

**K271\_1**

**An introduction to social work law**

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## Introduction

In this free course, An introduction to social work law, you will consider the role of social workers and the values that shape social work practice. You will be asked to examine some of your preconceptions about social work and the law and reflect upon your own views.

The course will explore the relationship between social work practice and law and will be of relevance to people interested in social work internationally, although it will draw on legislation from a UK context.

So why do social workers need to study law? That’s a question many people studying social work ask. Some may even have a preconceived idea that the law is all about courtrooms and people in wigs.

Start of Figure



**Figure 1** Judgement

[View description - Figure 1 Judgement](" \l "Alternative1)

End of Figure

Whilst this is partly correct, we are all governed by the law in both our personal and professional lives. The aim of this course is to help you to understand the importance of law in social work practice. As you progress through this course you will discover that the law provides social workers with the power to make great changes in people’s lives, and that with that power comes great responsibility.

This OpenLearn course is an adapted extract from the Open University course [K271 Social work law](http://www.open.ac.uk/courses/modules/k271).

## Learning outcomes

After studying this course, you should be able to:

* recognise what social work is and what a social worker does in their role
* reflect critically on the ways the law can support social work values of anti-oppressive and anti-discriminatory practice.

## 1 What is social work?

In this section you are going to think about what a social worker is and what they do. You will then think about perceptions of social work and why it is important to challenge preconceptions, both your own perceptions and those of the people you work with, including other professionals and service users and carers.

Start of Figure



**Figure 2** What is the role of a social worker?

[View description - Figure 2 What is the role of a social worker?](" \l "Session1_Alternative1)

End of Figure

## 1.1 Perception(s) of social work

The first step in your studies is to understand what is meant by ‘social work’ and ‘social worker’. You may already have an idea of what these terms mean, but are your ideas shaped by preconceptions, perhaps misconceptions?

In Activity 1 you will explore your own and others’ preconceptions about social work. This activity will help you to identify some of the attitudes you and others may have towards social workers and their role in society.

Start of Activity

**Activity 1 Exploring attitudes to social work**

15 minutes

Start of Question

Write up to five words or phrases, or draw images that come to mind when you hear the term ‘social worker’. Try to put down words or phrases that you associate with social workers; or you could ask a friend or family member for their response.

A social worker ...

End of Question

*Provide your answer...*

Start of Question

Now separate your responses into positive and negative attributes. Ask yourself what may have influenced your observations and note this down in the last column.

Start of Table

Table 1 Your positive and negative observations of social workers

|  |  |  |
| --- | --- | --- |
| **Positive** | **Negative** | **Influence** |
| *Provide your answer...* | *Provide your answer...* | *Provide your answer...* |

End of Table

End of Question

Start of Question

Finally, what impact do you think each perception might have on social work practice?

End of Question

*Provide your answer...*

[View comment - Part](" \l "Session1_Discussion1)

End of Activity

## 1.2 Role of a social worker

Having considered what your perception of a social worker is, you are now going to consider the role of a social worker and the work that they do on a day-to-day basis.

Start of Activity

**Activity 2 What does a social worker do?**

45 minutes

**Part 1**

Start of Question

Visit the [British Association of Social Workers (BASW)](https://www.open.ac.uk/libraryservices/resource/website:116758&f=30382) website. To avoid losing your place in the course, if you are studying on a desktop you should open the link in a new tab or window by holding down Ctrl (or Cmd on a Mac) when you click on it. If you are studying on a mobile device hold down the link and select to ‘Open in New Tab’. Return here when you have finished.

BASW is the representative body for social work and produces a Code of Ethics for members. It is not, however, the legal regulator of social work.

Explore the types of roles that a social worker can do and the organisations where social workers are employed. Are there any particular roles that you are attracted to?

Now having considered the range of roles that a social worker might undertake, watch the two videos in Part 2 to explore the actual work of a social worker in more depth.

End of Question

**Part 2**

Start of Question

Watch the following two videos from the Social Care Institute for Excellence, an organisation that provides training and resources for social care and social workers across the UK. While these videos explore the work of social workers in England, the role is broadly similar across the UK, except that in Scotland there is a third key area that social workers may work in, and that is as a Criminal Justice Social Worker.

Whilst you are watching think about your preconceptions of what social workers do and whether that is consistent with the social workers in these videos.

Start of Media Content

Video content is not available in this format.

**Video 1** Social work in an Emergency Duty Team

[View transcript - Video 1 Social work in an Emergency Duty Team](" \l "Session1_Transcript1)

Start of Figure



[View description - Uncaptioned Figure](" \l "Session1_Alternative2)

End of Figure

End of Media Content

Start of Media Content

Video content is not available in this format.

**Video 2** Social work with older people

[View transcript - Video 2 Social work with older people](" \l "Session1_Transcript2)

Start of Figure



[View description - Uncaptioned Figure](" \l "Session1_Alternative3)

End of Figure

End of Media Content

End of Question

[View comment - Part 2](" \l "Session1_Discussion2)

End of Activity

It is important to understand that while the types of social work roles vary greatly, having professional values is the crucial element of social work practice. In the next section you will consider some of the key professional social work values and how they impact on practice.

## 2 Social work values and ethics

Throughout this course you will reflect upon social work values, their meaning, their impact on practice and the legal framework relating to them.

The values that you will consider are based on the following concepts:

* rights and responsibilities
* partnership
* accountability
* empowerment and anti-oppressive practice
* respecting diversity and responding appropriately to difference.

Social work values are core to practice. The following sections and activities will help you to start thinking about what these values mean for social work practice.

## 2.1 Rights and responsibilities

You will see that often rights and responsibilities are linked. For example, with the right to a free education in the UK comes the responsibility of a local authority to provide schools and a responsibility placed upon parents to ensure their children attend school.

### Rights

‘Rights’ is a word that can be used in many ways. Lawyers use it to indicate that a person has a specific entitlement – for example, the right not to be dismissed unfairly from their job, or the right to sue for damages if they have been injured in an accident that was not their fault.

Other professionals talk about rights in a more general sense. For example, many celebrities claim that they have a ‘right’ to privacy; such ‘rights’ may be recognised in law, but often are not. Another example might be an adult believing that they have a ‘right’ to inherit property or possessions from their parents; in law, however, no such right exists.

In this section, you will find that the idea of rights is used primarily in the sense of legal claims that people can make. For example, people have the right to a private and family life by virtue of Article 8 of the European Convention on Human Rights (ECHR), which was brought into UK law by the Human Rights Act 1998.

However, there are significant debates about whether other ‘moral’ rights should be enshrined in law. Social workers need to be careful when using the language of ‘rights’: as it must be clear in their practice with people whether they are talking about a legal right that can be enforced by using the law or a moral right which cannot.

As social workers have to protect rights and promote the interests of service users, they are concerned with both legal and moral rights.

Start of Activity

**Activity 3 Rights**

15 minutes

Start of Question

Consider the following scenario and answer the questions that follow. You are not expected to know about the legal issues. The purpose of the activity is to help you to start thinking about the language of rights and how rights rarely exist without corresponding responsibilities.

Start of Case Study

A concerned neighbour has contacted social services about Callum, a 45-year-old man. Callum has recently lost his partner following a lengthy illness and is known to suffer from depression. Callum has told his neighbour that he has nothing to live for and wants to die in peace.

A social worker visits Callum at home but he refuses to let them in.

Start of Figure



**Figure 3** Right to enter?

[View description - Figure 3 Right to enter?](" \l "Session2_Alternative1)

End of Figure

End of Case Study

1. Does Callum have the right to end his life?
2. Does the social worker have responsibilities towards Callum, for example to ensure Callum does not end his life?
3. Does Callum have the right to refuse to talk to the social worker, or even allow them into his home?

End of Question

*Provide your answer...*

[View comment - Activity 3 Rights](" \l "Session2_Discussion1)

End of Activity

### Responsibilities

Social workers have legal powers and responsibilities to protect certain individuals. For example, a mental health social worker has the power to make an application to detain those with a ‘mental disorder’ for the protection of their own health or that of others. This power is often provided by mental health legislation. So, in certain circumstances, mental health workers may have a duty to enquire into the mental health and welfare of individuals and have the power to obtain access to a person’s property and to take them to a place of safety without their consent.

Start of Figure



**Figure 4** Responsibility to protect the vulnerable

[View description - Figure 4 Responsibility to protect the vulnerable](" \l "Session2_Alternative2)

End of Figure

There may be times, therefore, when there is a tension between a person’s autonomy and the need to protect the person. Deciding what action is necessary may also be contested. For example, social workers may have a responsibility to ensure that the welfare of adult service users is protected, while also respecting their rights to autonomy, privacy and self-determination.

An example might be a person who has dementia. While they may struggle to make decisions about complex issues such as financial matters, it cannot be assumed that they do not have the capacity to make any decisions, such as where they should live. The social worker has a responsibility to ensure that the person’s right to make decisions they are capable of making is protected and enforced. If the social worker does have to make a decision for or on behalf of a person with dementia (this is called a ‘best interests decision’), they have a responsibility to ensure that they make the decision without being influenced by other factors, such as resources or funding.

The social worker will normally be accountable for the decision they make, in that they will have to explain the reasons for making it and can be held to account if they do not exercise their responsibilities in the proper manner.

## 2.2 Rights and responsibilities in conflict

The issues of rights and responsibilities are central to the social work task, and understanding how the law frames social work practice can be important in resolving the dilemmas that arise in practice. Social workers often have key responsibilities for the welfare of children and adults, but they are also required to respect their rights. These responsibilities may coincide where people ask for help; but they can also conflict, where a service user’s interpretation of their own needs does not coincide with the professional’s view. For example, a person with dementia who wants to remain living at home when the professionals feel it is not safe.

It is in these situations that the duties and powers of social workers to intervene in a person’s life are very apparent. Social workers need to think about how to take into account the rights of service users at the same time as working with them to protect their interests. Working with service users in a way that promotes partnership and empowers them is therefore a crucial aspect of social work practice, and you are going to examine these values next.

## 2.3 Partnership

Good practice demands that work takes place on the basis of partnership. ‘Partnership’ means, as far as possible, respecting the fact that service users, their advocates, and carers and other stakeholders may have a legitimate interest in the decision-making processes that affect their lives. Sometimes there can be a legal requirement to work in partnership with service users (e.g. working with the parents of children being provided with accommodation by the local authority) and with other professionals and agencies (e.g. the police or education authorities).

The social worker is often in a position of authority: a position that is inherently powerful. For example, a social worker who is working with an adult who has mental health issues has the power to take action, which will lead to the service user being admitted to hospital against their will. It could be argued that working in partnership with service users in such a situation is more about ensuring that the service users have the opportunity to voice their views and have the necessary knowledge to hold social workers and their agency accountable if their views are not actively sought and, at the very least, taken into account.

Start of Activity

**Activity 4 Conflict and partnership**

25 minutes

Start of Question

In this activity you are going to hear from Marina, a family-support worker who works with families in which the parents are drug users.

Listen to the interview with Marina and then consider the following questions.

Start of Media Content

Audio content is not available in this format.

**Audio 1** Interview with Marina

[View transcript - Audio 1 Interview with Marina](" \l "Session2_Transcript1)

End of Media Content

1. What are the main challenges for Marina in working in partnership with children and families where the parents abuse drugs or alcohol?
2. How does Marina deal with those challenges on a daily basis?

End of Question

*Provide your answer...*

[View comment - Activity 4 Conflict and partnership](" \l "Session2_Discussion2)

End of Activity

## 2.4 Accountability

Anyone who is in the privileged position of being able to provide assistance to someone who needs it can be said to be in a position of power or authority over that person. As a consequence of having such authority, the social worker is said to have professional accountability for their actions and has to account for them.

Accountability can be defined as a commitment to working in an open way so that actions taken can be justified to others. This could be described as being obliged to give an explanation or being held to account for one’s actions or inactions. Social workers have to act within the law and the policies and procedures derived from it. Social workers can also be called upon to justify their actions to courts, as well as to service users and carers, their employer and their regulator.

Service users also have the right to complain and, if necessary, to take legal action in the interests of accountability. Accountability is regularly talked about in the context of responsibility, but where we talk about responsibility we are often then talking about ‘blame’. Talking about accountability and responsibility in the same conversation can therefore lead to accountability being viewed by social workers as negative and burdensome.

## 2.5 Empowerment and anti-oppressive practice

‘Empowerment’ may be defined as the power that enables people to take action to improve their lives. From the point of view of service users, practitioners are often in positions of considerable power, particularly where decisions are being made about the delivery of services and intervention in people’s lives. Empowerment means that social workers need to focus on engaging service users in the problem-solving process in a meaningful way. Empowerment is linked with anti-oppressive practice in that the social worker can work with service users to enable them to overcome barriers to solving problems – whether located in the attitudes and practices of professionals, in social institutions (for example, health and education authorities) or in the beliefs of the service user or the public.

The social worker’s knowledge of service provision and the law can be critical in empowering service users. Anti-oppressive practice is ‘about a process of change which leads [service users] from feeling powerless to powerful’ (Dalrymple and Burke, 2006). Empowerment can take the form of challenging a service user to take responsibility for their actions or it can be supporting a service user to challenge discrimination, for example by using a complaints procedure or the law. Simply put, empowerment can help people to help themselves.

## 2.6 Respecting diversity and responding to difference

Social workers need to recognise that respecting diversity and valuing people, which is also about working in a way that counters the unfair or unequal treatment of individuals or groups on the basis of their age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity. This is referred to as ‘anti-discriminatory practice’.

There is a growing body of law that seeks to prohibit and punish a range of discriminatory behaviours in various kinds of social settings, for example in the provision of services and in employment opportunities. For social workers, valuing diversity entails more than this: there is a professional obligation to challenge discrimination of any kind, whether legislated against or not. You will not find legislation protecting people against discrimination on the grounds of class, culture or income, but such discrimination does exist. You may have heard comments such as ‘they’re a problem family’ or ‘another one from the local council estate’ or ‘they are part of the ‘underclass’. Such terms and language are discriminatory in nature because they are generalist and derogatory, and social workers should challenge the use of this kind of language.

Start of Activity

**Activity 5 Discrimination**

30 minutes

Start of Question

In this activity you will consider how you would deal with discrimination when it is not specifically legislated against. We all have bias, whereby we react in certain ways to certain situations.

You will consider whether or not the social workers in the video below were discriminating in their approach to working with Roma families.

Watch the BBC programme ‘Gypsy kids taken from home’ (Stacey Dooley Investigates, 2018), then answer the following questions.

Start of Media Content

Video content is not available in this format.

**Video 3** ‘Gypsy kids taken from home’

[View transcript - Video 3 ‘Gypsy kids taken from home’](" \l "Session2_Transcript2)

Start of Figure



[View description - Uncaptioned Figure](" \l "Session2_Alternative3)

End of Figure

End of Media Content

1. Do you think that the social workers discriminated against the Roma families?
2. If yes, do you think that this was deliberate?
3. Were the social workers aware of their bias?
4. If you were working in this situation, how would you approach the families?

End of Question

*Provide your answer...*

[View comment - Activity 5 Discrimination](" \l "Session2_Discussion3)

End of Activity

In the next activity you will do an interactive online quiz which will help you to reflect on the meaning of social work values from different perspectives.

Start of Activity

**Activity 6 What do social-work values mean to social workers and service users?**

10 minutes

Start of Question

Start of Media Content

Interactive content is not available in this format.

End of Media Content

End of Question

[View discussion - Activity 6 What do social-work values mean to social workers and service users?](" \l "Session2_Discussion4)

End of Activity

## 3 Interplay between values, ethics and the law

The values that you have considered so far are interconnected in a number of ways. For example, a commitment to working in partnership, empowering service users and respecting their rights requires a commitment to valuing diversity and to anti-oppressive practice. Anti-oppressive practice involves working positively to challenge myths and stereotypes and speaking out and combatting discrimination against certain groups of people that occurs through social practices, and the law itself (Braye and Preston-Shoot, 2016).

You should be aware from the outset, however, that social work values are not necessarily reflected in the law. For example, you will find law preventing discrimination, but you will not find legal duties to promote anti-oppressive practice. Nonetheless, good social work practice and professional responsibility go beyond fulfilling the obligations in law.

This is a course about both law and social work: it aims to introduce you to the legal framework and to consider its implications for practice, which can be affected both negatively and positively by how you apply the law. For instance, people who work in social work need to be able to reflect on the impact of their decisions to use legal powers and intervene in an individual’s or family’s life.

Social workers often have to resolve a tension that may arise between the compulsory interventions they make and the values they espouse. The following activity is an example of how the interaction between law and social work values can be fraught with tension.

Start of Activity

**Activity 7 Parents Against Injustice PAIN**

30 minutes

Start of Question

Listen to the interview with Sue Amphlett, who, at the time, was the chairperson of Parents Against Injustice.

Start of Figure



**Figure 5** Parents Against Injustice logo (PAIN)

[View description - Figure 5 Parents Against Injustice logo (PAIN)](" \l "Session3_Alternative1)

End of Figure

In the interview, Sue, who was herself a professional, talks about the effect of compulsory intervention in her family’s life. It is clear that the intervention was carried out in accordance with the statutory framework, under which the social workers had the power to intervene; however, listen to Sue talk about the impact of that intervention. Then answer the following questions.

Start of Media Content

Audio content is not available in this format.

**Audio 2** Interview with Sue Amphlett

[View transcript - Audio 2 Interview with Sue Amphlett](" \l "Session3_Transcript1)

End of Media Content

* How did Sue view the intervention of the social worker?
* Was it enough to say ‘the children haven’t been abused, we will withdraw’?

End of Question

*Provide your answer...*

[View discussion - Activity 7 Parents Against Injustice PAIN](" \l "Session3_Discussion1)

End of Activity

Social work is a responsible and demanding job. Practitioners work in social settings characterised by enormous diversity, and they perform a range of roles, requiring different skills. Public expectations, agency requirements and resources, and the needs of service users all create pressures for social workers. The public receives only a snapshot of a social worker’s responsibilities; and, against a background of media concentration on the sensational, the thousands of successful outcomes and years of hard work in childcare and with vulnerable adults are never considered.

## Conclusion

In this course, you have explored your initial perceptions of social workers and then learned about the diverse social work role. The course has introduced you to the core values of the social work profession and begun to demonstrate how applying these values can be complex and challenging in practice.

There are three other courses that build on this learning. If you choose to study these you will go on to consider how law is made across the UK; how the social work profession is regulated across the four nations; and how legislation influences social workers in their day-to-day practice with the people that use social work services.

* [Social work law and UK regulation](https://www.open.edu/openlearn/society-politics-law/social-work-law-and-uk-regulation/content-section-0)
* [Applying social work law with children and families](https://www.open.edu/openlearn/society-politics-law/applying-social-work-law-children-and-families/content-section-0)
* [Applying social work law to asylum and immigration](https://www.open.edu/openlearn/society-politics-law/applying-social-work-law-asylum-and-immigration/content-section-0)

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## References

**Legislation**

Human Rights Act 1998

**International instruments**

European Convention on Human Rights 1950

**Books, articles, reports and other sources**

Braye, S. and Preston-Shoot, M. (2016) Practising social work law, Basingstoke, Macmillan.

Dalrymple, J. and Burke, B. (2006) Anti-oppressive Practice: Social Care and the Law, Buckingham, Open University.

Stacey Dooley Investigates (2018) BBC 3, 24 July [Online]. Available at www.bbc.co.uk/programmes/p05x5rh4 (Accessed 22 August 2018).

## Acknowledgements

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## Audio-visual

Video 1: Social Care Institute for Excellence (SCIE)

Video 2: Social Care Institute for Excellence (SCIE)

Video 3: The Connected Set

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## Solutions

## Activity 1 Exploring attitudes to social work

### Part

#### Comment

A person’s view of social workers may be affected by their own experiences of working with social workers or of having come into contact with a social worker as a service user or carer.

Your own perceptions may be influenced by stories in the media or the experiences of friends and family when they have come into contact with the social work profession. It is important to ask yourself whether any of these experiences or opinions can be seen as objective, and what impact this lack of objectivity may have? For example, would negative stories in the press lead people to want to avoid asking a social worker for help?

If people have a negative image of social workers, this may lead to difficulties in establishing a relationship between the social worker and the service user or carer, who may be reluctant to involve social workers in their lives. Reflecting on these points should also promote an understanding of the source of these negative perceptions and help a social worker to reflect on whether a service user is being uncooperative, frightened or a little of both.

It may be less obvious, but positive perceptions of social work can also undermine good practice. An unquestioned belief in a helpful and caring profession can lead to the raising of unrealistic expectations, possible over-intrusion into people’s lives and, potentially, an abuse of professional power.

[Back to - Part](" \l "Session1_Part3)

## Activity 2 What does a social worker do?

### Part 2

#### Comment

You will see from the British Association for Social Work website and the videos that the role of the social worker is extremely wide-ranging and covers everything from work with young offenders to work with older people or those with mental health issues.

You will have seen that working with older people has many challenges. It is regularly the case that work with older people includes providing support so that they can remain in their home and also helping them to transition into residential care when it is not possible to remain at home.

Working in the emergency duty team requires an ability to make decisions based on limited information. It also requires a wide-ranging knowledge, as the duty team deals with all aspects of social work.

[Back to - Part 2](" \l "Session1_Part5)

## Activity 3 Rights

#### Comment

There is no easy answer here, but it is the type of scenario that social workers will often encounter.

1. Suicide is not a criminal offence. There is a general legal principle that Callum has the right, if he has the relevant mental capacity, to make his own decisions, and that includes the right to decide when he should die. However, this principle is not absolute. There are legal powers that can be used when a person has the relevant capacity, including certain mental health legislation.
2. Once the social worker has been made aware of Callum’s struggles, they may well consider him as someone with mental health issues and, as such, they have a social work practice responsibility to ensure his welfare and offer help and support. But does this mean preventing him from ending his own life or does it mean empowering him to make his own decisions, even if that means he will end his own life?
3. The question that needs to be addressed here is does the existence of such a responsibility afford the social worker the right to enter Callum’s home against Callum’s will? This will, to some degree, depends upon how Callum’s mental capacity is assessed.

One point to note is that you did not have enough information to make a full assessment of the situation, this was deliberate. For now, the activity and scenario demonstrate why issues of rights and responsibilities are central and also why it is important to understand the language of rights, and to know the difference between a legal right and a moral right. There is no ‘correct’ answer here; the outcome will depend upon the individual circumstances of the case, and sometimes the decision may need to be referred to a court. The outcome may be that Callum has a right to make his own decisions, no matter how much you may disagree or even disapprove of his decisions.

[Back to - Activity 3 Rights](" \l "Session2_Activity1)

## Activity 4 Conflict and partnership

#### Comment

From the outset you may feel that people who use drugs and alcohol should not be allowed to look after their children. You may judge drug users negatively because of the negativity associated with addiction.

This is a challenge to working in partnership. People who are feeling judged and perhaps feel that the social worker looks down upon them may not work with that social worker, so little will be achieved. The social worker would first need to challenge their own preconceptions, and perhaps those of other professionals such as teachers or the police, about people who use drugs.

Marina also talks about the difficulties of working with such families when the parents may share information that she has a responsibility to pass on to the authorities, for example the police. Marina also talks about the conflict between her responsibility to the parents and to the child who has to be her priority.

You will have heard Marina describe how she attempts to tackle these challenges by being open and honest from the outset. Marina does this by making it clear that abusing drugs is not automatically a bar to parenting safely and successfully, but it may be, and if it is and the parent is unable to tackle their addiction, then that may lead to the child being removed from their care.

Marina explains that, for her, the key to working in partnership with families is to be honest and open from the outset about why you are there and what your responsibilities are in terms of information-sharing and the safety of the children.

[Back to - Activity 4 Conflict and partnership](" \l "Session2_Activity2)

## Activity 5 Discrimination

#### Comment

It is clear from the clip that the social workers had set views about Roma families in general. Their starting point appeared to be that the Roma people would lie and that they should not therefore believe anything they were told. You may have also got the feeling that the social workers believed that the children were better off away from their parents.

The social workers were aware that they held these beliefs, they were a common belief, and all were comfortable in sharing their views, not only with one another but with Stacey Dooley and the viewers. The views of the social workers were discriminatory, they had formed a judgement based upon characteristics they believed all Roma people have rather than basing their views on the facts. They also began their work with the families with this mind set which would make it very difficult for the Roma families to be able to show the social workers that they were capable of looking after their children. It could be said that the families were prejudged and were found lacking.

The difficulty is that whilst the social workers were clear about their own views, they appeared to lack insight into how discriminatory their stance was and the impact that it would have upon their decision making. As social workers you have to be aware that you will have conscious and unconscious bias. This means you will have prejudices that you are aware of and those that you are not. An open relationship with colleagues and supervisors is crucial in bringing the unconscious bias to your attention and an ability to reflect upon your own views and practice is crucial in identifying and addressing the cognitive bias. It is important that practicing in a non-discriminatory way does not mean treating everyone the same. Differences in values and cultures must be addressed and acknowledged in order to work in a fair and non-discriminatory role.

[Back to - Activity 5 Discrimination](" \l "Session2_Activity3)

## Activity 6 What do social-work values mean to social workers and service users?

#### Discussion

Understanding the different ways in which people define or interpret values is crucial to effective social-work practice. How the values are defined may depend on the individual’s experiences and will vary from person to person. There may be multiple and conflicting definitions. While undertaking this activity you will have gathered that there are different ways of thinking about each of these values, which may depend on whether you are considering the view of a service user or a practitioner. In order to apply these values in practice, social workers need to have an awareness of the different meanings of values to different people. Social workers can then discuss these meanings with service users, their colleagues, so as to reach an understanding of how they can apply these values in practice.

[Back to - Activity 6 What do social-work values mean to social workers and service users?](" \l "Session2_Activity4)

## Activity 7 Parents Against Injustice PAIN

#### Discussion

Listening to Sue highlights the tensions between the law and social work. Arguably the intervention in the family was justified in law, but the fact that the family were left so bruised by the experience, even after the adults were cleared of any wrongdoing, suggested that the process itself can be damaging and perhaps the intervention was based upon the law and the social workers lost sight of social work values? It is important to remember that at the end of the social worker’s intervention or input there is a family who have to pick up the pieces and try to carry on with their lives.

[Back to - Activity 7 Parents Against Injustice PAIN](" \l "Session3_Activity1)

# Video 1 Social work in an Emergency Duty Team

## Transcript

[MUSIC PLAYING]

NARRATOR:

Sunday morning, and Sam Swan, an emergency duty social worker, is starting a long shift. Sam, like all EDT colleagues, works when others don't, weekends, nights, and bank holidays. The work is diverse, and the caseload usually heavy.

SAM SWAN:

We cover the whole spectrum of social work, really, in terms of working with children and families, mental health services, people with learning disabilities, and people with physical disabilities, and also old people. So really, we cover a wide spectrum. Predominantly, nine times out of 10, we work on our own.

We work through the night, which means that we have to prioritise work. We have to do assessments and investigations. And so there's a lot of responsibility and accountability, really, because obviously, we have to stand by those decisions that we make at that time.

NARRATOR:

After a handover from the colleague she's relieving, Sam's work starts.

[PHONE RINGING]

Almost immediately, the phone calls begin.

SAM SWAN:

That's custody. OK, appropriate adult, OK.

NARRATOR:

A 16-year-old is being held at Telford's main police station, suspected of carrying an offensive weapon. By law, an appropriate adult must be with him to safeguard his welfare and ensure that he understands all procedures and any charges being brought against him. As his parents are refusing to attend, that role will fall to Sam.

SAM SWAN:

So the officers are ready to go, but the solicitor's not there yet. OK, well, if you can give me a call when the solicitor has gone into consultation, I'll come along then. All right, then, so we'll give you a ring just before we arrive, OK.

NARRATOR:

Sam's next case is a woman at a local hospital who's causing staff concern. Sam may need to undertake a mental health assessment. She discusses the case with the co-cited community nurse crisis team.

SPEAKER 1:

She's been placed on a ward where she's continued to complain of physical complaints.

SAM SWAN:

But their medical investigations don't identify that there's any medical problem. OK, so she's known to us. She's care coordinated, is she?

SPEAKER 1:

She is, yeah.

SAM SWAN:

Presumably, they'll let us know if they become concerned about her behavior.

SPEAKER 1:

Yeah.

NARRATOR:

Jointly, they decide that no immediate action is needed, as the hospital will hold the patient until Monday.

And Sam's phone is ringing again. It's the call she's been expecting from the custody suite.

SAM SWAN:

It is. She's in consultation. OK, so we'll come over. See you shortly. Bye, bye. That was the sergeant from custody there. The solicitor's arrived. So we need to make our way over to custody.

NARRATOR:

The EDT role demands experience. And Sam has plenty. She left school at 16 and came into social work through an admin job.

SAM SWAN:

I was appointed a social work assistant. And I also had a varied caseload at the time. I worked at the local psychiatric hospital. I also had a few cases where children were on the child protection register, as it was known at that time. Qualified in 1995. And chose to come back into predominantly child protection.

I became team manager covering the north side of Telford. I stayed in team management for probably about four years, until the job came up in EDT.

Morning, how are you?

SPEAKER 2:

Very well, thank you.

SAM SWAN:

Good, good.

Very rare opportunity for a job to come up in the emergency duty team, where I am now. So it was an ideal opportunity, really, to go back in as a practitioner. Because you have that experience and knowledge base, I think it's fair to say that we all feel fairly confident in doing the job. But that's not to say that it's not tough at times. And sometimes you do question, is this the right thing to do?

OK, then, cheers. Well, this one actually was record time, I would say. We were in and out, really, within probably an hour, which is pretty amazing. That's pretty good. He admitted it. He was charged. And he's been bailed to go to court, a week on Wednesday.

NARRATOR:

Back at the office, there are concerns that an elderly woman is not coping alone at home.

SAM SWAN:

Because she's having four calls a day, isn't she? So she'll have had a morning one.

NARRATOR:

Sam checks in with the woman's home care service.

SAM SWAN:

So it's the same carer going in. So that's good. So she'll notice if there's any change, won't she, if there's anything she's worried about? OK, all right, then. Thanks, Linda. Bye.

NARRATOR:

It seems to be good news. And Sam will continue to monitor the situation. In the meantime, there's a new message waiting.

SAM SWAN:

That is our shop doc, our out-of-hours GP service, who wants help with a lady who's suffering with severe anxiety and some symptoms of depression.

NARRATOR:

A phone call to the doctor who has visited the patient reveals the woman's condition could be serious.

SAM SWAN:

The fact that she's not eating and drinking, from a medical point of view, how will that impact? She sounds very unwell. All right, then, bye, bye. Right, so I've got to coordinate a full mental health assessment on this lady.

She's a 64-year-old lady who, he says, is not actually previously known to mental health services and has had problems with anxiety now for the past month or so. Things have escalated in the last 10 days.

NARRATOR:

This assessment now takes priority over Sam's other referrals. And she swings into action. Several phone calls later, she's on the road. As an approved mental health practitioner, Sam's job is to coordinate and take an active role in the assessment.

SAM SWAN:

I've arranged to meet the psychiatrist and another GP at the address. The three of us have to assess and agree a plan, really.

NARRATOR:

It's up to Sam to look at alternatives to hospital and ensure the woman's rights are protected.

SAM SWAN:

We need to talk to the husband and get his views about the situation. And then make a decision then about the best way forward.

NARRATOR:

Over the course of two hours, Sam and the doctors decide the woman does need to be admitted to psychiatric hospital. The woman's husband agreed to support the decision of the team.

SAM SWAN:

Oh dear, OK. It was-- mental health assessments are always, well, they're just difficult, really. It's quite stressful. She was really very sad. And I think the way we wrestle with that is you have to decide what's in the best interests of the service user, really.

[Back to - Video 1 Social work in an Emergency Duty Team](" \l "Session1_MediaContent1)

# Video 2 Social work with older people

## Transcript

[TEXT ON SCREEN: What is social work? Rachel Daurat and Lisa Gourley, Services for older people]

NARRATOR:

9:00 AM at Sunderland's Adult Services, home to the eight teams providing services for older people. For the City West division, the day starts with a diary share meeting.

RACHEL DAURAT:

Hello.

NARRATOR:

Heading today's meeting is Rachel Daurat, who's acting up whilst her manager is on leave.

RACHEL DAURAT:

A couple of things are just reminders, really. The first one is the new RAS forms, Community Care Assessment documents?

NARRATOR:

Rachel qualified as a social worker nine years ago and began her career in the team at Sunderland Royal Hospital. She joined older people's services three years ago and reached a senior level a year later.

RACHEL DAURAT:

Every team have a diary share once a week. The team managers attend SMT, a Senior Management Meeting. And they basically trickle down information from the directorate.

NARRATOR:

Also in the meeting is Lisa Gourley, whose social work career began just 12 months ago. Lisa's colleague, Bertha, has an important issue to raise.

BERTHA:

There was an incident over the weekend with one of the members of the staff. And the manager of the home now wants him out.

NARRATOR:

An unwell elderly man has assaulted a carer at his residential home. And the home wants him to leave. Rachel and the team are concerned that it could be a hasty reaction.

RACHEL DAURAT:

He's had one incident. And it was a serious incident.

SPEAKER 1:

I think the challenging behavior team need to be involved.

NARRATOR:

It's a difficult situation with potentially serious consequences for the elderly man. As acting team manager, it's now Rachel's job to speak directly to the home.

RACHEL DAURAT:

Bertha said that you wanted to speak to her manager in regards--

NARRATOR:

The man was placed in the home just three weeks ago, after he was assessed as being unable to cope living independently. So Rachel already knows his case history.

RACHEL DAURAT:

The gentleman unfortunately lacks capacity to make his own choices about a place of accommodation. He wasn't able to manage his insulin. He wasn't able to judge when he was having a hypo. We had a big case conference. And really, the feeling was in his best interest, it would be safer to be within a 24-hour care environment.

But after that one incident, the home manager has been quite quick to then want him out. We haven't really investigated the cause of the incident. We haven't looked at getting psychiatry involved. And furthermore, we haven't really looked at challenging behavior team, which is accessible for you to directly refer to. To look at changing the home now and him moving out after three weeks, I think we need-- it's a bit hasty, I feel.

All right, thanks.

She's going to refer to the challenging behavior team. And homes can directly refer to them to get their input as to how to manage someone's behavior. I've also advised, if any other incident happens again, she really needs to get on to look at a mental health assessment.

NARRATOR:

As Rachel writes up the case notes, Lisa is heading out to visit a woman who she helped to retain her independence after a serious illness jeopardised it.

LISA GOURLEY:

She had a brain aneurysm back in March, which set her back quite a long way. She spent quite a lot of time in hospital. She spent six weeks in Farmborough Court, which is our intermediate care centre. And then she's had a couple of weeks of re-ablement, actually, in her own home. And she's just recently finished that. We're just going to go and see how she's doing.

NARRATOR:

66-year-old Olive was very poorly when Lisa first met her. It was Olive's best friend Kathleen who persuaded Lisa that there was potential for recovery.

LISA GOURLEY:

Morning, Olive. How are you this morning?

NARRATOR:

Lisa needs to be sure Olive is getting all the support she needs.

LISA GOURLEY:

Okey-doke. I've just popped in this morning just to see how the carers are doing, Olive, because you've just changed over from the girls who were coming previously, haven't you?

OLIVE:

Yeah.

NARRATOR:

Lisa spent eight years as a senior care worker in a residential home for elderly people before embarking on her social work degree at Teesside University.

LISA GOURLEY:

It was a general social work. And we did kind of-- such as social policy, ethics and values. The counsellor modules, I found really helpful. Therapeutic communication, I found really good. And I find that they most have benefited us since I've come here.

She just lives local, does she, your carer?

OLIVE:

Aye.

LISA GOURLEY:

Yeah? She just live around the corner.

Probably decided to do older people because it's what I was comfortable with. And for at least my first year of practice, I wanted something I was familiar with.

Does she treat the home with respect, Olive?

OLIVE:

Oh, yes.

LISA GOURLEY:

You're happy with the way she-- yeah? And you feel that she's meeting your needs OK, Olive? You're happy with that, yeah? Because I've obviously worked with older people since I was 18, I know their values and things like that. So that's helped. But also, because I'm now reviewing care homes, I've got an idea of how care plans should be devised, and stuff like that. So I know what to look for.

So you've been looking forward to going to visit Kathleen in her new house then, yeah? How do you think you'll manage a bus at the moment, Olive? How confident would you feel?

OLIVE:

I don't know.

LISA GOURLEY:

You don't know. I think maybe do a couple of trips with Kathleen?

OLIVE:

Yeah, that's good.

LISA GOURLEY:

And then maybe you never know.

We're focusing a lot more on community living now and personalisation, and stuff like that. We do get quite a few referrals in for 24-hour care. But they are starting to kind of fizzle out, now that I think the mindset of a lot of older people, especially here, are that you get to a certain age and that's kind of where you go. But I think we are starting to change that now. And people are accepting support at home and the extra care schemes that we want to do. So that's really good as well.

See you later. Bye. No bother. Bye.

I think it went really well. It was a positive review. I think Olive's really happy with a new bungalow and her new surroundings.

KATHLEEN:

If it wasn't for Lisa, she wouldn't have been where she is now. When the doctors told me that she would be in a home all her life, and then Lisa came in. And me and Lisa had a talk. And then she got another bungalow, so.

OLIVE:

I try to be as much busy.

LISA GOURLEY:

I think it's been positive for Olive, but also for her family and her friends to watch as well. Three months earlier, we thought she was going to have to go into a nursing home, which-- her potential wouldn't have been met because people would have been doing for her rather than showing her what to do. So it's been a really good experience.

[Back to - Video 2 Social work with older people](" \l "Session1_MediaContent2)

# Audio 1 Interview with Marina

## Transcript

NICK BALNEAVES

The Family Services Unit or FSU is a nationwide voluntary sector social worker organisation. They have been active in Scotland for over thirty years providing services specifically geared to support the most vulnerable and disadvantaged children and families. Marina Shaw is a social worker who is employed by the FSU and when I met her I asked her to explain to me just what her job involves.

MARINA SHAW

The FSU has several projects throughout Scotland and the one that I specifically work in is called ‘The Hearth’, and the Hearth Project works with families that are affected by drug and alcohol issues, and the crucial thing is, it’s not a drug and alcohol project, it’s actually a children and families project where drug and alcohol impacts probably negatively on their life. So…umm… the children are referred through various different agencies from West Lothian and on a voluntary basis we offer support and … umm … thankfully most of them accept it.

NICK BALNEAVES

Who’s the prime focus of your work? Is it the parent or is it the child?

MARINA SHAW

Oh we’re family centred. I mean it’s laid out in legislation that the welfare of the child is paramount. So obviously we’re led by the needs of the child. But then again, no, no matter how poorly children are faring in any family, there is a natural urge for them to be with their parents. And whatever maybe other members of society may think of how they’re fulfilling that parental role, the children themselves want to be with that parent. You know, that children don’t necessarily want to be removed from their parents. What they want is their parents parenting capacity to improve and then their lives will improve.

NICK BALNEAVES

A lot of people who don’t have experience of the situations you deal with might think that addicts could never make good parents. Does that put any pressure on the Hearth Project?

MARINA SHAW

Yes it does, because what we do not want is a section of society that is as marginalised as drug addicts are, to go underground as it were. Right now they can be open about being drug addicts, but because of you know, the horrible things that have happened, that death of that wee boy through taking methadone, the young girl in Glasgow that was taking err … heroin. Already there is a fear in my mind that we’ll have addicts going underground, it will be far harder to engage. I work in a job that’s very borderline. There are some people who have never worked in that sector who would perhaps go into some of the houses that I go into and be rushing towards the Children’s Hearing System. But it’s about being very aware of the fact that not all the answers lie in the statutory system.

NICK BALNEAVES

How do you make that judgement?

MARINA SHAW

For the children who I consider that their needs are being met in as feasible a way as possible, and that there’s improvements being sought by the parents, then I wouldn’t refer.

NICK BALNEAVES

In what circumstances would you have to refer a child on?

MARINA SHAW

When, for example, there was one child that was getting into my car every week at school, and this boy would walk out of the classroom smiling, and take one look at me and start crying. Then we got in the car and he could not say word. And his, his mother was a particularly hard end drug user, using a lot of heroin, injecting and smoking and she had all her friends came to the house and did the same, and she also dealt drugs. He was an only child in the house. And we’d go down to McDonald’s, he’d eat a meal with tears running down his face, and eventually, after you know, three or four times, right, after the third time I was really, really worried, was that part of me thought is this how I impact on this child, you know, is there something about me? And eventually through a whole set of tears round about the fourth time, he managed to acknowledge this, because how mum makes him feel. School is a safe place, is a good place for him to be. He comes out of school, he goes home and he faces this kind of lifestyle. And mum had given him permission to speak to me and this for the first time he was gonna be vocalising on how he felt. Now we did some work together and it was quite clear, he was a very, very angry young man, but a very silent, angry, young man. Now for me, that had to go to the Children’s Hearing System, because I was taking this back to mum, and she was just, she was just annoyed with him that he was crying and not telling me why he was crying, and she couldn’t understand why he was crying. So, of course she, she had no intentions of changing her ways, I then said: No, we’re going to the Children’s Hearing System with this, you’ve got to ensure that the children are visible and that … erm … you’re, you know, ensuring that they’re not affected by their parents’ drug use, you know, in a detrimental way.

NICK BALNEAVES

Can you talk me through how you become involved with a family in the first place? Are they referred to you?

MARINA SHAW

They’re referred to us, yes. There are several different agencies out in West Lothian that would refer to us. In fact anybody can refer. They can even self refer. However, the vast majority of referrals come from local authorities’ social work teams.

NICK BALNEAVES

Do they have a choice in that referral?

MARINA SHAW

Yes, yes. erm…I think sometimes, especially when it’s come from the local authorities social work services, they perhaps feel that there isn’t the same choice and then you’ve got to be really careful to make sure that they do understand it’s a choice.

NICK BALNEAVES

Do families have a different response to you because you’re from the voluntary sector?

MARINA SHAW

Yes they do because perhaps the statutory sector is almost seen as a bit big brother-ish… a bit too powerful for them. The voluntary sector aspect, in which we very clearly talk about to them, gives them an element of choice they feel, and I’m very clear about it being an element of choice…erm….and that seems to bring them on board with in a much better way.

NICK BALNEAVES

Because a lot of families will have experience of more general, wider social work services, won’t they?

MARINA SHAW

I think that every family that I work with has experience of statutory social work services and it’s not often been great experiences. That might be about the clients as opposed to social work. But I mean I’m working with adults who are, who are in their forties, who were actually in care themselves and it was an extremely poor, you know, relationship they had with social workers.

NICK BALNEAVES

How does that history of involvement affect your ability to build relationships with people?

MARINA SHAW

They don’t trust easily, and then that’s up to me to use my engagement skills to feel that they can trust me to work with them in the way that I say I’m going to work with them. Because what we’ve got to be very clear about is we all have to work to the same Child Protection guidelines, and some of the information that they give me will have to be shared. So I do not want to lead them up the garden path, you know, ‘and don’t worry, you can trust me with everything that you’ve got to share with me and it’s not gonna further’ - that isn’t what it’s about, it’s about a working relationship and it’s even about teaching them to trust me enough that if I refer to statutory local social work organisations, it’s because I’ve concerns about the children and I will help them with these concerns. This is again about turning a negative into a positive, but I’ve got to do what I have to do.

NICK BALNEAVES

You mentioned trust. How do you build that trust?

MARINA SHAW

Crucial thing is honesty and even some of the less than desirable things that you have to say to them - being honest about it. And do remember, some of the things that I’m saying to them. I mean it’s very, very hard for them to hear, and you’ve, you’ve got to be clear to them that this isn’t just your judgement about what they’re doing as being wrong, it’s you know, it’s a much broader judgement. It’s basically what the law says is wrong, so you know, this isn’t a personal judgement by me on you.

NICK BALNEAVES

You must come across occasions where a parent is engaging in criminality?

MARINA SHAW

Yes.

NICK BALNEAVES

Do you have an obligation to report that?

MARINA SHAW

We have this battle with this all the time, because in terms of having an honest relationship often means knowing about parents’ drug use. And not only do we learn about where they’re buying the drugs illegally, we actually often hear about who’s dealing the drugs illegally. So, with regards to the client, I am always very honest in saying you do realise you could end up in court and perhaps your children could end up being accommodated. So, no I don’t go to the police. Although, obviously if there was child protection issues that would be something different.

NICK BALNEAVES

And what about the effect on the children in that environment?

MARINA SHAW

(Sigh) I think it must be terribly, terribly difficult for them. When they know that their parents would probably put the need for drugs above their own needs. Now children probably couldn’t vocalise on that but they feel it. I mean it must be pretty frightening to be a child and have your parent not able to actually act like parents, you know. And in actual fact what often happens is the children actually have additional responsibilities, far more than any ordinary child at school, ’cos they actually start to look after their parents. And that’s one of the rules that you’ve often got to reverse when you’re working with the families.

NICK BALNEAVES

So how do the children cope with that?

MARINA SHAW

They’re … Very often their coping mechanisms, are that they get tougher to deal with it, or they become very insular in themselves. Erm…what I tend to find is that by and large the children have become tougher to cope with it. You know, they’ve got protective shells around them.

NICK BALNEAVES

That must make it more difficult for you to engage with them?

MARINA SHAW

I actually find it fairly easy to deal with challenging children and … Cos I understand why they’re doing it. And then once you discuss why they’re doing it as well, with the child, in the language that the child can understand, then basically you get beyond that. So,…erm…but it’s still very hard for the child to, to reveal what it’s doing to them, but yes, I’ve found it possible.

NICK BALNEAVES

Talk me through how you would try and engage a child in that circumstance?

MARINA SHAW

It’s sometimes achievable in one interview. This err is absolutely incredible, ’cos some of the children are burdened by it and want … if you can create a safe atmosphere and a safe place and say, ‘Okay, mum and dad have given their permission for you to talk about how you feel about you know, what mum and dad are doing.’ It’s amazing how quickly they will say how it is erm what is the feeling. Which of course you can then start to say: ‘well, if that’s how you’re feeling, come on, we’ll go back and speak to mum and dad’. And it’s often painful for a mum and dad to actually hear that that’s how the child’s feeling.

NICK BALNEAVES

Do you have to go about that in a gentle way?

MARINA SHAW

Well of course ’cos what you don’t wanna do is give them the excuse for the drug use to spiral because it’s … the horrendous thing about being drug addicted is err more negatives don’t necessarily mean that you’re gonna turn around from your drug use. So it’s about a balance you speak about, saying…I understand that you want the best for your child, and this is what you’re child’s saying, so may be if together we can you know, for example, even get you on to a methadone programme and start to stop the illegal drug use, and so, and there’s always a balance … we’re taking maybe what’s negative and hopefully turn it into something positive.

NICK BALNEAVES

What do you get out of your job, Marina, on a personal level?

MARINA SHAW

On a personal level I don’t get an awful lot of money out of my job, but I get an awful lot of satisfaction. At my age I’ve worked in several kinds of organisations in my life and nothing brings me so much satisfaction and sometimes so much stress, but still I love it.

NICK BALNEAVES

What advice would you give to young social workers coming into the profession?

MARINA SHAW

Join a union and demand more money. (LAUGHS). Err … For young social workers coming into the profession, I would say read everything there is to read. The theory definitely underpins the knowledge you require for practice, no doubt about it. Having said that, you continue to learn in practice. Not everything is in the books, but it certainly informs your practice. Erm …I, on a personal level, have found that you have to be aware that you can’t fix everything. I remember feeling as though the clients’ problems almost became my problems and I almost felt this impetus to fix it. And you know you can’t, you can’t. At the end of the day it is their responsibility.

NICK BALNEAVES

Marina Shaw, thank you very much.

MARINA SHAW

Thank you.

[Back to - Audio 1 Interview with Marina](" \l "Session2_MediaContent1)

# Video 3 ‘Gypsy kids taken from home’

## Transcript

STACEY

How are you? I'm Stacey.

Fanda and Zsuzsa are two social workers. They monitor mainly Roma families.

Thank you so much for your time today. I really, really appreciate it. Cold out there. Very chilly.

I'm going to be meeting one of the women currently being monitored to see if she can keep her baby. I'm Stacey. How do you do?

ZSUZANNA:

[SPEAKING HUNGARIAN] This is the smallest space, but it’s the easiest to heat.

STACEY

And you had your baby just two weeks ago?

ZSUZANNA

[SPEAKING HUNGARIAN] Yes a little boy born two minutes after midnight.

STACEY

So where is your baby now?

FANDA

[SPEAKING HUNGARIAN] Unfortunately, Zsuzanna has already had four sons taken away so she’s trying to avoid that with this baby.

ZSUZSA

[SPEAKING HUNGARIAN] The biggest problem was that the living conditions were very poor and the children were neglected and badly taken care of. What she has to provie now, is that she can raise the baby in this small space.

STACEY

You have four boys that have been removed? How are they doing? How are they getting on without you?

ZSUZANNA

[SPEAKING HUNGARIAN] Well not easily. They’d give anything to come home.

ZSUZSA

[SPEAKING HUNGARIAN] Sorting it out doesn’t sound certain at all.

STACEY

She seems quite cooperative.

FANDA

[SPEAKING HUNGARIAN] Yes, the mother is friendly and cooperative, but you’ve still got to watch out. It’s deceptive.

ZSUZSA

[SPEAKING HUNGARIAN] The woman outwardly seems to be cooperative because she’s afraid of losing her children, but underneath it’s not quite the same. They’re good at talking, but they never actually do anything they say.

FANDA

[SPEAKING HUNGARIAN] I mean they think differently for sure, I mean they have different values.

STACEY

It feels like Fanda and Zsuzsa have a them and us approach to the Roma. When you look at the number of removals taking place throughout Hungary, it's a fact that most of the kids in care homes are Roma. That's a fact. But why is that?

ZSUZSA

[SPEAKING HUNGARIAN] Do you think we judge them differently?

STACEY

This isn't a personal attack. This isn't me saying you are doing an awful job. I imagine that you believe you are doing what's best for those kids. But the circumstances are far from ideal here.

ZSUZSA

[SPEAKING HUNGARIAN] And what would be the ideal situation?

STACEY

To try and keep kids with their families.

ZSUZSA

[SPEAKING HUNGARIAN] But it gets to a certain point where you can’t do that anymore. Very often they deny or hide the problem. They don’t admit to it. This kind of denial, this lack of responsibility for what they have done wrong is a very typical kind of response. It’s a way to put the blame on somebody else, to try and avoid taking the blame themselves.

STACEY

A lot of the problems seem to stem from poverty, for example, keeping the house clean. You need running water to be able to do that. And so many of these families haven't got that. They haven't even got a roof. The roof is caving in in some situations.

ZSUZSA

[SPEAKING HUNGARIAN] But this doesn’t necessarily only apply to them. It’s very hard for everyone. We live in a poor area.

STACEY

How many white Hungarians live like the Romas do here? The vast majority of people living in acute poverty here are Roma.

ZSUZSA

[SPEAKING HUNGARIAN] Do you think we treat them differently? Do you think we would remove children from Gypsy families sooner?

STACEY

The honest answer is I can't be sure and I don't know at this point.

ZSUZSA

[SPEAKING HUNGARIAN] Is there or isn’t there discrimination? I would say there isn’t.

STACEY

You know, I'm not going to stand here and make out that every single Roma person I've spoken to have been perfect-- they've been perfect parents, and they've done nothing wrong, and it's purely circumstantial. That's not the case. Some of them, they do need to change their parenting and the conditions are far from ideal.

But what she doesn't seem to get, or where we disagree-- her and I-- is that so many of these issues seem to stem from poverty. I do think it's as straightforward as that. And she won't accept that. She thinks that the work is there and if they're willing, they'd go out, they'd get a job. I think that there are so many prejudices and there are so many ingrained stereotypes about the Roma community that that's not always possible.

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# Audio 2 Interview with Sue Amphlett

## Transcript

LESLEY-ANNE

Parents against Injustice was set up in 1985. At the time of this recording Sue Amphlett was its Director. Although she is no longer involved with the organisation, the issues Sue describes in this interview still have important implications for social work practice. Parents Against Injustice still continues its work and Sue begins by describing how it started.

SUE

We were set up because myself and my husband got caught up in the system when our youngest daughter had a series of fractures from very minor tumbles. Both her and her sister’s name was put on the Child Abuse Register as it was called and we very much lived in fear that they were going to be removed from us because the professionals kept saying ‘it can’t have happened the way you said it did, Mrs. Amphlett, children don’t get fractures from minor tumbles like that’. Eventually, quite some time later, and on our insistence at getting second opinions, she was diagnosed as probably having mild brittle bone disease. I was a nurse by profession, I was a registered child minder at the time, I’d held very senior posts, I’d worked with abused children, I knew what the system was about. And I had an image of myself and my family and my children, that I was a very good mother, and my children were happy contented children; and suddenly I had a complete batch of strangers looking at me with a suspicion that actually I was abusing my children. And we felt so marginalised in the process. Only our GP had met us to any degree, or even seen the children. The social worker who came to do the initial interview actually went on holiday the day before the conference, so there was nobody at the conference who knew us, and we’re sitting to make judgements as to whether these were abused children and whether they should be removed and what action they should take.

We spent a long time trying to get help; we thought there must be other people out there who’ve gone through this, they must be able to advise us what the system is, I didn’t know what a conference was, I didn’t know what my rights were, I didn’t know what the law said, you know, and I considered myself to be reasonably informed person, working within the system as a nurse and a child minder. And we found there wasn’t anybody. And certainly there wasn’t anybody who was prepared to believe that we might actually not have done anything. And at the end of the process we were very damaged, very traumatised, as were our children, if it nearly destroyed us - and we had the use of a telephone and we could try and get help and it cost us a lot of money to some legal aid, we were a poor, young family at the time - what was it doing to people less able than us?

LESLEY-ANNE

How do people feel when the go through this experience?

SUE

Most people just can’t comprehend it. Somebody is looking at you in a way that you cannot comprehend. It’s like looking at a fractured mirror of yourself and suddenly you begin to question everything that you thought you were, and this is why people struggle with it so much, that they lose their self-esteem, their self-respect. There’ve been one or two people who have been incredibly tough and have not lost that self-image but most of them lose their self-image and of course if you are a struggling single mum, or a struggling family that’s got a lot of social difficulties got a lot of problems, financial difficulties, you have something like that come on top and people just cannot cope. And they will tell you things like, ‘it wasn’t just trying to cope with that particular issue but I felt I couldn’t even wash the dishes anymore’. ‘I felt I couldn’t even get out of bed to take the children to school’. Because the whole structure of their life - which is for most people structured around their children - just disappeared, the base has been taken away out of their triangle and everything just falls through.

LESLEY-ANNE:

Why did Sue feel that the process was damaging?

SUE

The whole focus was the child protection process. Protecting a child is a very small part of a long process. The point at which you decide to protect a child, a huge other raft of work has gone on and that is the investigative process of alleged abuse. There was no focus, there was no recognition of what was happening because everybody believed, you know, if I am working in the best interests of the child I can’t be doing it any harm, can I? It’s what I call the Snoopy syndrome. There is a wonderful cartoon of Snoopy who’d left total mayhem behind him and when he got to the end caption he stood there and he said ‘But how can I be wrong when I am so sincere?’ You know he just couldn’t understand how he caused this mayhem and that’s exactly the same attitude and the problem is, of course, you can, the road to hell you know is paved with good intentions, and unless you stop and question what you are doing and evaluate what you are doing you will never see that.

LESLEY-ANNE

Sue gave her opinion of key points that social workers should consider when working with families.

SUE

The first one is just because you believe you are doing good doesn’t necessarily mean you are. You do have to evaluate what you do, you do have to have standards in what you do and you do have to be responsible for your own decisions and not place the onus of decision-making upon other professionals or practitioners within the group. The second is the things that I have already mentioned, you know, that in fact if you get people needlessly caught up in the system you’re not doing them any good; and the ones that you’re causing the most harm to, very likely, are going to be the children themselves. There’s no work process going in to helping families put themselves back together once you have weeded them out of the system. There’s not support groups for those families. They don’t even appear in the statistics any longer because the only statistics that are actually being kept are those who are on the register. So if your child isn’t on the register you don’t even appear in the workload of a local authority once you are weeded out. So, all those people have to find a way of putting their lives back together with all the drain that that has on GPs and hospitals and counsellors and schools and their education and so on.

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# Figure 1 Judgement

## Description

Judge in robes and judicial wig in front of a lectern with gavel in one hand and finger raised in other.

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# Figure 2 What is the role of a social worker?

## Description

Woman with a pen and paper sitting on one sofa, looking at a child sat with her parents on another sofa.

[Back to - Figure 2 What is the role of a social worker?](" \l "Session1_Figure1)

# Uncaptioned Figure

## Description

[Back to - Uncaptioned Figure](" \l "Session1_Figure2)

# Uncaptioned Figure

## Description

[Back to - Uncaptioned Figure](" \l "Session1_Figure3)

# Figure 3 Right to enter?

## Description

Man standing outside a house with a red door. The house is run down with flaking paint, stained windows and graffiti.

[Back to - Figure 3 Right to enter?](" \l "Session2_Figure1)

# Figure 4 Responsibility to protect the vulnerable

## Description

Young boy with arms folded across chest. Two muscular arms flexing are drawn where boy’s arms would be if doing same stance.

[Back to - Figure 4 Responsibility to protect the vulnerable](" \l "Session2_Figure2)

# Uncaptioned Figure

## Description

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# Figure 5 Parents Against Injustice logo (PAIN)

## Description

Logo to the Parents Against Injustice website: black and white sketch of a child holding a rag doll and looking sad

[Back to - Figure 5 Parents Against Injustice logo (PAIN)](" \l "Session3_Figure1)