service of that value we seek certain kinds of knowledge.

However - (the other way round)

b) Knowledge / theory gives us evidence or offers hypotheses to inform our understanding of what the effects of abuse are. This may reinforce or allay our basic concern. For example, evidence on long term adverse affects of neglect, which may be more damaging than some forms of physical abuse, may refocus our judgements.

c) Knowledge / theory may form a basis for the development of skills. In this, we need to distinguish between different levels of theoretical analysis to be discussed later. Here we are talking of practice / theory, theory for use. (Family therapy would be an example).

However -

d) Practice theory must take practice experience into account ; skills are developed or changed on this basis.

Finally, and more tentatively,

e) Values affect skills directly - not simply via knowledge and theory. For example, if you hold the value stance that ' listening to children ' is important, you will be interested in developing skills (perhaps via toys etc.) which help you to do this more effectively.

So this is the framework which I am using. I shall move between the three in discussion but time will not permit consideration of the values - skills interaction.

Values <---> Knowledge Theory

We are increasingly sophisticated in our understanding child abuse as a socially constructed concept. Consensus about definitions, about priorities for action within those definitions and about thresholds for action in specific cases is difficult to achieve and varies across cultures and times.

One of the major issues for the professional worker as an individual is the effect of the social and organisational context on their value base. This operates in many different ways and at many different levels.

The social context

First, obviously, social workers are children of their times. They bring to the job values derived from their own childhood and family experiences, and, to an extent, they mirror the values of contemporary society. But this is to oversimplify, because there is no consensus about family values in contemporary society. Herein, lies one of the deep tensions of the work, though it may not always be perceived as such. We have been going through a social revolution in terms of family patterns, processes of reproduction and so on. This goes to the heart of many social work judgements. For example, you have only to look at the furore over the placement of children with lesbian and gay parents, to see the way values underpin judgements which have to be made.

Whilst they may have drawn comfort from what might be described as 'value solidarity' with colleagues, most social workers have felt somewhat beleaguered for the past nearly twenty years, with conspicuous lack of support and overt hostility from government and the media. Some of this was focused on alleged errors of judgement in specific cases, i.e. mistakes, but there is also hostility to the very judgements themselves which may start from a value base unacceptable to some others. (Placements of black and dual heritage children would be an example).

Social workers have maintained stoutly with some courage, some values integral to the very core of the profession, not least righteous anger at the growth of inequality between our citizens and I hope they will see this rewarded now by more of a place in the sun. However, there is a downside to this. Acceptance in principle, of changing and varied family patterns, which can and should make professional judgements more flexible, has paradoxically sometimes made attitudes more rigid, as when thinking on transracial placements led to removal of children from secure foster homes. When values become rhetorical and dogmatic, their links with knowledge and theory may fly out of the window. I became profoundly uneasy a few years ago when I realised that some students were reluctant to examine research findings if they did not accord with their value bias. A point of interest is that these were students, not yet caught up within the constraints of departmental policy formulations.

There can be few more important examples of societal value tensions than what be described as 'the story of sexual abuse' in the 1980's. What is shown by this is not a simple clash between majority opinion and social workers. 'You are right and I am wrong'. Social workers - as other professionals, were deeply divided. In the Cleveland debacle, there was of course, a big row about whether sexual abuse had actually occurred. But it also showed that

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society had not made up its collective mind how seriously to treat sexual abuse, exemplified in the question of whether to remove children from home immediately if you have grounds for suspecting sexual abuse. This episode showed up powerful differences of opinion amongst social workers themselves, as well as between the professions and between professionals and society.

Another example of the impact of societal values on social workers. It concerns attitudes to children themselves in the media and in the statements of politicians. I have been much dismayed by simplistic political attitudes which appear to split children into two groups - 'victims or villains'. In the company of this audience, I do not have to explain or defend my dismay; the sheer nonsense of it is illustrated by the statistics from one local authority recently, which showed that in 30% of referrals for sexual abuse, the alleged abuser was also a child or young person. Gone are the days when we talked about collapsing the distinction between the 'deprived and the depraved' as we did in 1970 when influential new legislation was enacted. The mood has significantly changed in the past 25 years. Extreme violence and sexual abuse understandably angers social workers, like other people. But most of us come from a tradition which is accustomed to the exhortation to condemn the sin and not the sinner. It is a precept extraordinarily difficult to live up to but one which in my view remains of fundamental importance. It is a value base which encourages the use of knowledge and theory to understand and explain the 'sinner', and on this basis to develop skills of intervention to alter behaviour.

Whilst this proposition would be broadly acceptable to most 'child protection professionals' there are continuing difficulties in operationalising the values and avoiding the victim / villain dichotomy in the treatment of children. (Even more in adults, but that is another story). This is due both to our ambivalence as individuals and to various forms of organisational fragmentation.

There is one issue in which the interaction of values with knowledge / theory is perhaps clearer than in any sphere of child welfare practice. That concerns the balance between the rights and needs of parents and those of their children. In this matter, whatever legislative framework is set, including one in which 'the child is paramount', feelings are powerful, feelings which we all experience and which are bound up with deepest emotions derived from our own family and childhood. The difference between us (the professionals) and lay people is two fold: first we are supposed to have a modicum of something called 'personal insight' which keeps us from identifying unhelpfully with particular situations or one of the parties; secondly, we can and should draw on very substantial knowledge now available to us some of which forms the basis for coherent and significant theory, notably attachment theory. We also have the knowledge derived from negative effects of earlier child welfare practice, such as the 'fresh start' ideology which sent children abroad and cut off their parental links. A very powerful case has been made out, based on empirical research, practical experience, and theory, for the view that the large majority of children are best served by 'keeping the door open' to their parents and other relatives although this does not necessarily mean keeping them at home with their parents or that contact should be frequent or unsupervised or even that they should see their parents. The need for children to have a sense of 'connectness' to their family, has, I believe, been made. (This does not, of course, let us off the hook in making agonising judgements in a small number of cases in which removing a child from parental care or heavily restricting access is necessary. But this is not my main point here).

relatives although this does not necessarily mean keeping them at home with their parents or that contact should be frequent or unsupervised or even that they should see their parents. The

So in what way are the needs and rights of parents and children in tension? Consider the years since the 1970's; the many inquiries from Maria Colwell in 1973 through to the time of the Cleveland Inquiry in 1988, unequivocally put the child first. That was also formally at the centre of the Cleveland Inquiry and the report did indeed deal with such matters. But the Cleveland Inquiry is now widely seen as marking a point when parents and those who identified with them said: 'up with this we will not put'. They said, in effect, that unless the grounds for allegations of sexual abuse were very powerful and likely to be upheld within the conventional framework of proof used in the courts, official action to protect children should not be taken. The kind of proof, of course, is about happenings and we all know that often sexual abuse cannot be proved in that way. Even the child's own version of events is often not regarded as sufficient. This whole edifice, then, depends on establishing, in effect, parental culpability, not only on establishing ~~only~~ of psychological / emotional distress / disturbance on the child. If the reasons for that distress / disturbance cannot be forensically established, the parents' rights will be upheld. I know I am opening a can of worms. Time dictates (to my relief) that I close it up! The point I seek to make is that the general public simply will not accept that children's interests should at all times override those of parents.

Another, topical example of this persisting tension lies in the matter of 'contact orders' for fathers to see their children. Here again, there are plenty of arguments to which I have referred, for this as generally sound in terms of children's needs. But there is now mounting evidence that these orders are sometimes made more from the perspective of fathers' rights than the welfare of the children. At a recent conference on domestic violence, I heard of some legal judgements which, at the very least, showed that the judiciary is no more immune from feelings, biases and frank prejudices than the rest of us and that these were likely to be detrimental to the child, despite the avowed supremacy of the children's best interests.

In a nutshell, I am arguing that:

Professional judgements in child welfare have to be made in a social context in which family values are hotly contested. Social workers have to attempt to reconcile tensions within themselves, within their own profession, between the different professions involved in child protection and within the society in which they live.

Many of these judgements are complex and sensitive. They have increasing knowledge and theory upon which to draw but what is utilised and what is rejected is much affected by the individual's value base, which is in turn affected by the feelings of that person.

Organisational context

We now understand much better the powerful effect of the organisation in shaping the responses of workers to the task of child protection. Although I knew it in theory, I have found it rather unnerving to see how workers take colour from the policy of their employing authority, derived from the legislative framework. Overarching policies in child welfare reflect certain value positions, well illustrated in the issue of transracial fostering or adoption of children to which I referred earlier. Some policies, of course, derive from trends wider than those within social services. (Equal Opportunities policies would be an example). Obviously, field social workers who are at a relatively low level in the organisational hierarchy must in

found it rather unnerving to see how workers take colour from the policy of their employing authority, derived from the legislative framework. Overarching policies in child welfare reflect

ordinary circumstances conform to departmental policy. It would be chaos otherwise. But there are two aspects of the prevailing situation which give me cause for concern.

First, bureaucratic structures, linked to powerful proceduralisation of child protection processes have been dominant, to the detriment of what might be called 'a professional discourse' within the organisation which could offer an effective challenge to policies which may not take adequate account of, or may run counter to, available knowledge / theory. This reflects much wider trends in public service which cannot be discussed here. What we must note, with regret, however, is that bureaucratic dominance also became evident in the work of The Central Council for Education of Training in Social Work so that the body, which should have set professional standards, retreated into a mechanistic style for assessment of professional ability to practice - known as 'competencies', a process which fragments performance and leaves unanswered a central question I am trying to address here: 'What constitutes good enough professional judgements?' Unfortunately, also, during this period, the Professional Association (BASW) has not been effective in offering a forum within which social workers could define, and redefine, their sense of professional identity, independent of employers. The indications from the present government that the long awaited General Social Services Council may be created is most welcome.

All this is not to suggest there is no place for bureaucratic activity in child welfare services. Social workers would not now dispense with 'procedures'. Nor should we ignore the fact that bureaucracy at its best represents an aspect of equity and justice which ensures 'fairness' just as professionalism at its best attends to the special, distinctive needs of individuals and families - another kind of justice. What I want to stress is that there is no point in paying lip service to the importance of professional judgements if the structure of the organisation does not give its workers opportunities for reflective practice which feeds back into and is used by the organisation. This is about the way communication is developed, about staff development, about the nature and context of supervision, about opportunities for consultation and so on.

A restatement, therefore, of this part of the argument is :

The organisational context in which social workers operate has a crucial effect on judgements which are then affected by departmental policy.

The dominance of bureaucratic modes of thinking and structures has stifled professional development. The two approaches need to co exist (albeit in tension) in a more even partnership.

KNOWLEDGE / THEORY <=> SKILLS

I have mentioned already that the idea of 'theory' is far reaching. A helpful way of getting hold of it is to distinguish between 'macro theory' which gives a frame of reference, a way of perceiving 'large' social issues and social problems, say, Marxism, and two levels of theory which we utilise most in social work - theory which gives us a way of understanding specific behaviour (e.g. attachment / loss) or theory of social work practice itself (e.g. task focused casework).

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I shall not dwell on macro theory, except to point out that such theories are chosen because they make sense to us, speak to our emotional and intellectual condition. The very choice is in part derived from our value base and each reinforces the other. A contemporary example is feminism which powerfully affects how we see the family situation and suggests ways of intervening. Thus, true to the slogan 'the personal is the political', a feminist analysis has direct implications for the way some social workers go about their task and thus affects other levels of theory, discussed below.

When we move to the lower levels of theory, it is clear that in child welfare, we have a rich fund of theory to help us understand specific behaviour, much of which is drawn from other disciplines but is enriched and strengthened from our own practical experiences. We also have an abundance of knowledge concerning child and human development. Yet of late, it has not been systematically used in social work practice. A current example, on which I am working, concerns neglect in child abuse. There has been little attempt to link knowledge (for example, in the diverse aspects of child development) and theory (for example about mother - child relationships) to work with such families who pose some of the serious dilemmas and difficulties for social work.

There are complex reasons underlying this failure to use what is available. First, it is unrealistic to expect workers under great pressure to manage by themselves the task of selecting and applying from an extensive literature what would help them understand and plan intervention on that basis. The climate in local authorities (to which I have earlier referred) has given little encouragement and help to do this. Efforts have been made, and are continuing by the Department of Health to disseminate findings from their recently published research. This is commendable but there are important issues concerning the extraction of material to disseminate and the processes involved which merit further discussion,

Secondly, in a rather muddled way, some social workers have been reluctant to utilise theory which they saw as deriving from psycho dynamic concepts. In so doing, (to use an unfortunate metaphor) they threw out the baby with the bath water. To put it crudely, you don't have to buy the Oedipus complex to use much critically useful theory concerning family interaction which, in terms of a family tree, originates from Freud. Furthermore, to ignore the huge contribution made by Bowlby's thought to understanding of the needs and problems of young children because it is alleged that his ideas chained women to the home is perverse. I speak from the heart, with many years experience in teaching students, when I say that reflection of our indifference to this reservoir of knowledge has been a significant factor in the way family situations are not perceived. It can be put as the simple question - 'Whatever happened to the idea that the past is relevant to the present?' Fears of an overdeterministic view of people and of 'labelling' has led to less and less use of past family experiences to understand the current situation. Yet, in another child and families team, across the road, social workers will work comfortably with the same idea, when they help children develop their life story books!

Thirdly, social workers' commendable resistance to elitism has unfortunately included what I can only describe as 'anti intellectualism' - a reluctance to make explicit the place which knowledge / theory should have in professional activity.

Thirdly, social workers' commendable resistance to elitism has unfortunately included what I

The implications of all this are grave. These difficulties mark social workers out from some other child protection professionals.

Finally, I turn to the other kind of theory : practice theory for social workers ; the rationale for action and the techniques for intervening constructively. You will be aware that the findings from the last raft of Department of Health research suggested that one of the weakest areas of work was post assessment - the intervention stage. It would, I think , be common ground that very few social workers outside specialised settings work consciously and deliberately with children and families within clear parameters of theory, such as is apparent for example in some forms of family therapy. Why is this ?

There is a study waiting to be undertaken of British social work education in the past thirty years. The energies, and not inconsiderable talents of educators, have been centred on the impact of the organisational and political context of social work. But we have lacked a sound corpus of practice / theory - what to do, how, and why - which is home grown, rooted in our culture. The American giants of the past, such as Perlman, (1957) Hollis, (1972) have been gathering dust on the book shelves but there is little or no equivalent British analysis of modern child welfare practice. We have been good at the analysis of organisational impact but inadequate in the development of practice theory which would have given social workers a coherent professional framework which was not solely derived from the law or from organisational policy. I do not suggest that the acquisition of skills is only about using theory. But I do wish to argue that the worker needs to ' do things ' within a coherent framework which gives meaning to her actions.

You will have noted that the arrow went both ways between theory and skills i.e. skills should influence theory. This requires what I would describe as ' legitimised feedback ' mechanisms for learning from practice. It raises the question of models for research. If social workers think of research as ' out there ' done to them by aliens and beyond their expertise and competence to undertake, the climate is not conducive to the kind of input from reflective practitioners which can shape practice / theory/.

So, to conclude

I have taken the essential components of professional judgement - values, knowledge and theory and skills - and have drawn out the complex factors underlying this concept of ' judgement '.

Underlying my argument is an assumption that social workers should be professionals, rather than technicians operating within prescribed procedures. I argue this, not for reasons of status, but because of the profoundly complex and unpredictable situations with which they have to deal, nowhere more than in child welfare and child protection work. These are not situations amenable to technical, routinised solutions. Despite this, I never fail to be impressed and excited by the pool of intelligent experience which now exists within child welfare social workers. In my experience, many of them are hungry for opportunities to develop their

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understanding and skill. The political and organisational climate has been unpropitious. Yet the lives and wellbeing of children critically depend on the quality of judgements. There are welcome signs the tide is on the turn. In a variety of ways, and in different places, a challenge to bureaucratic dominance is being moulded.

It sounds a bit out of touch to say that the new Millenium should be about improving the quality of professional judgements, when we are fussing about Domes at Greenwich and Robots on Mars. But when we come down from those intriguing flights of fancy to our everyday concerns, it is no exaggeration to say that the quality of such judgements affects everyone involved, most of all unhappy children and their parents. The matter has implications for policy, structures, education, staff supervision and development and interprofessional relationships. And it will be just as crucial - and no less difficult - in the refocussing debate.

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