

# Chapter 1

## Setting the Scene: The Historical, Policy and Legislative Basis of Local Authority Children and Families Social Work

### Introducing local authority social work

The intention of this introductory chapter is to set the scene for social work practice in an English local authority. This will provide a brief résumé of the relationship between social policy and social work and the impact child deaths have had upon legislation concerned with safeguarding children.

#### Learning points

- The impact of the welfare state upon neglected and abused children
- Different trends in practice and their translation into legislation
- The impact of child deaths
- The cause and effect of the Every Child Matters initiative
- Baby Peter and Social Work Reform

First let us consider how one of the most remarkable characteristics of child welfare is that the same issues arise again and again. Questions such as

- What are parental rights and responsibilities?
- What rights do children have?
- Whose rights take precedence?

have been answered differently at different times. This is because people's opinions, beliefs and judgements change. Much of contemporary legislation and social work practice relating to children and families has come about as a consequence of how such questions were answered in the past.

For those social workers who choose to work with children and young people in a local authority setting, it is important to have an understanding of the history of children's social care and the social policy context. Both have impacted on the legislative framework and the way the profession has responded to some complex issues, such as the rights of parents when in conflict with the needs and rights of children. Lorraine Fox Harding (1997) in her seminal text *Perspectives in Child Care Policy* characterises the different values that permeate childcare policy at different times as

- *Laissez faire* and patriarchy – leaving the family largely free of state interference
- State paternalism and child protection – legitimising authoritarian state interference and minimising the rights of parents
- Defence of the birth family and parents' rights – state intervention is legitimate but has as its focus the preservation of the family unit
- Children's rights – child is an independent person with individual rights

## From Children's to Social Services Departments (1948–1971)

Before the Second World War, child welfare had been the responsibility of the Poor Law Guardians, local education authorities and voluntary organisations. Post-war Britain, however, was a time of economic and social reconstruction that witnessed the creation of the welfare state. As new state welfare services were established, a whole new set of relationships between the state, the market economy and the family began to emerge (Parton 1999). In this context, and partly in response to the death of Dennis O'Neill in foster care in 1945, the 1948 Children Act established new local authority Children's Departments. These were designed to provide a service for children in public care deprived of 'normal' family life. During this post-war period the major institutions of work and family went largely unchallenged and it was accepted that the role of the welfare state was to ensure that anyone on the margins of these institutions was helped back into the main body of society (Parton 2006). Over the next two decades the emphasis within Children's Departments shifted

towards keeping children out of care in the first place or, when not possible, to rehabilitate children back into the care of their natural families.

By 1970 it had become apparent that there would be considerable advantages in bringing the different branches of social work together to form one generic profession, based on a common training qualification (Stevenson 1999). The Seebohm Report (1968) concluded that by redrawing the boundaries between services, more effective family and community services could be provided. This led to the establishment of Social Services Departments in 1971 and the responsibility for childcare transferred from the Home Secretary to the Secretary of State for Social Services. The establishment of unified local authority Social Services Departments heralded a new era for social work as a profession and during the early 1970s personal social services came out of the policy debate shadows (Hill 2000). With the family as its focus, the profession confidently sought to deliver a personalised service based on preventative principles.

By 1973, however, it was becoming clear that the era described by Jock Young (1999) as the 'Golden Age', a period that was both consensual and inclusive, was coming to an end. Two major social changes were becoming evident: globalisation and individualism. Globalisation wrought changes in the labour market, which became increasingly characterised by stratification, mobility and the presence of women, particularly married women. The poorest and most deprived, with the least flexibility, were left in concentrated pockets of housing. It was these pockets that often had to absorb families arriving from other countries, seeking asylum or greater economic security.

Hobsbawm (1994) argued that one of the institutions most undermined by the new emphasis on individualism was the family. As individualism became more pronounced the structures that kept men, women and children together in families were to some extent dismantled. The family was now seen as constituting individuals and in this context children began to be viewed as autonomous beings with rights and interests distinct from the family unit itself (Parton 2006). The scene was being set for a more antagonistic and conflictual relationship between parents and social workers as the interests and rights of children and their parents were no longer viewed as one and the same.

As the impact of economic instability and recession during the 1970s began to be felt, the difficulties in sustaining the welfare state became a central focus of public and political debate. The consensus on which it was based was subjected to increasing questioning and criticism. In this context it is hardly surprising that by the mid 1970s this new professional confidence was severely dented, as an unremitting series of child death inquiries led to increasing public disquiet about social work practice.

## The impact of child deaths and the Cleveland Affair (1973–1987)

The death of Maria Colwell in 1973 at the hands of her stepfather, together with the growing evidence that children were spending longer in care as they waited for reunification plans to take effect (Rowe and Lambert 1973), led to the 1975 Children Act and to the 1976 Adoption Act. This effected a shift away from parental rights towards the welfare of children (Daniel and Ivatts 1998) and introduced a new emphasis on fostering and adoption. The 1975 Act also made provision for an independent social worker to ensure the best interests of the child within court proceedings and thus established the new professional role of guardian ad item, now called the child's Guardian. The public inquiry into Maria's death published in September 1974 concluded that, although individuals had made mistakes, it was ultimately the system that had failed her. This led to the introduction of a new child abuse management system intended to ensure that all professionals involved in supporting children were familiar with signs of child abuse and that mechanisms were established for inter-agency communication and coordination (Parton 2006).

Parton and Thomas (1983) noted how, after the Maria Colwell Inquiry, social work practice was no longer seen as a private activity between social worker and client but as a legitimate arena for public scrutiny. Here the media took on a key role in raising issues previously mostly hidden from public view. Criticism of the nature of social work interventions reached new heights during the 1980s, with a succession of child abuse inquiries. The most well known of these are the inquiries concerning Jasmine Beckford (London Borough of Brent 1985), Kimberley Carlisle (London Borough of Greenwich 1987) and Tyra Henry (London Borough of Lambeth 1987). The emphases in the recommendations of the 30-plus inquiries published between 1973 and 1987 was on social workers using their legal powers more effectively to protect children, on improving their knowledge of the indicators of abuse and on the need to improve collaborative processes between all professionals involved with children (DHSS 1982; DH 1991b). The concept of 'child abuse' was defined, redefined and then enshrined in government guidance during the 1970s. By the 1980s it included physical, emotional, sexual abuse and neglect, focusing not just on very young children but on all children and young people up to 18 years of age (*Working Together under the Children Act 1989*, DH and the Home Office 1991).

The events in Cleveland in 1987 introduced a new dimension into the controversy surrounding the work of social workers with children and their families. This focused on the removal of more than 100 children from their families by social workers, subsequent to a diagnosis of sexual abuse by two paediatricians, based in a hospital in Middlesbrough. For the first time the

issue of abuse publicly impacted upon middle-class families, and disadvantaged and poor families could no longer be seen as the sole source of child abuse. However, the Cleveland Affair also appeared to demonstrate the failure of both social workers and paediatricians to protect the rights of parents, as well as the use of draconian powers to remove children prematurely from their families. Social workers were now routinely represented in the media as either '*fools and wimps*' or '*villains and bullies*' (Franklin and Parton 1991).

Social workers now seemed to represent all that was wrong with post-war welfarism. It was not therefore surprising that the third term of Margaret Thatcher's Conservative administration, which was centrally concerned with reforming welfare provision, turned its attention to reforming legislation pertaining to the welfare of children.

## The Children Act 1989

Though the Children Act 1989 can be seen as the culmination of a period of controversy both about welfare policy and the role of social workers in the lives of children, drawn up at a time of 'New Right' dominance (Packman and Jordan 1991), it was in fact a further piece of consensus legislation.

The Act was informed not just by child abuse public inquiries, but by research and a series of respected official reports during the 1980s, particularly the Short Report (Social Services Committee, 1984) and the Review of Child Care Law (DHSS, 1985) and was subject to careful civil service drafting and management and exhaustive consultation with a wide range of professional groups and interested parties. (Parton 1999: 15)

Those responsible for drawing up this Act were seeking not only to get the balance right between the families' right for privacy and autonomy but also between the responsibilities of all the agencies involved in supporting children and how they exercised those responsibilities.

The Act therefore had three primary aims. First, it set about forging a new set of balances between children, parents and the state. It introduced the concepts of parental responsibilities and working in partnership and gave a new emphasis to the views of the child. Secondly, it sought to unify public and private law relating to children. Thirdly, it aimed to bring together all services relating to children, including children with disabilities. This act also broadened the concept of prevention, from simply preventing children from entering public care, to one of preventing family breakdown through the duty to provide services whenever a child was deemed to be in need. Further information about some its key provisions can be found in the Legislation Glossary at the end of the book.

Problematically, the Act was implemented in 1991 in an economically, socially and politically hostile climate. The combination of Conservative government reforms in relation to health, housing, social security, education and community care and the impact of recession had a particular impact upon children. In 1979 1.4 million (10%) children lived in poverty. By 1993 this had increased to 4.3 million children (one-third) (DSS 1995). This was an increase far greater than the population as a whole.

During the early 1990s a number of other trends can be identified. Social work managers, as opposed to practitioners, became the brokers between the purchaser/provider relationship engendered by the Community Care legislation. The combination of both the Community Care Act 1990 and the Children Act 1989 resulted in the generic social worker increasingly being replaced by the specialist social worker. Moreover social workers working with children became almost exclusively involved in child protection and the management of risk.

## The impact of institutional abuse

In 1997, Tony Blair's 'New Labour' Party swept the Conservatives out of power after 18 consecutive years of rule. Two months later Sir William Utting's Report *A Review of the Safeguards for Children Living Away from Home* commissioned following a series of scandals relating to the abuse of children in residential care, was published. Concern now began to focus on abuse that took place outside of the family and the need to protect society from 'the paedophile' became a source of increasing public anxiety and media attention. Utting's report, together with other publications such as the 1998 Social Services Inspectorate Report *Someone Else's Children* (Hoare et al. 1998) and Norman Warner's report *Choosing with Care* (1992), were hugely influential in formulating the new government's reform agenda for child welfare, as outlined in *Modernising Social Services* (DH 1998). This outlined the government's strategy for strengthening child protection systems, improving the quality of services and improving the life chances of children in need and looked after children. This led to the *Quality Protects* initiative, implemented in 2000, a five-year programme designed to transform the management and delivery of children's social services. Ronald Waterhouse's report: *Lost in Care, Report of the Tribunal of Inquiry into the Abuse of Children in Care in the Former County Council Areas of Gwynedd and Clwyd Since 1974* was published in 2000 and this informed the Care Standards Act 2000 which sought to reform the regulatory system for care services for vulnerable adults and children in England and Wales. In 2002 and 2003, National Minimum Standards were issued with regards to fostering, adoptive, and residential provision as well as

to child minding, day care provision and boarding schools. All such providers had to register with either the National Care Standards Commission or the National Assembly for Wales and were subject to a new inspection regime.

At the same time the government introduced its *Best Value Performance Management Framework*, which set targets for all local authority services relating to quality and efficiency of services, and a new performance-focused regime for all social services departments was born. The emphasis was now on achieving performance targets, inspection and league tables. This shift towards managerialism and the manager's right to manage was the means by which the Labour government sought to achieve value for money and accountability both to the taxpayer and to the service user. However within children's social care it also served to force managers to become preoccupied with meeting performance targets and with inspection preparation. Decision making about children became a managerial function rather than something that should be based on the professional judgement of the social worker (Munro 2010).

## Refocusing social work

During the 1990s considerable evidence had amassed that demonstrated that local authority social services were failing to develop family support services as envisioned by the Children Act 1989 (Aldgate and Tunstill 1995). An Audit Commission Report (1994) and a Department of Health publication called *Messages from Research* (1995) led to a major debate about the balance and relationship between child protection and family support. The view that prevailed concluded that, unless children's needs were assessed holistically, then intrusively focused social work investigative processes could only produce poor outcomes. Its proponents sought to eliminate the divide between protection and prevention and concluded that both were essential aims at every level of intervention. When New Labour came to power, the government sought not only to rebalance child protection and family support but to encourage all agencies involved in supporting children to develop accessible preventative services (Parton 2006). The role of early years provision was seen as particularly important in delivering this agenda. The government view was made clear in their Green Paper *Supporting Families: A Consultation Document* (Home Office 1998). Ensuring children, particularly poor children, were better supported by both supporting and penalising parents to make them parent more effectively was to be a key strategy in combating youth crime (Maclean 2002). For the Labour government it was also a key strategy in another policy priority, combating social exclusion.

At the same time as the government was issuing its revised child protection guidance *Working Together to Safeguard Children* (DH 1999), it was also setting up a pilot study to assess the development of a multi-agency approach to assessment.

This led to the *Framework for the Assessment of Children in Need and Their Families* (Assessment Framework), which was implemented in 2001. This now frames all assessments of children and their families undertaken by local authority social workers. It is also the basis of the Common Assessment Framework (CAF) introduced in 2005 to assist other professionals involved in supporting children identify and assess children with additional needs. Together with the Looking After Children materials implemented in 1995, the Assessment Framework forms the basis of the Integrated Childrens System (ICS), which was implemented during 2007. These will be discussed in more detail in Chapters 3 and 4.

The Labour government also brought in a whole swathe of legislation to frame how personal social services are delivered to children and their families and to promote the safeguarding of children. A brief description of the most significant can also be found in the Legislation Glossary.

## **The death of Victoria Climbié (2000) and Every Child Matters (2003)**

Outcomes of inquiries into child deaths continued to impact upon social policy and guidance, notably Rikki Neave (Cambridge 1995), Lauren Wright (Norfolk 2000) and Ainlee Walker (Newham 2002). In 2002 the Joint Chief Inspectors Review Report was published. This found that whilst all agencies accepted their responsibilities in relation to child protection, this was not always reflected in practice. Agencies were not always willing to support or fund the work of Area Child Protection Committees. These were non-statutory partnerships that brought together agencies involved in child protection work to clarify roles and responsibilities, agree inter-agency protocols and oversee Part 8: Reviews of Child Deaths, as outlined by *Working Together* (DH 1999). Difficulties in recruiting and retaining professionals required to work in child protection were also reducing the effectiveness of procedures in place to safeguard children. This report, together with the report of the Inquiry by Lord Laming (2003), into the prolonged abuse and subsequent death of Victoria Climbié (London Borough of Haringey 2002), at the hands of her great aunt and her great aunt's partner, was to lead to profound changes in the arrangements for children's social services and, in effect, to herald the demise of the entity known as the Social Services Department:

The death of Victoria Climbié exposed shameful failings in our ability to protect the most vulnerable children. On twelve occasions, over ten months, chances to save Victoria's life were not taken. Social services, the police and the NHS failed, as Lord Laming's report into Victoria's death made clear, to do the most basic things well to protect her. (DfES 2003: 5)



The immediate impact of the Laming Inquiry Report was the decision to move the responsibility for children’s social services, family policy, teenage pregnancy, family law and the Children and Family Court Advisory Service (CAFCASS) from the Minister for Health to the Minister for Education and Skills (DfES). This brought the responsibility for all policy and legislative changes relating to children and young peoples under the jurisdiction of one ministry. This was with the notable exception of youth crime, which remained with the Home Office.

The longer-term and infinitely more profound impact was felt with the publication of the government Green Paper *Every Child Matters* in 2003 (HM Treasury 2003). This announced the government’s intention to draw up new legislation that would address the concern raised by Lord Laming that accountability and safe management practice were still not a priority for the agencies involved with safeguarding the needs of children: ‘*The principal failure to protect her [Victoria] was the result of widespread organisational malaise*’ (Laming Report 2003: para. 1.21; emphasis added).

The Green Paper sets out five outcomes, which all services for children should work towards achieving. These are represented in the Table 1.1.

**Table 1.1 The five outcomes of Every Child Matters**

<b>Outcome</b>	<b>What it means</b>
<b>Be healthy</b>	Being physically, mentally, emotionally and sexually healthy and having a healthy lifestyle  <i>Parents, carers and families promote healthy choices</i>
<b>Stay safe</b>	Safe from maltreatment, neglect, violence, sexual exploitation, accidental injury/death, bullying, discrimination, crime, anti-social behaviour. Have security, stability and are cared for  <i>Parents, carers and families provide safe homes and stability</i>
<b>Enjoy and achieve</b>	Ready for, attend and enjoy school. Achieve stretching national educational standards. Achieve personal and social development and enjoy recreation  <i>Parents, carers and families support learning</i>
<b>Make a positive contribution</b>	Engage in decision making, law-abiding, positive and enterprising behaviour. Develop positive relationships, self-confidence and successfully deal with significant life changes and challenges  <i>Parents, carers and families promote positive behaviour</i>
<b>Achieve economic well-being</b>	Engage in further education, employment or training on leaving school. Live in decent homes and sustainable communities, have access to transport and material goods, live in households free from low income  <i>Parents, carers and families are supported to be economically active</i>

Source: *Every Child Matters: Change for Children*, DfES 2004a: 9

In order to achieve these outcomes, in *Every Child Matters: Next Steps* (DfES 2004b) the government announced its intention to focus on four main areas:

**Supporting parents and carers** through information, advice and support provided by universal services and through targeted and specialist services for parents of children who need them.

**Early intervention and effective protection** to be achieved by establishing multi-agency teams and co-locating services, improving information sharing, implementing the Common Assessment Framework and the Lead Professional role.

**Accountability and integration** by bringing together the commissioning of key services through Children's Trusts and requiring local authorities to set up partnership arrangements with a specific focus on Local Safeguarding Boards. Also by locating new leaders in the Director of Children's Services and the Lead Elected Member and creating a new national role for a Children's Commissioner.

**Workforce reform** by developing a pay and workforce strategy that addresses recruitment and retention issues within the children's workforce as well as improving its skills and abilities.

By and large local authorities with social services responsibilities welcomed the Green Paper, though concerns were immediately expressed about whether resources were going to be made available to fulfil such an ambitious agenda. Andrew Cozens, on behalf of the Association of Directors of Social Services, pointed out:

The vision in the Seebohm Report was a preventative one with universal access at the point of need but it became diluted with scarce resources, focussed increasingly tightly on the relatively few with very high levels of need. Access to services became defined by eligibility criteria, so derided by the Victoria Climbié Inquiry Report. (ADSS 2003: 6)

Arguing that the resource requirements needed to be fully understood and then met, Andrew Cozens asserted that:

Broadening the constituent population that can have early access to preventative services has to be reflected in the resource base available to all key stakeholders in the childcare sector. A step change of this kind should follow a national audit of the numbers of children who would benefit from specific and comprehensive intervention at an early stage. ADSS has repeatedly highlighted the need for a Wanless type review of social care to ascertain the range and scale of what is required and would again urge that such a review be conducted. (ADSS 2003: 6)

The ADSS did not get its Wanless type review. The government did, however, press ahead to provide the legislative framework for its *Every Child Matters* change agenda (DfES 2004a) for children's services in England through the

Children Act 2004. Its provisions aimed to promote integrated working amongst professionals involved in supporting children through the establishment of Children's Services Authorities and Children's Trusts and statutory Local Safeguarding Children Boards. A more detailed description of some its key provisions can be found in the Legislation Glossary.

The Every Child Matters initiative also led to the *Care Matters* White Paper (DfES 2007) and the Children and Young Persons Act of 2008. This aimed to ensure that children and young people looked after within the public care system received high quality care and services, which are focused on and tailored to their needs. In particular the Act endeavoured to improve the stability of placements and the educational experience and attainment of young people in local authority care or those about to leave care.

What then has all this meant for social work practitioners? Within local authority social work, this by and large has depended on local interpretation of the legislation and the finance available to implement the reforms, especially in relation to the integration of services. Most social workers, however, have experienced the separation of adult and children's services. Those working with children and young people are now employed by Children's Services Authorities (CSAs) together with all those previously employed by the Local Education Authority (LEA).

With the introduction of the CAF, based as it is on the Assessment Framework, social workers have increasingly experienced a common language when talking to other professionals involved in supporting children. There has also been renewed enthusiasm for multi-agency working, with some local authorities introducing virtual teams and others co-locating social work teams with other groups of professionals. Above all, listening to the 'voice of the child' became a priority not just for practitioners but also for managers, planners and councillors alike. At least that is what many involved in the world of children and families' social work believed until that particular bubble burst with the death of 'Baby Peter'.

## **The death of Peter Connelly (2007)**

On 3 August 2007 Peter Connelly, a 17-month-old toddler, later more widely known as Baby Peter, was pronounced dead on his arrival at hospital as a result of multiple injuries. On 11 November 2008 his mother's partner and his brother were found guilty of his murder. His mother pleaded guilty to the same offence. At the time of his death, Peter was on Haringey Council's child protection register in the categories of physical abuse and neglect and was the subject of a multi-agency child protection plan. Peter

had suffered 50 injuries despite receiving 60 visits from social workers, doctors and police over the final eight months of his life. The second Serious Case Review found that the interventions put into place as part of the child protection plan were ‘insufficiently challenging to the parent [and] ... insufficiently focused on the children’s welfare’ (Haringey Local Safeguarding Children Board 2009: 29). The fact that this was the same London borough in which Victoria Climbié died served to symbolise the failure of local authority social services departments to learn from the deaths of children known to them.

Peter’s death thus caused yet another crisis of confidence in social work and again the profession was put on the defensive. As part of its response the government established the Social Work Task Force, chaired by Moira Gibb CBE, Chief Executive of the London Borough of Camden, and a former social worker. The purpose of the task group was to conduct a ‘nuts and bolts’ review of the profession and to advise on the shape and content of a comprehensive reform programme for social work. The Task Force considered what social workers said to them about what they needed:

- more time to work directly with children and their families
- regular high quality supervision and time for critical reflection
- better education and training
- more opportunities for career development
- improved IT and support
- stronger professional leadership, standing and voice

Having considered this alongside other contributions, the Task Force went on to identify what the social work profession needed to be (see Box 1.1) and made a number of recommendations that became the basis of the social work reform programme.

### **Box 1.1 The Social Work Task Force said that the social work profession needed to be:**

- confident about its values, purpose and identity;
- working in partnership with people who use its services, so that they can take control of their situation and improve the outcome;
- working cohesively with other professions and agencies in the best interests of people in need of support;
- demonstrating its impact and effectiveness and, therefore, its value to the public;
- committed to continuous improvement, with the training and resources it needs to be effective and a vigorous culture of professional development;

- understood and supported by employers, educators, government, other professionals and the wider public; and
- well led at every level: in frontline practice; in influencing the shape and priorities of local services; in setting and maintaining the highest possible standards within the profession; and in influencing policy developments and priorities at national and political level.

*Facing Up to the Task: Interim Report of the Social Work Task Force (2009)*

This review was undertaken alongside the government-funded Children's Workforce Development Council's (CWDC) three-year social work programme (see CWDC 2010). This intended to drive and support improvements in the way social workers are recruited, trained and supported to work with children and families in England. The programme included piloting a programme of enhanced support for newly qualified social workers (NQSW) and those in their early professional development (EPD) and developing roles such as the advanced social work professional (ASWP) that would encourage and enable experienced practitioners to remain in practice. What this will all lead to in the context of children and family's social work remains to be seen. However, the fact that the majority of local authorities are participating in the NQSW and EPD pilots and some have already established ASWP roles, is evidence that some things are already changing, at least for a number of qualified practitioners working on the front line.

## Social work reform 2010 onwards

In May 2010 the Conservative/Liberal Democrat Coalition government came to power against a backdrop of a global economic crisis and recession. Massive public spending cuts have ensued and local authorities have been faced with reduced income from the government of about 26% between 2011 and 2015. It has also been predicted that approximately 500,000 jobs will be lost to the public sector – many of these from within local authorities. The impact of much of this has yet to be fully realised, particularly with regard to early intervention and preventative services and to social care services.

The Coalition government has, however, given its support to the Social Work Reform Board, also chaired by Moira Gibb, which is now charged with progressing the recommendations of the Social Work Task Force. As one of the Coalition government's first steps was to rename the Department for Children, Schools and Families (DCSF) as the Department for Education (DfE), this step served to alleviate apprehension amongst some social work professionals that the new government lacked commitment to progress the work of the Social Work Task Force.

The government has also commissioned reviews of a number of services affecting children and families which will also have implications for social care. These include:

- Munro Review of Child Protection
- Family Justice Review
- Allen Review into Early Intervention
- Frank Field Review of Tackling Poverty

In the social care sector organisations that support social work delivery are also changing. The Children's Workforce Development Council (CWDC) will cease to exist as a non-departmental public body, with its workforce development functions being absorbed by the Department for Education by 2012. The General Social Care Council will cease to exist by 2012 with the renamed Health Professions Council taking on registration of social workers and the regulation of social work degree courses. The College of Social Work, currently under development, is expected to become the voice for social work and to provide leadership for the profession.

The Social Work Reform Board progress report *Building a Safe and Confident Future: One Year On* (2010) considers five areas that have been identified as in need of reform:

- an overarching professional standards framework that includes a single nationally recognised career progression route and expectations at each stage of a social worker's career
- standards for employers and a supervision framework
- principles that should underpin a continuing professional framework
- requirements for social work education
- partnerships between employers and educators

During 2011 the Reform Board expects to test these five areas with both individuals and organisations, whilst at the same time developing other areas of work, such as the national social work supply and demand model and the proposed Assessed and Supported Year in Employment (ASYE). It is likely that the ASYE will replace, though be informed by, the Newly Qualified Social Worker programme.

Little reference here is made to pay, other than to say that the Reform Board is working with Local Government Employers and the Trade Unions to ensure that the 'right links are made to support the implementation of the National Career Structure' (Social Work Reform Board 2010: 15). Difference in pay is problematic as it means that social workers do not get the same remuneration for doing the same extremely complex job. This is unlike most other public sector professional groups. It also sets local authorities in competition with one another which impacts adversely upon both recruitment and retention.

This is not an easy issue to resolve because to reintroduce national pay scales would involve some social workers receiving less and others more. It

would also not be easy for those local authorities having to pay social workers more to find the additional funding required, especially in the current economic climate. However, the inability of some local authorities to fill vacancies and to retain staff can lead to turbulence in the workforce and to over-reliance upon agency social workers. This results in too many children receiving services characterised by delay, lack of continuity and drift. The need to provide some kind of national framework for pay scales therefore remains an important element in the jigsaw of reforms required.

There is also a seeming lack of commitment to ensure that all social workers have access to the post-qualifying award and to ensure that only those social workers who have achieved at least the Higher Specialist PQ (if not the Masters) Award are eligible for the Advanced Social Work Professional (ASWP) role. In the authors' view these are missed opportunities. The fact that take-up of the PQ award by employers has been patchy is cited as the reason. However, the lack of commitment of some, though by no means all employers, to providing funding for PQ is an issue that needs to be addressed as part of this process of reform. Enabling experienced social workers the opportunity to refresh and reflect on their practice, within an academic framework, is a vital developmental opportunity that needs to become an essential rather than a desirable aspect of social work continuous professional development. It is difficult to see how the ASWP role can deliver 'excellence' in practice without it.

In May 2010 the government commissioned Professor Eileen Munro, Reader in Social Policy at the London School of Economics, to undertake a further review of child protection work. Intended to build upon the work of the Social Work Task Force, Professor Munro has been asked to look at how bureaucracy can be reduced and how social workers can be helped to spend more time with children and their families. The first part of the review, called the *Munro Review of Child Protection – Part One: A Systems Analysis*, was published in 2010.

In this report Munro noted that reforms introduced by previous governments were well informed and well intentioned and yet had not led to the expected improvements in front line practice. In fact, Munro concluded, past reforms have had unforeseen consequences and this had led her to adopt a systems approach to the review to enable the understanding of 'how reforms interact and the effect these interactions have on practice' (Munro 2010: 5). On a more positive note, she affirmed that knowledge about interventions that work had substantially increased and that there was both good practice and research findings to draw from and build upon.

The main problems identified by Munro in the report include:

- Social workers too focused on following procedures and consequently spending insufficient time assessing and supporting children
- A performance-driven culture in local authority social work that results in social workers being unable to exercise their professional judgement

- Too much emphasis on identifying families that need an assessment and not enough on putting children's needs first
- Inflexible ICS, locally procured IT systems, that fail to maintain a narrative about the child and are perceived as unhelpful by practitioners
- Serious Case Reviews focusing on what went wrong rather than learning from good practice and what could be done better
- Delays in the family courts adversely impacting upon the welfare of the child
- Demoralisation of social workers employed by organisations that fail to support them appropriately

Munro does seem to have identified some key issues for the profession, though interestingly she says virtually nothing about workloads, either in terms of volume or complexity. What is important here, however, is how the Munro Review dovetails with other developments. An historical problem has been the number of organisations involved in setting social work standards. This has resulted in a lack of coherence as there is no one organisation that can claim to be the voice of the profession. It is therefore essential that the transfer of the GSCC functions to the HPC, the establishment of the National College of Social Work, the Social Work Reform Programme and the outcome of the Munro Review all align and so together contribute to the strengthening of the social work professional base and its delivery of services to Children in Need.

Munro's final report, *The Munro Review of Child Protection: Final Report A Child Centred System* was published in May 2011. It sets out 15 recommendations which together aim to 'help to reform the child protection system from being over-bureaucratised and concerned with compliance to one that keeps a focus on children, checking whether they are being effectively helped and adapting when problems are identified' (Munro 2011: 5). Munro proposes that only a move from a compliance and blaming culture to a learning and adapting culture will improve the scope for practitioners to apply professional judgement when assessing and supporting children. The report identifies the following principles of an effective child protection system:

- The system should be child centred
- The family is usually the best place for bringing up children
- Helping children and families involves working with them
- Early help is better for children
- Children's needs and circumstances are varied so the system needs to offer equal variety in its response
- Good professional practice is informed by knowledge of the latest theory and research
- Uncertainty and risk are features of child protection work
- The measure of the success of child protection systems, both local and national, is whether children are receiving effective help

(*The Munro Review of Child Protection: Final Report A Child Centred System*: 23)



Munro suggests a more a more local approach to child protection that allows not only for innovation, flexibility and adaptability of response but is also freed up from the constraints of national performance indicators. Whilst acknowledging the importance of gathering data about performance she asserts that the data currently gathered is focussed on process rather than on outcomes, quality of service and service improvement. Critically, she argues, only a knowledgeable and skilled social work practitioner base, informed by research and other sources of evidence and capable of communicating with children and making relationships with families, can effectively help protect children. Munro goes on to recommend that the Social Work Reform Board's Professional Capabilities Framework be specific about the capabilities required of social workers to work effectively with children and their families. She also recommends that the Framework should inform the content of: social work qualification courses; ongoing post graduate professional development and the appraisal of social worker's performance.

Munro reminds her readers that social work is a profession intrinsically involved in the management of uncertainty and risk. Decisions about the likelihood of further harm are inevitably fallible as even where sound professional judgement concludes that the likelihood of further abuse is low that does not mean conclusively that it won't happen. 'The ideal would be if risk management could eradicate risk but this is not possible; it can only try to reduce probability of harm' (Munro 2011: 18).

Munro endorses the 10 underpinning principles of the *Framework for the Assessment of Children in Need and their Families* (DH et al. 2000) but expresses concern about how the Framework has become linked to performance indicators, process and recording forms. She recommends that guidance on undertaking assessments should continue to be statutory but proposes that the distinction between initial and core assessments as well as their associated timescales be removed. Munro acknowledges that *Working Together to Safeguard Children* (DCSF 2010) provides a necessary set of rules, so that all organisations are clear about their roles and responsibilities for protecting children. However, it also contains a vast amount of professional guidance in the midst of which those rules can get lost. Munro therefore recommends that these documents are revised to ensure that assessments are proportionate to need, families get help quickly, and professionals work together collaboratively.

Munro also questions the effectiveness of the Ofsted inspection regime in driving child centred practice and improving outcomes for children. She proposes that inspectors should examine the child's journey through the system and the quality and effectiveness of the help offered during that journey. In future, she suggests, inspections should be 'broad, covering the contribution

of all children's services to the protection of children and be conducted on an unannounced basis in order to minimise the bureaucratic burden of inspection' (Munro 2011: 46). She also proposes that Ofsted's role of evaluating Serious Case Reviews (SCRs), undertaken by local safeguarding children boards (LSCBs), to learn from serious incidents of non accidental harm to or death of a child, should immediately end. Munro points out that though the current model of undertaking SCRs is generally successful at identifying what had happened to the child, it is less successful at identifying why. Skewed by the 'hindsight bias' SCR recommendations tend to focus on improving processes and procedures and there is usually little reference to the organisational and management issues that impact upon human behaviour. This results in a culture of human error being seen as the sole factor which then leads to individuals being blamed and to solutions that seek to eliminate the possibility of individuals making the same mistakes in the future. Munro proposes a very different approach that would involve the application of systems methodology to SCRs to enhance the learning from this process. She recommends the model developed by the Social Care Institute for Excellence (SCIE) as one that focuses on understanding professional practice in context with the result that any required changes can be 'grounded in practice realities' (Munro 2011: 61).

Other recommendations include:

- Amend statutory guidance to require LSCBs to produce annual reports for the chief executive and leader of the council
- Require local authorities to protect the roles and responsibilities of directors of children's services and lead members
- Initiate national research into the impact of the NHS reforms on safeguarding
- Place duty on local services to co-ordinate an 'early offer' of help to families below social care thresholds
- Require employers and higher education institutions to work together to prepare students for the challenges of child protection work
- Designate a principal child and family social worker in each local authority
- Establish a chief social worker at national level

The Coalition government welcomed the final report and has indicated that it will give the recommendations careful consideration, responding later in 2011. There is also much in this report for local authorities to digest and consider, as its content poses some significant challenges at a time of a changing political and economic environment. A move from the current command-and-control culture to a learning and adapting culture as proposed by Munro will not be an easy task for such bureaucratic and hierarchical organisations. Munro suggests that managers will need to be aware of how their organisation works as a system in order to achieve a redesigned structure that supports social

workers spend time with the children and families and to ensure continuity in social work service delivery. The new system needs to both listen and learn.

The review asks local authorities to take more responsibility for deciding the range of services they will offer, defining the knowledge and skills needed and helping the workers develop them. For example, a local authority wishing to implement a particular evidence-based way of working with children and families needs to consider what changes might be needed in the training, supervision, IT support and monitoring to enable this to be carried out effectively. To keep the focus on the quality of help being given to children and young people, they need to pay close attention to the views and experiences of those receiving services and the professionals who help them. (Munro 2011: 8)

## Conclusion

This chapter has sought to assist the reader understand the historical and current social policy and legislative context of social work with children and young people. This context often makes social work a controversial profession as it executes the power invested by legislation to intervene in family life and because of the complexity of the interventions it undertakes. At times these controversies have sapped the confidence of the profession, which is now waiting to see how the social work reform programme proposed by the Social Work Reform Board and the outcome of the Munro Review will strengthen their professional base and renew professional confidence.

The next chapter will consider what all this means for social workers currently employed in a children's local authority setting.

## Recommended further reading

Nigel Parton, *Safeguarding Childhood: Early Intervention and Surveillance in a Late Modern Society*, Palgrave Macmillan (2006)

In this book Parton critically assesses the latest developments in child protection thinking and practice, explaining how changes in philosophy and intervention have been informed by cultural, economic and political contexts.

Lorraine Fox Harding, *Perspectives in Child Care Policy*, Longman (1997)

This seminal text presents four different value perspectives on child care policy. Fox Harding discusses how these perspectives differ in their underlying values, concepts and assumptions concerning children, families, the rights and powers of parents and the role of the state.

Eileen Munro, *The Munro Review of Child Protection*, Department for Education (2011)

This publication sets out for discussion the characteristics of an effective child protection system and the reforms required that might help that system.