

SERVICE USER FEEDBACK SOCIAL SERVICES INVESTIGATION PROCESS

Abstract:

A text analysis of service user feedback from FASSIT website and support forum. Participants (N=100) were able to register anonymously, thus protecting confidentiality for the purposes of this research. Emotional loading was removed from the research by focusing on key issues relating to the perception of the relationship between participants and the Local Authority [LA], Social Services Department [SSD], Social Workers [SW] and allied agencies. Primary issues arising from this research were: legal protection from abuse by State agencies for parents and children in need; lack of a visible framework for assessment with the rights of participants under the investigation process; lack of accountability within LA's for their SSD and SW actions; conflict between political and financial incentives for LA's in adoption; lack of provision of support as a first line defence against accommodating children; inaccessible, complex and apparently biased complaint systems.

Scope:

The following is a qualitative text analysis from FASSIT online support forum. The forum exists for parents, carers and others directly affected by Social Services intervention in their family life as a result of an investigation under the Children Act, 1989. Participants remained anonymous (with few exceptions) due fear of reprisal or retaliation by the Local Authority, the Social Services Department, and/or individual social workers.

This document looks only at the lived experience of those going through a number of processes either instigated by Social Services or as a direct result of these. Participants were in various stages of separation from their children (i.e. voluntary care, interim care orders, full care orders, freeing orders and adopted) or in various stages of an investigation (including under S.47 of the Children Act, 1989; Child Protection) and subsequent complaint processes.

FASSIT moved its website and support forum from a Yahoo based system to give greater flexibility, control and protection for the members in 2006 and so it was decided to use only posts from August/September 2006 for the purposes of this research.

Methodology:

Participants contributed their experience(s) of working with Social Services Departments, Local Authorities, Social Workers and allied agencies including Courts and complaint organisations. Only where consent was obtained, via FASSIT were contributions included. All contributions, in italics, are taken directly from posts on the website, abridged where necessary and with removal of any data that would lead to identification of the participant, their family, the Local Authority or any professional engaged in the cases.

This research used text analysis of posts on the FASSIT support forum along with published material on the FASSIT website (www.fassit.co.uk). The primary aim was to look for commonalities within the participants' experience of social services and as such this was a subjective analysis.

RESULTS:

Perceptions of Social Care and Allied Agencies:

Generally both SSD's and SW's were viewed as powerful organisations that operated on 'secret agenda'. Decision making was viewed, in the absence of any reasoned argument to participants, as based on 'cost effectiveness', 'political objectives'¹ and to achieve 'Star Ratings'² rather than to provide services and support to families in need.

"Do they help us? No they don't, they flap around like chickens with no heads they know their budget is well overstretched; the thought of yet another family draining the local authority resources seemingly is a fate worse than death... All professionals have already made their mind up but you state your case, despite the intense feeling of victimization you find your backbone and you state your case. God help you if you're actually making a valid point and you actually get somewhere as they set about you like a hungry pack of wolves... (FB, Forum: 10/08/06).

" [I] think this is part of the problem, they've stopped looking at us as individuals, you know, flesh and blood people that they could actually enjoy improving the lives of... all they see is the support that child/adult needs and if they are in need they run like hell... if you pursue their help and question their disinterest it's then they turn the tables on the very people they are meant to support..." (CG, Forum: 25/08/06).

Many participants expressed fears that economic pressures on Local Authorities, both in terms of the cost of accommodating children and the financial benefits of having them adopted, seemed to encourage SSD's to 'look for reasons to remove children from their families' rather than providing support and assistance.

"[Supporting parents who know they need help] this is where the social services are needed... but instead they realise these people are having problems, and instead of guidance and help, they rub their hands with glee and mentally picture this child in a copy of adoption weekly." (ST, Forum: 19/08/06).

Even social workers were using the site to air grievances against the current system:

"There are bad social workers who actually benefit from the current systems because the good ones are too frightened to speak out and so either put up with the abuse that they get, leave or become ill. Most social workers I know want to really support families but cannot find their way through all the ridiculous bureaucracy." (SW, Forum: 10/08/06).

Social workers were, in general, viewed as detached from the realities and hardships of life for those on poor incomes, single parents, or for those with disabilities (especially learning disabilities) or mental health problems.

"The system seems to be here to PENALISE parents for being "different" i.e. disabled or a learning difficulty and many other reasons. All social workers seem to do is assess families on tick boxes. They need to wake up because life doesn't work on a criteria. All they seem to think is that everything is black and white for example a child has a bruise. It doesn't occur to these so-called professionals that the child fell over during play these people assume that the parents have harmed the child in some way." (FB, Forum: 09/08/06).

¹ 40% increase demanded in Adoption via through Public Service Agreements (Local Authority Circular LAC (2001) 33).

² The Performance Fund (LAC (2003)3)

[CG received psychotherapy for childhood abuse] "I guess I just thought they [SS] knew better than I did... One thing I learnt [through therapy] was not to be afraid to ask for help... The first hand I reached out for someone to help and the SS crucified me... ...[And my fear is] they haven't finished with me yet". (CG, Forum: 19/08/06).

Communication was targeted with many participants disagreeing with minutes of meetings (if and when these arrived) or with the way in which comments had been taken 'out of context'. Universally participants pointed to the difficulty they had in seeing what had been written about them.

[ST had just been criticized by her SW in a Child Protection Meeting for watching a documentary about pedophiles with her daughter.] "My solicitor was about to say something when I piped up Ms SW [name omitted for confidentiality], two things... One, the program was shown before the watershed on a day during a half term holiday. I taped the programs (there were three in all) and sat with my daughter to show her parts I thought were appropriate to help her to see she wasn't the only one to have gone through such a terrible ordeal [abuse]. Two, do you remember giving me these papers? (I hand her some papers she gave me filled with 'useful' advice which included sitting with your child to watch the news, which may include stories about murder and rape). She read them, went a bit pale, and nodded. (I quote directly from the page here) 'Sit and discuss with your child any feelings they have or subjects that come up as a consequence. Then I calmly asked if rape and murder were more preferable a subject than child abuse. Total silence. Following which, my solicitor started clapping and said, "I'm glad I'm on your side." Oh yes... there was a distinct LACK of that part of the meeting from the minutes." (ST, Forum: 27/08/06).

"I first applied for my files in January 2003, within a few days they sent me a letter confirming my request. I received my files on 14th June 2004. Who ever edited my files to black out third party information was extremely over zealous. Examples of information blacked out: My mother's feelings towards me; my siblings names and dates of birth; and where they were placed, they were in the same home as me; places where I had lived and worked as a teenager and young adult; family history; my own daughter's name and date of birth, and even my own date of birth. ...[It says that] in 1972 I was 5 months pregnant. This is a not true. I was also supposed to be an alcoholic and a heroin addict – this is not true. The social worker wrote "we do not expect VT to live beyond the age of 30". I know about the data protection act and the Commissioner. I know I have rights, but I think I need legal help. Can anyone point me in the right direction?" (VT, Forum: (18/08/06)

SSD's were seen to use 'coercive' tactics to extract 'admissions' of social worker suspicions or to put participants off making or following complaint procedures.

"...SS [had] cut our contact... [and] restricted communication to/from the carers... The SW wanted to discuss the case and contacted us suggesting a meeting... Time, we thought, to start compiling some questions to ask. ...The meeting started off fine but after 30 minutes or so, the SW look[ed] decidedly uneasy. ...his arguments were crumbling... After a bit of verbal tennis he said if we wanted to discuss some of the issues we raised then he would... in a separate meeting [with] his manager present as it was she who ran the case and not he... We managed to get him to re-instate the contacts he had argued vehemently to cancel and got him to reconsider some other decisions... we had made significant gains. Following this [meeting we were informed that], they [had decided to] cancelled 4 hours of contact next week, 4 hours of contact the week after and 2 hours/week for the 2 weeks that followed (cuts of 12 hours). The solicitors have read the minutes and all agree; this was nothing short of retaliation. The word from LA legal: "I would direct your client to the social services complaints procedure." The question is how they will retaliate the next time." (SL, Forum: 25/08/06).

“A few weeks ago I sent a letter to [the] City Council (the complaints department) highlighting further concerns about the SS and our case and the issues were brought up in the next LAC review and guess what was said: “If you insist on writing any more letters then they will have no option but to put your son into foster care”... They also expressed concerns about their manager receiving these letters.” (MC, Forum: 22/08/06).

[JM had secured legal advice and wanted her solicitor present before she signed any legal documentation...] “With me and my partner refusing to sign the... form without our solicitor the SW is now saying that if we want our bus tickets reimbursed from contact... we have to sign the form... We don’t know what to do. We don’t mind paying for the bus tickets to see... our daughter, but we can’t afford the bus fares every day.” [The child is accommodated out of area] (JM, Forum: 11/08/06).

Frustration was widely reported in that individual SW’s and whole departments claimed they wanted to work ‘with’ families and yet if participants questioned, expressed reserve or concern, or disagreed with the ‘plan’ then they were variously considered ‘uncooperative’, ‘unreachable’, or ‘emotionally unstable’ and this was then seen to be used against them at meetings.

“My partner and went [to a contact meeting with our baby daughter]... with my nana as she is allowed access... [The] SW came in and said my nana wasn’t allowed access as we have not arranged it with them even though we did as we had changed the venue so my nana could come... So the SW said that she [nana] could have ten minutes [and asked me to leave to room to talk to her] ...I asked if I could record her [the SW] and she said no as I wouldn’t want to after I heard what she said. ...The SW said that if me and my partner don’t stop playing games with SS she will put the baby up for adoption as she can find adoptive parents for little girls really quick and easy.” (JM, Forum: 09/08/06)

“In a conversation with one of the family centers we commented on it [our treatment at the hands of SS as] being emotional abuse to all concerned.... The centre staff were quite open about this, stating that in our position that we should get used to being abused by Social Services and that if we were to crack or need counseling / support that we should get this in such a way that Social Services cannot see otherwise it will be used in court to infer that we cannot cope under pressure.” (SL, Forum: 13/08/06).

Allied agencies (such as Child and Adolescent Mental Health [CAMHS]) were variously seen as “supportive behind the backs of the SSD but submissive in multi-agency meetings” or “approaching issues from the viewpoint of supporting the SSD’s suspicions”. Again, there was the impression that decisions and opinions were formed ‘behind the backs of parents and children’ and that this surreptitious behaviour did not foster trust.

“I found that separately all the agencies bar SS were basically on my side and disapproved of what the SS were doing... but once in the conference, under the beady eye of the SW and the ex-SW chair, they withered like winter pansies in the desert. Not one of them DARED to stand up and be counted, it was as if they were scared to be the odd one out, and with the SW being the first to give her bit, they all looked at each other, looked at me, and followed her like... sheep. I think the SW should speak LAST. And the chairs are supposed to be independent but where do they live? In SS buildings... and what are most of they’re past employments? SS related. Independent? My arse.” (ST, Forum: 26/08/06).

“There are parents out there who may need counselling for something like postnatal depression. How can these mums get well if everything that they are saying during counselling sessions is fed back to social services. This is exactly what happened to me! I moved out of the area after the children were removed, started some more counselling...

and told her [my new counsellor] what was going on. ...I had paranoid thoughts that all my info was "being fed to the enemy" and when I got my records it was! The counsellor up here was disgusted and reassured me that everything was confidential].” (FB, Forum: 09/08/06).

None of the participants felt that investigation into child abuse should never happen, though there was debate about whether SSD's were able to manage the conflicting interests of their role or whether this aspect was better catered for elsewhere.

No one wants to scrap the SSD and remove protection for children... I didn't smack my child, I didn't burn my child with cigarettes, I didn't sexually abuse my child. I asked for help!” [ST's child is now accommodated]. (ST, Forum: 02/09/06).

“Any police officer turning up to Court with the 'opinion' that the accused was a 'burglar' or insinuating from their lack of cooperation in the investigation process that this PROVES that they are a 'burglar' would be laughed out of court, especially if there was no evidence to back this up.... if a police officer hounded an individual week-in-week-out and refused to believe any of their story or explanations, threatened to remove their family then there would be no chance of the case even making the court. Why then, when we are actually talking about legal processes, are SSD's immune to following the same rigorous standards and guidelines as the police? The time has come for a wholesale re-evaluation of how services are provided to children and families and I believe that as a must the two distinct roles (being: a) service provision and support; and b) child protection and investigation) MUST be separated. CP must fall within a legally responsible and accountable body that operates to 'due process' in its entirety!” (KT, Forum: 28/08/06).

Categorisations and definitions of abuse were not standardised or available for participants to understand. This coincided with reported arbitrary levels of evidence to support social worker 'fears' of abuse. Some were concerned that SSD's were guilty of the very thing they were trying to stop and found the whole experience 'emotionally abusive'.

“How can we "work" with social services if everything we say is collated, twisted and used as evidence in care proceedings? To be able to work with a professional agency you need trust. How can you trust agencies if everything innocent is misinterpreted as child abuse!” (FB, Forum: 09/08/06).

[ST had acknowledged that she needed help with her daughter who had suffered abuse.] “I did ask for help but SS told me: you're coping the best you can under the circumstance; there are no services for your situation; you will just have to live through it; there is no money available for the services you are asking for [support for ST and therapy for her child]... Then [the] SW found out that I had been abused... [The] SW then used this fact to hurt me more terribly than I'd been hurt before.” [Subsequent to the disclosure of ST's own abuse her child was placed on the At Risk Register under 'potential emotional neglect and then accommodated]. (ST, Forum: 19/08/06)

“During my involvement with SS, when all else failed for them they 'explored the postnatal depression I had 13years previously. It was spoken about in court as though I had been a serial killer. (I was treated effectively by my GP and had recovered completely within a year). What emerged last night was that the social worker had repeatedly told my daughter (then aged 13) that I didn't love her or want her back as I had never been able to love her... she told me of her distress at being told this and her mixed up feelings as she looked for signs that this was true.” (CY, Forum: 05/09/06)

Faith in government appointed watchdogs was low (almost non-existent); with poor understanding of the role and function of the General Social Care Council [GSCC] and Social Care Inspectorate [SCI]. Complaint procedures were seen as biased and flawed as they were hosted within the Local Authority that was being complained about and thus left participants open to the threat of retribution or retaliation.

"I am so fed up... I made a stage 2 complaint to SS and I got the report back today... [FB felt that the testimony of the SW was less than honest and accurate and that there were procedural issues in the conduct of the complaint] ... The investigator NEVER interviewed me or my husband but interviewed... [the] social worker. They [SS] made a statement to the "independent" investigator and I have evidence here to prove that this [is false]! ...How can you have a fair investigation if the person making the complaint can't have their say!" (FB, Forum: 07/08/06).

"What chance do we as parents have, we know what's going on and there are many of us yet we are silenced at every opportunity, we fall predictably at each obstacle that is thrown in our path by the professionals, by authorities, by [social workers]." (CG, Forum: 08/08/06).

"Trying to work out who deals with what is very difficult, each of the 'statutory' bodies deals with a different thing. On the GSCC website it says that you should go through a local complaints procedure, which seems silly. As for the SCI [social care inspectorate] then my advice is just complain anyway and see what they do." (KT, Forum: 17/08/06).

OBSERVATIONS:

Procedural Inequalities - barriers to inclusion:

Many of the respondents had thematic/procedural concerns that were shared across a variety of contexts:

1. Clarity of Process, Procedure, Accountability and Responsibility:

Overall none of the participants had been given a copy of any process document relating to their situation. Particular concerns raised were:

- i. No visible timetable for stages of the investigation;
- ii. No visible outline of the procedure(s) to be undertaken;
- iii. No visible ownership of the process (i.e. was it SW, Senior Practitioner, or Manager);
- iv. No visible accountability for the duration of the investigation or actions taken;
- v. No visible, accessible, responsible officer to whom participants could request the above information.

The result of the above was participants feeling 'adrift' in a process that changed at the whim and will of the SSD. A procedure against which participant could not take issue as it was not visible. The absence of a responsible officer meant that participants could not approach or complain about a 'named' person for and on behalf of the whole process. Without knowledge of the stages and timetable for the investigation, again, participants

were left in a 'limbo' where at points some felt the whole thing would be 'never ending'. Participants did not feel that decision taken were 'justified' at all to them - reports were used as instruments of driving decisions and actions which then were not communicated, in any meaningful way to the participant.

A further consequence of the above was confusion over participant rights to legal advice; this was mixed with the difficulty of negotiating the current legal services funding system. At no point were any of the participants counselled that they had a right to legal advice unless they were arrested.

2. Communications strategy, minutes and notes:

The current policy of SSD's not to share their notes routinely, freely and openly with participants led to avoidable differences between participant recollections and the official minutes and notes of meetings. Quotes from participants 'out of context' were often contained and many participants observed that some minutes were actually self-contradicting. All of the SSD's case files were seen as 'intellectual property' whereby the participant had no right of access other than via the Freedom of Information Act and that this could not be achieved mid-investigation.

Many participants felt that professional networks worked covertly to 'agree an agenda' before facing them and that during these meetings professionals with any sympathies for the participant were encourage to show a united front with the SSD.

Often participants were aware of the use of third party information presented, as first hand accounts and the difference between opinion and fact were not made clear. Participants did not feel they were given any or an adequate opportunity to counter such information or to place it within the overall context of where such comments were made.

Chairs of Child Protection Meetings were universally seen as hostile and unsympathetic, often being viewed as belligerent and unwilling to allow participants time to express their opinions.

The current execution of the Freedom of Information Act left a lot to be desired with many participants experiencing unacceptable delays (some of over a year) before getting their notes and then these being only partial or with 'irrational' blacking out of parts of the text.

CONCLUSIONS:

Overall the impression coming out of this support site is one of a failing social care system that is adopting an approach of targeting vulnerable, poor and less educationally able families to increase their star ratings through achieving targets at their expense.

Official support mechanisms are viewed with fear and hostility (presenting barriers that prevent and/or dissuade families from seeking access to such services) and these fears seem well founded within the experiences of the members of this forum.

Comments and criticisms are not limited to a single SSD but are generic and experienced across the whole institution of social care within England and Wales and include heightened anxiety and distrust of multi-agency networks.

Complaint systems and government standards agencies (i.e. GSCC and SCI) were poorly advertised, with confusing eligibility criteria and lack of clarity over responsibilities. All complaint processes seemed to insist on complainants first using the LA complaints mechanism.

DISCUSSION:

The failures of child protection services receive huge public attention and this has been seen as instrumental in diverting attention and funding away from actual cases of harm. It was seen as encouraging SSD's to use self-referral or inter-agency referral as a point at which to actively seek abuse within specific families who were, are and will remain vulnerable to unwieldy bureaucracy of the type that is seen to infest SSD's.

Far from acceding to their stated intention of 'enabling social inclusion' and 'developing better structures for the benefit, wellbeing and protection of children' current government policies (including financial initiatives for LA's to increase rates of adoption) are, from the experiences of this forum, driving marginalized, socially vulnerable and poor families further away from accessing basic help and support services (including mental health and community care) to enable them to provide a loving and stable environment for their children.

As a consequence it could be argued that SSD's are needlessly increasing certain of their caseloads by pursuing spurious or ill-supported investigations against vulnerable families who have limited educational capacity. This is whilst SSD's are claiming they have insufficient funds to do supportive work.

SSD's are observed to use apparently confrontational and adversarial approaches to such families, often with hostility and threats to force compliance to invisible processes. As such SSD's are losing a valuable opportunity to make allies of these parents and to work with them to avoid accommodating or adopting their children.

It would be easy to use educational elitism and cynicism to deride and attack these parents – however – this is the type of oppressive practice modern social work theory hold in greatest contempt (oppressive practice).

It seems unreasonable to expect, whilst going through a major emotional life trauma, clients to raise their level of understanding and communication to that of the educated, relatively affluent and powerful echelons of state and other service providers.

The ethos of 'inclusion' is to enable and empower individuals in their own lives and to see themselves as socially valuable. Measuring such lofty ideals in simplistic terms of economic contribution and educational achievement seems a mute point to these families.

Society cannot change overnight and as history has seen such changes are 'led' not 'driven' and the one thing this country lacks is leadership of the kind that would engage the populous in cultural change!

Whilst one acknowledges that not every SSD investigation is without reason or without just cause it is the execution of these investigations that cuts to the very heart of the concerns on the forum. The number of such online forums and organisations dedicated to supporting, advising and campaigning against social care agencies is increasing and FASSIT is one of these sites.

It would appear that an environment of 'paranoia' has institutionally invested itself in child protection protocol, which stems as much from 'limiting professional culpability' as it does from a genuine desire to protect children.

Without professional detachment or objectivity and with no dedicated support system aimed at enabling the investigated families to make their voices heard then the picture of the current functioning of SSD's and other such services is positively draconian.

If the current system continues to allow 'opinion' to take primacy over fact and evidence to control the destiny of children in this country then the view from this forum is that we, as a society, need to be concerned about the future of the values, liberties and freedoms we hold dear!