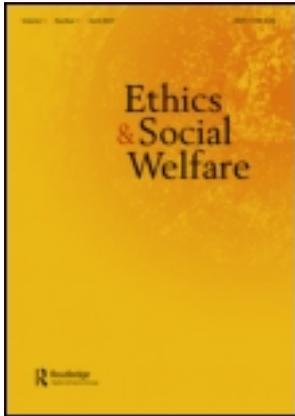


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Ethics and Practice in Child Protection

Hazel Davies

The young woman's eyes filled with tears as she spoke of her son Jake, 14, in foster-care now for the last four years yet continually asking to come home. Emmie was a buxom peroxide blonde in her late 30s who spoke with a pronounced Essex accent. 'They told me I was never going to get my kids back, so not to bother trying', she explained.

My solicitor told me that I didn't have a case to win in court, so I should consent to the care order. I always kept my access visits, but often they didn't have anyone to provide transport and supervise them, so they would just cancel the visit and then let me know, usually at the last minute. Jake would be terribly upset, but they never seemed to think it was important. The foster-carers have been very kind to me, but I was told that all my contact had to be supervised, so I never tried phoning. I should love to go to the school and meet Jake's teachers, watch him perform in school plays and other events, but I was told to keep away from the school and I don't want to cause trouble.

Jake has an elder brother who went into care at the same time as him but is now 17 and comes home whenever he wants, usually about three times a week. There is a third sibling, a girl a few years younger, who lives with her paternal grandparents. Emmie is happy with this arrangement, because she is welcome to see her daughter whenever she likes.

I know that I'm common, and that I got my life into a mess when their father left. I was smoking a lot of dope and sometimes taking amphetamines, so I didn't do much housework or shopping. I can understand why they said I was neglecting the kids. But since I was fifteen, all I ever wanted was a family, and it's the worst thing in the world to have your children taken away for ever. My life has completely changed since then, but Social Services have never wanted to know.

'Until now', I corrected her. Jake had made an allegation of inappropriate touching against his social worker, as a result of which the case had been transferred to a team from a different area. The new social worker who had just taken it over called in Parents' Aid because she could not understand why, in four

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years, reunification had never been considered. She realized that Emmie lacked assertiveness and needed an advocate and thought that we might be able to help. Emmie had always been dominated by others: emotionally abused by her mother, she had spent time in care herself. When she started her own family, still in her teens, her mother was quick to criticize, endlessly reporting her to Social Services, who took all the allegations seriously but failed to establish a dialogue with Emmie. When the children's father left, Emmie fell apart, and the authorities swooped. She was left to pick up the pieces on her own and, even when she began rebuilding her life, it appeared that none of the professionals noticed or cared. The Department had maintained open channels of communication with Emmie's mother, showing respect for her opinions, but marginalized Emmie herself, disregarding her views—a slightly bizarre bias given the history. Now, however, she had a social worker sitting next to her on the sofa, inviting her to ask for more contact. Inviting her to ring the foster-carers regularly. Inviting her to go to the school and sit with Jake during lessons when he played up. Suggesting she enrol for an assertiveness course run within walking distance. Suggesting she ask her doctor for a hair-strand test to confirm that she had now been drug-free for over a year. Inviting her then to instruct a solicitor to apply for a discharge of the care order, at which point the likelihood was that Jake would be returned to her on trial under the order. All I had to do was to make sure that this overwhelmed lady could really believe what she was hearing. Emmie's case was undoubtedly one of the most straightforward I've ever handled, yet it has left me distinctly uneasy. The outcome, although belated, was happy for everyone. But for the preceding four years, *what had gone wrong?*

Because child abuse sickens us so much, our tendency is to pass judgement on those responsible. And anyone who deliberately harms or neglects a child deserves to be judged. But most parents caught up in the child protection system love their children and never meant them to suffer; they have just lost control of their own lives to the point of being unable to meet their children's needs. Judging them serves to render them less than human in the eyes of the professionals concerned (is it easier to remove the children of people we consider less than human?) but the real problem is that apportioning blame does not help the children. Most children who go into care do not want their parents punished, they want them *redeemed*. Of course, not all inadequate parents are capable of change, but some—like Emmie—are. How are social workers best able to engage with parents whose care of their children has been called into question in such a way as to facilitate this transformation, if possible?

It is enlightening to contrast the approach taken by the social care team that originally had parental responsibility for Jake with that adopted by the transitional social worker who took over. Emmie had experienced parental abuse as a child and, for part of her youth at least, the local Social Services Department had stood *in loco parentis*. Accordingly, when that same local Social Services Department acquired parental responsibility for her own children in turn and, in the manner of an abusive parent, proceeded to *take choices away from her*, it never occurred to Emmie to stand up for herself or fight back. Her experience of

authority figures was that, if provoked, they could become vindictive. However, her reaction when the social worker who inherited the case engaged with her in the manner of a partner equally seeking a solution to Jake's dilemma—offering her praise, encouragement, options and the strategies to achieve her dream—revealed her total bewilderment, incredulity and joy. Emmie had not experienced affirmation from professionals before, yet she was now being empowered to take back everything of value that had been stripped away from her, not least her self-respect. The qualities that enabled Emmie to move on were the same qualities of which she had been deprived as a child and the very qualities she had subsequently failed to show her own children. Parents can learn to care more effectively for their children by having such nurturing behaviour modelled to them in their own lives.

Social care workers should never underestimate the power of their position. Not only do they have the authority of legislation and the state behind them, reinforced by their own professional training and innate skills; they are further armed with the omnipotence ascribed to them by frightened parents who know deep down that they have failed their kids. The puissance projected on to them by such parents is usually in a direct inverse ratio to their own sense of helpless inadequacy. This power can be used to expose error, to assist the vulnerable (both adults and children) and so to restore broken lives, or it can be used quite simply to destroy families. Destroying families is quicker, avoids any element of professional risk and requires considerably less effort, but is not normally in the best interests of the children, who may have been removed from the situation but are often left as scarred as their parents. And yet the only safeguard available to ensure that well-intentioned interventions do not inadvertently result in such deleterious consequences is an unswerving adherence to a code of professional ethics.

Hence the centrality of the *Code of Practice for Social Care Workers* and the *Code of Ethics for Social Work*, both 'bibles' that I believe all key workers should keep under the bed and in the glove compartment. Yet the efficacy of the principles enshrined in these documents to protect both workers and users from the consequences of unethical practice are sometimes called into question when care proceedings have been issued and the worker is an agent of the state. I suggest that the only morally valid position is the thesis that those social care workers who find impossible ethically-defined engagement with clients about to become their adversaries in court should not attempt it. Control of others can be philanthropic only when it is exercised by an agent who is himself in submission, not to the mindless power of an impersonal bureaucracy but to a set of values that he chooses to uphold whose integrity alone can provide justification for the invasion of a family's private life.

As Organising Secretary for Parents' Aid, a voluntary organization set up in 1989 to provide a package of support services to Essex families who either already had or were likely to become clients of the local Social Services Department, I am privileged on occasions to be invited to give a presentation about the work of the charity to Anglia Ruskin University students taking the

Social Work degree course in both Cambridge and Chelmsford. For one of these seminars, I was asked to draw up five key points guaranteed to improve working relations with parents in child protection and court situations. I should like to list them here, relating them to the ethical framework, for it is my hope that this will help illustrate its immediate applicability to the everyday business of social care work:

- (1) *Write reports that are both factually accurate and objective.* There's nothing more infuriating than hearing your parenting style criticized by professionals who can't be bothered to get your children's names and birth dates right.
- (2) *Take as much time to build a relationship with the parents as you do with the children.* It's necessary to be child-centred but you won't get a full picture if you assume a conflict of interests between their position and the parents'.
- (3) *Remember to treat gossip with extreme caution.* Social workers traditionally take referrals and gather information from every potential witness, but the neighbours of a 'problem' family who are stigmatized locally, estranged partners and many in-laws are not reliable sources of evidence.
- (4) *Don't back off from parents just because they seem hostile.* You would appear hostile too if you thought people might be coming to take your children away. Listen to them instead: as their anxiety levels come down, so will the defences.
- (5) *Try to be as honest and reliable as possible.* Always keep your word: keep the appointments that you have made and return telephone calls promptly. Admit mistakes when you make them: it's much better to retain the family's trust than to try to appear flawless.

These five points came to mind effortlessly, for they illustrate the five areas where parents most often take objection to Social Services' approach, the five areas most likely to cause parents' anxiety and anger to harden into belligerence. (1) Accuracy of detail in reports is crucial, because it shows that you have listened and that the family is sufficiently important to be deserving of professional effort. Sloppy reporting gives parents the impression that they're just not worth thinking about. (2) Building a relationship with the parents shows them respect and acknowledges the fact that they are the most significant people in their children's lives, the individuals whose efforts are shaping their circumstances. An exclusive child focus says to parents, *You don't matter. I'm only here because of the little ones.* (3) Listening to gossip can cause untold problems, because none of it is reliable and some of it will be malicious. Even respectable and concerned neighbours have been known to make the most bizarre and unfounded reports, (one suspects) because they enjoy the feeling of significance that this moment of power bestows on them. If you accept allegations uncritically, it tells parents that you would rather believe ill of them than reality-test. (4) Parents are frequently criticized in social care reports for showing hostility in their interactions with the Social Services. Yet remembering

the massive power imbalance inherent in these respective roles, what would you think of any animal that allowed a potential predator near its young without showing its fangs? And, unfortunately, parents at risk of social exclusion normally *do* regard social workers as potential predators. The instinct underlying this hostility is actually the desire to protect their children from harm, albeit in a confused and irrational form. (5) Being straight down the line is the best way to convince parents that you are not a predator at all, but a professional who genuinely wants to work with the whole family. When all your dealings demonstrate respect for your clients and integrity of approach, parents' suspicions will gradually be undermined and replaced with relief. If you can only win their trust, struggling parents are likely to become touchingly open to all your interventions.

These five points are to be found embedded in the *Code of Practice for Social Care Workers*:

- 1) **Code of Practice:** As a social care worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills. This includes (6.2): Maintaining clear and accurate records as required by procedures established for your work.
- 2) **Code of Practice:** As a social care worker, you must protect the rights and promote the interests of service users and carers. This includes: (1.1) Treating each person as an individual; (1.2) Respecting and, where appropriate, promoting the individual views and wishes of both service users and carers.
- 3) **Code of Practice:** As a social care worker, you must protect the rights and promote the interests of service users and carers. This includes: (1.4) Respecting and maintaining the dignity and privacy of service users. As a social care worker, you must uphold public trust and confidence in social care services. In particular you must not: (5.3) Abuse the trust of service users and carers or the access you have to personal information about them or to their property, home or workplace.
- 4) **Code of Practice:** As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers. This includes (2.2): communicating in an appropriate, open, accurate and straightforward way. As a social care worker, you must promote the independence of service users while protecting them as far as possible from danger or harm. This includes: (3.1) Promoting the independence of service users and assisting them to understand and exercise their rights.
- 5) **Code of Practice:** As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers. This includes: (2.4) Being reliable and dependable; (2.5) Honouring work commitments, agreements and arrangements and, when it is not possible to do so, explaining why to service users and carers. As a social care worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills. This includes: (6.4)

Seeking assistance from your employer or the appropriate authority if you do not feel able or adequately prepared to carry out any aspect of your work, or you are not sure about how to proceed in a work matter.

The *Code of Ethics for Social Work* speaks in more general terms, but the duty to protect the rights of vulnerable clients, even when they make the discharge of that duty difficult, is repeatedly underlined:

Social workers will ... seek to safeguard and promote the rights and interests of service users whenever possible. (*Ethical Practice*, 4.1.1 (c))

... Not reject service users or lose concern for their suffering, even when obliged to protect themselves or others against them or to acknowledge their inability to help them. (Ibid. 4.1.1 (e)) (E.g. you don't stop supporting a family just because Dad punches you on the nose when he thinks you've come to remove his child.)

Social Workers will ... (a) Assist people using services under compulsion to attain as much autonomy as possible;

(b) Inform them of any limits to their right to refuse services, and will advise them of any requirements to share information about them with others;

(c) Encourage them to participate in decision-making;

(d) Have a duty to acknowledge the impact of their own and their organisation's informal or coercive power on involuntary and potentially involuntary service users. This applies for example when the social worker is monitoring a service user's behaviour and there is a possibility of seeking powers of compulsion. (Ibid. 4.1.5, Services provided under compulsion.)

Principles such as those defined above distinguish good social care work from bullying. Principled social work practice is marked by the following key characteristics: it is independent of personalities; it makes no attempt to belittle opposition (e.g. with anger or sarcasm); it is consistent in its priorities; it is congruent in its approach (i.e. it does what it says, and it takes no pleasure in the exercise of its superior power). These characteristics are recognizable even by clients who are educationally challenged or who may appear to lack insight: they can easily perceive when a professional is adhering to a self-set standard that transcends differences of opinion and prohibits the possibility of a private war. The awareness that their social worker is loyal to a canon of ethics despite the challenges presented by difficult clients and the temptation in certain cases to adopt a 'them-and-us' position instinctively evokes respect and trust from clients. The social worker who took over the management of Emmie's case following Jake's allegations, for example, demonstrated a principled approach. She sought an advocate for the unconfident mother, whom she encouraged to request increased contact to her accommodated son and to obtain evidence that her lifestyle was now drug-free. She further suggested that Emmie take an assertiveness course and instruct a solicitor to apply to the court when

appropriate for a discharge of the care order, demonstrably empowering her new client. This practitioner was not attempting to score points or gain any advantage; all she wanted to do was to utilize the system to get the best outcome for the child. And Emmie recognized it, instinctively.

Of course, most social workers endeavour to practise these principles most of the time, but they are doing a tough job; under pressure, the highest aspirations can sometimes be compromised. That is where an organization such as Parents' Aid can come to everybody's assistance, reminding clients of the quality service to which they are entitled as citizens and, occasionally, local authorities of the elevated standards which they have set themselves in their professional *Codes* and up to which they are accordingly bound to live, for the sake of the young people whose protection is their responsibility.