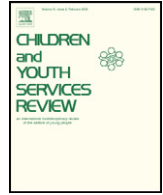




Contents lists available at ScienceDirect

Children and Youth Services Review

journal homepage: www.elsevier.com/locate/childyouth

Independence and effectiveness: Messages from the role of Independent Reviewing Officers in England



Chris Beckett, Jonathan Dickens*, Gillian Schofield, Georgia Philip, Julie Young

Centre for Research on Children and Families, University of East Anglia, Norwich NR4 7TK, United Kingdom

ARTICLE INFO

Article history:

Received 20 June 2016

Received in revised form 2 November 2016

Accepted 2 November 2016

Available online 5 November 2016

Keywords:

Independent Reviewing Officers

Children in care

Professional independence

Professional effectiveness

Managerialism

ABSTRACT

This paper draws on research into the role of Independent Reviewing Officers (IROs) in England, exploring the dimensions and challenges of their 'independence'. IROs are specialist social workers whose function is to review the cases of children in public care and ensure that they have appropriate plans and that these plans are being implemented in a timely manner. IROs are 'independent' in the sense that they are not the social worker to whom a child's case is allocated, and do not have line management responsibility for the case, however they are employed by the same local authority. There are detailed regulations and government guidelines on their role, and high expectations, but what does independence mean in this context? The paper draws on a mixed methods study conducted by the authors in 2012–14, which included a survey of 122 files of children in care from four local authorities; interviews with 54 social workers, 54 IROs, 15 parents, and 15 young people; six focus groups; and nationally-distributed questionnaires for IROs (65), social work managers (46) and children's guardians (39). The study found five dimensions of independence: professional, operational, perceived, institutional and effective. The IROs and social workers generally took more nuanced and pragmatic approaches to their inter-professional working than prescribed in the policy guidance or the pronouncements of politicians and judges, seeing this as more likely to be effective. IROs are not, and cannot be, the solution to all the problems that exist in services for children in care, and the other professionals involved should not be seen as necessarily any less capable or committed to the best interests of the children. Rather, the IRO is part of an interactive system of checks and balances which, together, may increase the likelihood that professional judgement will be exercised effectively on the child's behalf.

© 2016 The Authors. Published by Elsevier Ltd. This is an open access article under the CC BY license (<http://creativecommons.org/licenses/by/4.0/>).

1. Introduction

This paper considers the role of Independent Reviewing Officers (IROs), specialist social workers in England and Wales whose function is to review the cases of children in public care and ensure that appropriate plans are in place and being implemented in a timely manner. IROs are 'independent' in the sense that they are not the social worker to whom a child's case is allocated, and do not have line management responsibility for that social worker (a role that typically falls to yet another social worker, the team manager) although they are employed by the same local authorities as these others. This means that there are (at least) three social workers around any given child or young person in care with direct responsibility for, and a reasonable degree of familiarity with, his or her case. The different roles of these professionals, and the overlaps and tensions between them, are therefore of great consequence for the well-being of the children and the effectiveness of the plans made for them.

* Corresponding author.

E-mail addresses: chris.beckett@uea.ac.uk (C. Beckett), j.dickens@uea.ac.uk (J. Dickens), g.schofield@uea.ac.uk (G. Schofield), g.philip@uea.ac.uk (G. Philip), j.young@uea.ac.uk (J. Young).

The paper draws on findings of a research study of care planning and the role of the IRO undertaken in 2012–14 (Dickens, Schofield, Beckett, Philip, & Young, 2015), and focuses on the notion of *independence* in this professional and organisational context. The government guidance for IROs (DCSF, 2010), and indeed the name of the service, makes clear that independence is central to this service's claim to make a distinct contribution. The paper will examine what IROs' independence means in practice.

While the focus of the paper is this one particular administrative arrangement that exists within a single jurisdiction, the issues raised have much wider implications for the ongoing debate in the literature on professionalism about the correct balance to be struck between professional discretion and professional accountability, and the role of quality assurance mechanisms. We observe that the thinking behind the IRO service is a curious hybrid of, on the one hand, the traditional discourse of professionalism (IROs need to be independent of managerial control in order that they may be guided by their professional values and judgement) and, on the other, the managerialist discourse that emphasises the need for quality assurance mechanisms to ensure accountability (social workers' professional values and professional judgement cannot be relied upon, so their decisions need to be scrutinised).

2. IROs: background and debates about independence

2.1. The role of the IRO

It is a legal requirement in England and Wales that each child in care should have a named IRO, and IROs' duties are set out in primary legislation, regulations and 'statutory guidance' (government guidance that local authorities are required to follow unless there are exceptional circumstances to justify a variation). The guidance to local authorities on their responsibilities for children in care is extensive (at the time of writing, the most recent version is DfE, 2015), and there is a specific handbook for IROs (DCSF, 2010). Their key tasks are to monitor the performance of the local authority in relation to the child's case, including checking that the plan meets the child's needs, that it is viable and that previous decisions have been carried out; to chair the periodic reviews of the child's case; to meet with the child before each review and ensure that his/her wishes and feelings are taken into consideration; to ensure that the parents' wishes and feelings are taken into consideration, and that all those involved in the review meeting(s) are able to make a meaningful contribution; to identify who is responsible for implementing the decisions of each review, with timescales; and to tackle any delays.

The role was created in 2004, largely in response to mistrust from the courts about the compliance of local authorities with court-ordered care plans, and the lack of anyone to challenge local authorities about their planning for the child if his/her parents were no longer involved. These matters had come to a head in 2001, in a Court of Appeal judgement which proposed that 'starred milestones' should be identified in a child's care plan and procedures established for the case to be referred back to court if these were not achieved (*Re W and B; Re W (Care Plan)* [2001] EWCA Civ 757). The judgement was subsequently overturned in the House of Lords, in March 2002, on the basis that it breached the proper division of responsibilities between the courts and local authorities (*Re S (Minors) (Care Order: Implementation of Care Plan)*; *Re W (Minors) (Care Order: Adequacy of Care Plan)* [2002] UKHL 10, [2002]). However, the judgement stressed that the rejection of this step on legal grounds 'must not obscure the pressing need for the government to attend to the serious practical and legal problems identified by the Court of Appeal' (para 106). The role of the IRO was developed as a remedy to this situation.

Two points about this particular narrative are worth bearing in mind. First, a number of local authorities had already established specialist reviewing systems, so the role was not simply the result of court-led pressure (Grimshaw & Sinclair, 1997); and second, research at the time gave a rather different picture: that on the whole plans were implemented successfully, and while there might sometimes be delay or changes, this was not because of deliberate non-compliance by local authorities, rather because of plans not working out for various reasons, or changing circumstances (Hunt & Macleod, 1999; Harwin, Owen, Locke, & Forrester, 2003).

Nevertheless, there are high expectations of the role, and doubts about the effectiveness of the IRO service were being expressed within a very short period of time (e.g. DfES, 2006). There has been forceful criticism of IROs for being insufficiently challenging and insufficiently 'independent'. A leading example is the judgement in the case of *A and S v Lancashire County Council* [2012] EWHC 1689 (Fam), when the judge awarded damages against the IRO personally for failing to protect the interests of the two boys in the case. Other examples are the thematic inspection by Ofsted (2013), and research by the National Children's Bureau (NCB, 2014). But it is important to look more carefully at the nature of 'independence' in a complex context where other professionals are involved, other individuals, different agencies (including at times, the courts), public money is being spent, activities and processes are highly regulated by national and local policies, and resources are limited.

2.2. Independence and the professions

Eliot Freidson notes that professions traditionally claim an entitlement 'to be independent of those who empower them legally and provide them with their living' (Freidson, 2001, p. 220). This claim is based on their specialist knowledge, but crucially also on their ethical commitment to some 'transcendent value' (2001, p. 122), such as Justice (in the case of the legal profession), Health (the medical professions) or Truth (the academy), which will guide them in the absence of external control.

Such claims are sometimes made on behalf of the profession of social work, although often ruefully. We may see them, for instance, in the large body of writing (collectively referred to by Evans and Harris (2004, p. 874) as 'curtailment literature') which charts the rise of managerialism in social work and the curtailment of professional discretion that has supposedly resulted. Jones (1999, p. 38), for instance, regrets that 'social work has been transformed from a self-regulating professional activity into a managed and externally regulated set of tasks'; and Rogowski (2011, p. 162) complains that rules and procedures 'amount to an "iron cage" which limits practitioner discretion'.

It seems self-evident to advocates of professional autonomy that a profession's knowledge and values entitle it to a degree of freedom from managerial control. However there is an alternative view of professions which is that they are essentially self-interested, that their claim to exclusive expertise exists in order to 'limit entry and so raise professional incomes' (Travers, 2007, p. 44) and that the transcendent values they purport to serve are a means of 'persuading society to grant the special status of autonomy' (Freidson, 1970, p. 135). This view of the professions is taken by critics on the right and left of the political spectrum. On the right, neoliberals perceive human beings as essentially self-interested actors, which results in a suspicion of the claims of professionals and public service workers to a disinterested commitment to the greater good. This in turn leads to the use of market and/or managerial mechanisms to prevent the professions from 'obstructing necessary change or engaging in exclusionary practices' (Travers, 2007, p. 46).

Critics on the left observe that most professionals, including even social workers, are relatively privileged members of society and many, also including social workers, are in a relationship of unequal power with their service users. As Travers observes, '... it is agreed by most liberal commentators that, far from being altruistic, professions seek to increase their own earning power by securing a monopoly on accreditation' (Travers, 2007, p. 43). You do not have to be a neoliberal, in other words, to see that professional power can sometimes be abused, or used in a self-interested way.

In short, there are two distinct discourses about professional independence. One (we might call it the 'knight in shining armour' discourse) is that, in order to be able to serve some 'transcendent value' professionals should be allowed to exercise their own judgement freely. The other (we will call it the 'managerialist' discourse) is that the output of professionals needs to be carefully regulated in order to prevent professional self-interest getting in the way of optimal service delivery. As is the case with most such binary oppositions, there is a great deal of ground between these two extremes. Probably most people would agree that some midway point between complete autonomy and rigid regulation is desirable – but may well not agree exactly where.

The IRO service represents a rather special case in relation to this continuum, as we will discuss shortly, but before doing so, there is one further point that is important to make. If one accepts that, at least to some degree, the 'managerialist' discourse is valid, a new layer of problems present themselves. As Max Travers notes 'since professional work involves the exercise of situated judgement, it is impossible to devise a means of objectively measuring performance' (2007, p. 56) and this leads directly to the paradox that to decide whether or not a professional has come to the correct judgement in a given situation is, of itself, 'a matter of professional judgement' (2007, p. 56, emphasis added).

Download English Version:

<https://daneshyari.com/en/article/4936488>

Download Persian Version:

<https://daneshyari.com/article/4936488>

[Daneshyari.com](https://daneshyari.com)