

# Ethical practice in child welfare work: The role of the supervisor

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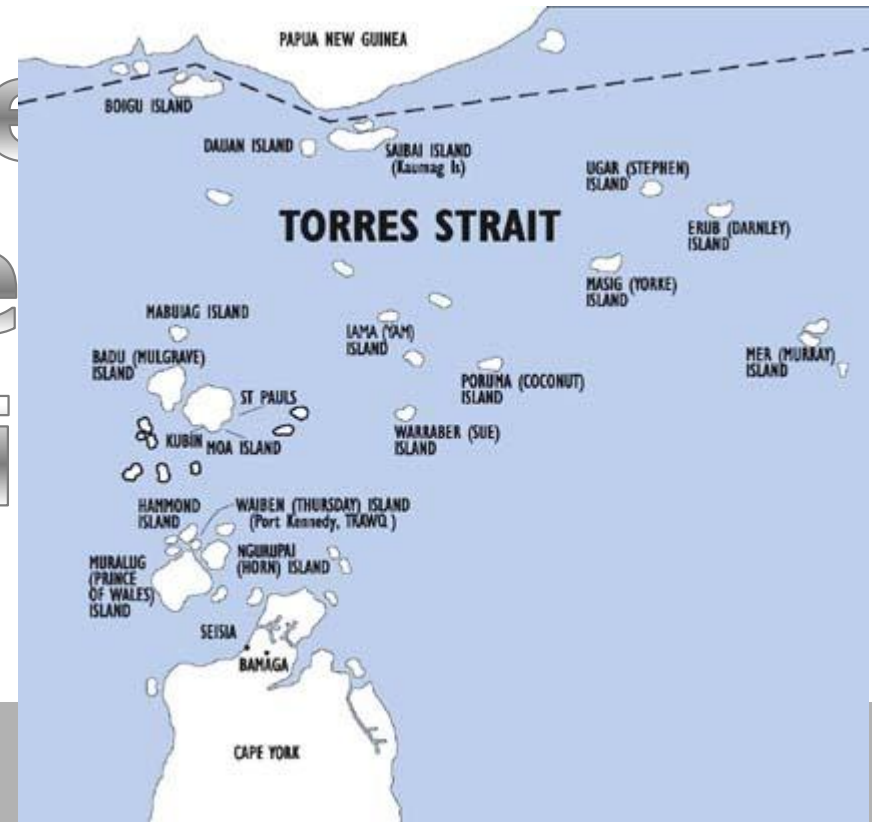
Professor Maria Harries UWA Perth Australia

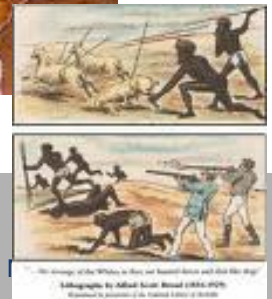


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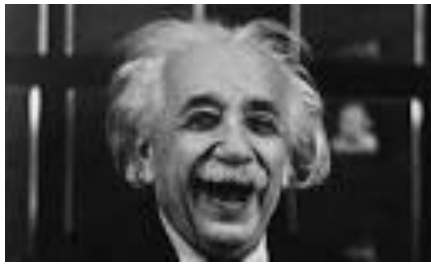
CRICOS

# Learning our way 2011

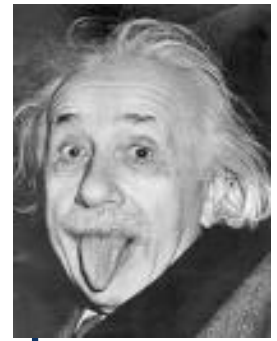
- The OBSD reforms
- Exploration of the issues
- Signposting some future directions
- Learning is typically an iterative process

# Today we will cover:

- An overview of the issues
  - The broad context of change in child welfare
  - Systemic outcomes
  - Over-representation
- Ethical frameworks and practices
- Virtue and Relational Ethics
- Supervision - The ethical dimensions
- The DECIDE model



# Albert Einstein



"The important thing is not to stop questioning.  
Curiosity has its own reason for existing."

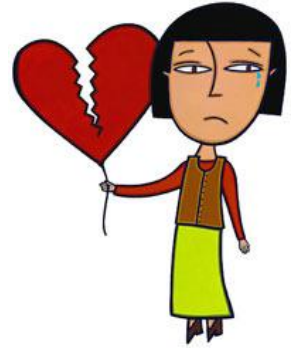
"Anyone who has never made a mistake has never  
tried anything new."

"We can't solve problems by using the same kind  
of thinking we used when we created them."





# Take home messages



- It has taken us years to get to this place and reform is a “work in progress”
- Dominant forensic approaches are rapidly losing their grip due to increasing emphasis on early intervention
- We must maintain approaches that protect those children who are at risk of serious maltreatment or criminal acts
- A robust ethical framework into practice is a segue into relationship-based practice
- Successful change is dependent on an organizational culture of learning rather than one of compliance
- The increasing over-representation of Aboriginal children in the system requires a system rethink and a process of Indigenizing policy and practice

**Changing policy and practice  
in child protection/ welfare  
is responsive to & driven by  
changing social constructions  
of children, childhood,  
parents, the family  
and their dynamic relationships**



# Child Protection Paradigm Features

- Involves Attitudes/ behaviours/ procedures/ practices – a discourse characterised by orthodoxy
- Children seen as innocent and vulnerable victims who need protection
- Dyadic thinking: good/bad, right/wrong, victims/perpetrators
- Children's rights are the paramount consideration
- Children seen as separate to families & community with their own rights

# Child Protection Paradigm Features

- Parents/ caregivers have total responsibility
- Safety overrides notions of holistic wellbeing
- All harm/ risk to children perceived as preventable
- System driven by standard forensic approach to prevent broad concept of harm occurring.
- Best interests of child portrayed as consistent, central & immutable principle of decision making with non-orthodox perspectives treated sceptically

“We need good scientific methodologies (good facts) on the one hand and space for imagination, creativity, and experiential knowledge (good ethics) on the other hand. And we need to integrate both into a seamless whole”.

“Technical reason is not enough”

Margaret Sommerville: The Ethical Imagination

# The moral dimensions

# Un Convention on the Rights of the Child

- The UNCRC is a foundational document for good practice and reform
- The UNCRC clearly locates the rights of children within a framework that includes a right to:
  - being a person in their own right with inalienable personality and personhood
  - having a family environment that involves parental entitlements, and
  - a right to grow up in a community, with all the attendant social and cultural beliefs, arrangements and connections that enable us to grow into healthy active citizens.

# UNCRC

The rights of children are intertwined and inseparable from the rights of their parents and family, and community. It is all about relationships.

As Melton (2010b) notes, the rationale for family related rights acknowledges the family and community as a necessary repository of social values and socialisation, which is a matter of entitlement for all.

The personal significance of family and relationships are integral to this as they provide a bedrock of nurturance, identity, purpose, fulfilment and security.

# Best Interests of the Child

- ☐ Provides the moral and legal centre for most CP decision making
- ☐ Not a black and white issue but often portrayed this way
- ☐ It must be only one of a number of ethical issues & guiding principles and values that collide in decision making:
  - ☐ Confidentiality
  - ☐ Need for informed consent for decision making
  - ☐ Need to know
  - ☐ Protection from harm
  - ☐ Do no harm
  - ☐ Rights and responsibilities of all in a civil society need to be balanced
  - ☐ Self-determination
  - ☐ Public good
  - ☐ Accountability of government officers in executing duty



There are multiple characters who have rights and needs



# The Application of 'Best Interests'

- ❑ Not a holistic concept (uni-dimensional use that excludes other principles)
- ❑ Splits the interests of parents, children & families
- ❑ Reductionist and individually focused - does not account for relationships, culture, connections, spirituality, belongingness, identity
- ❑ Sometimes used as an immutable statement of fact rather than a set of logical propositions & conclusion
- ❑ Sometimes used to shut down debate and dialogue
- ❑ Taken at one point in time – excludes forward thinking “can’t see the future therefore ignore it”
- ❑ Presupposes certainty when none exists – no certainty in predictive abilities – CP is inherently messy, uncertain and complex



# Victoria's Child and Family Services Outcomes Survey Study

- Telephone interviews with representative sample of parents/carers (n = 973) with 13% Indigenous
  - Child protection (n = 289)
  - Family services (n = 293)
  - Out-of-home care (n = 391)
- High response (54-82%) and participation (42-57%) rates
- Information sought:
  - Children's health, wellbeing, education & connection with others
  - Perceptions of service experience, effectiveness & outcomes
- Matched with information from departmental records
- Ethical issues abound & were addressed appropriately



# Key family and child characteristics

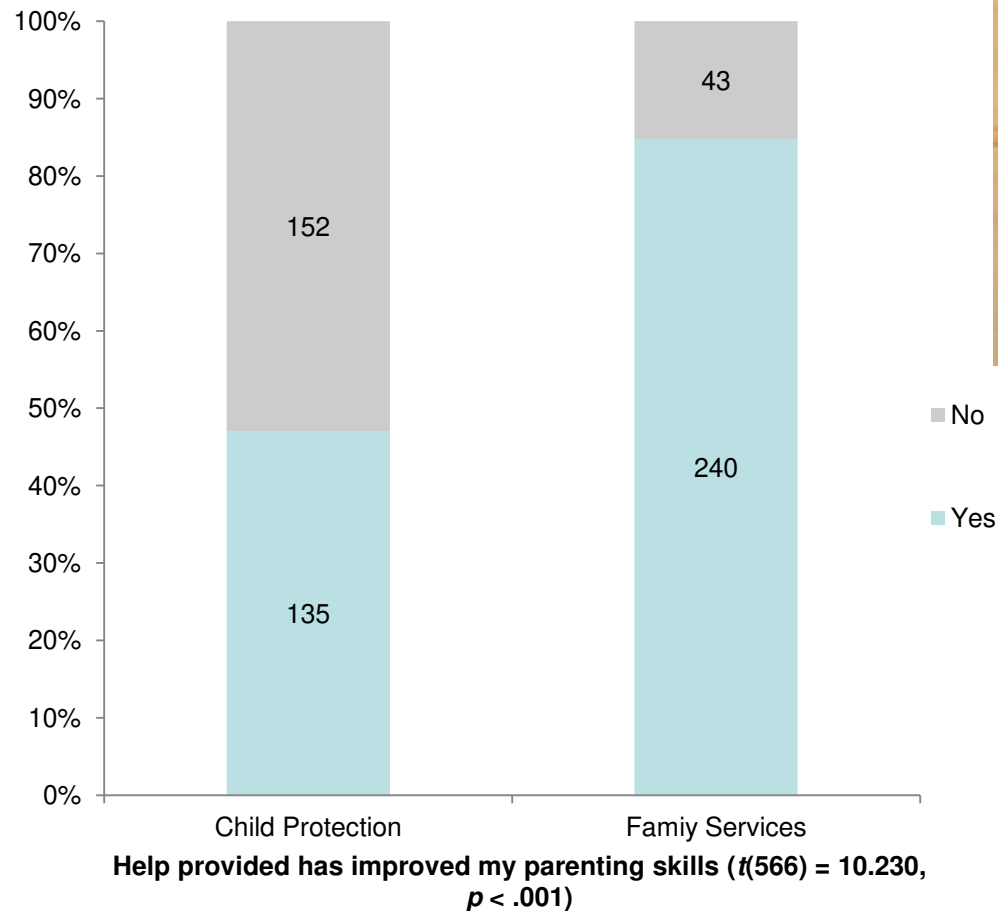
- Large families
- Residentially mobile (except OOHC)
- High rates of emotional and behavioural problems
- Had high rates of children/young people with a disability, including learning disabilities
- Had a range of complex and multiple needs and had received services for:

- Drug and alcohol issues
- Domestic and family violence
- Mental health issues
- Family support

Disability support



# Has the help provided improved your parenting skills?

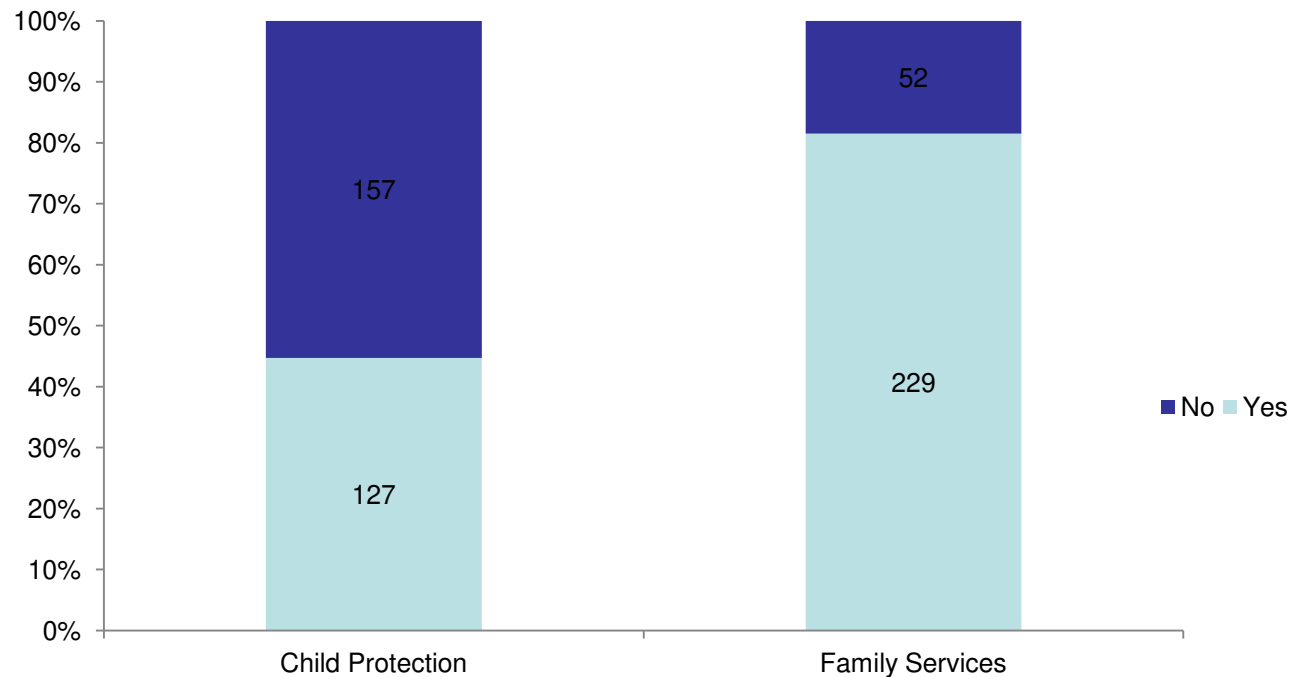


# If yes, in what areas do you think your parenting skills have improved?

- 82-94% of both groups agreed more able to:
  - Meet the child's needs
  - Understand your child's point of view
  - Communicate more easily with the child
  - Relate to the child
  - To be a more confident parent
- 67-80% of both groups agreed more able to:
  - Manage the child's behaviour
  - Teach the child how to do things
  - Manage your finances
  - Relate to other people



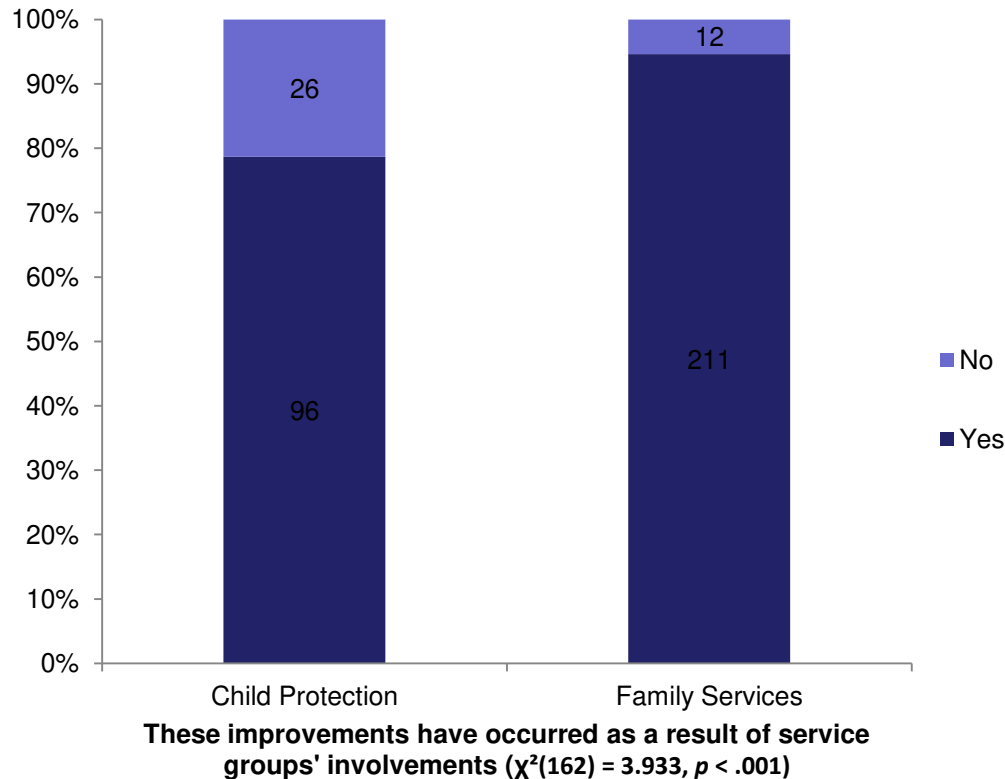
# The child's wellbeing or health has improved since service groups have been providing services



The child's wellbeing or health has improved since service groups have been providing services ( $\chi^2(533) = 9.805, p < .001$ )



# These improvements have occurred as a result of the service groups' involvement

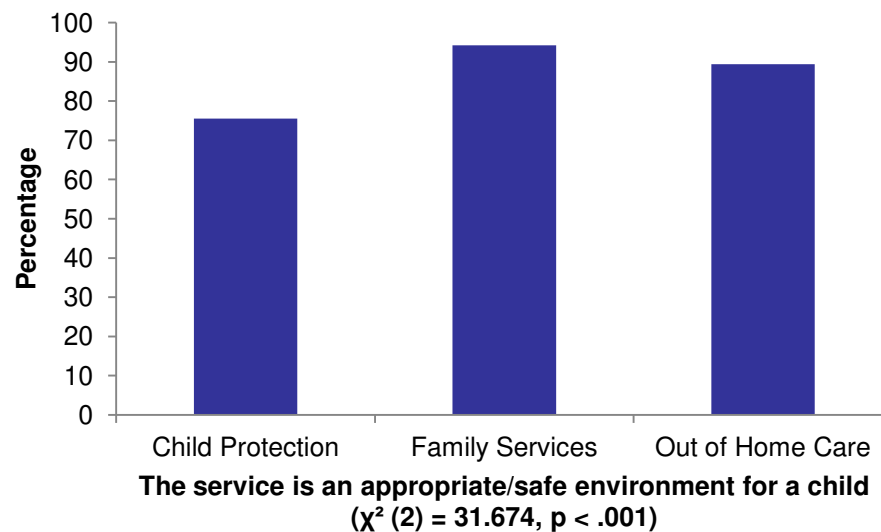
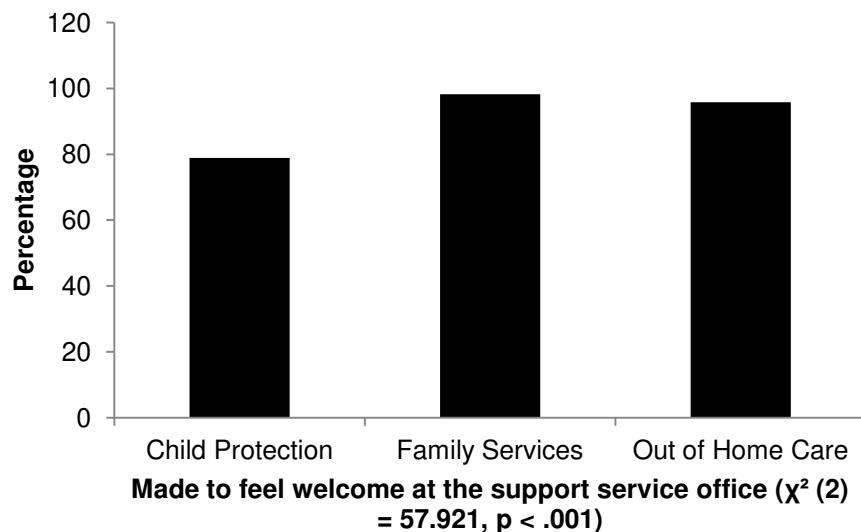


# Improvements to health and wellbeing to child due to services

- >85% of both groups agreed to:
  - Child's mental health
- 75-85% of both groups agreed to:
  - Child's behaviour
  - Child's relationship with primary carer & other family members
  - Child's self confidence
- >70% of both groups agreed to:
  - Child's safety
  - Child's self-care
- >60% of both groups agreed to:
  - Child's physical health
  - Child's education

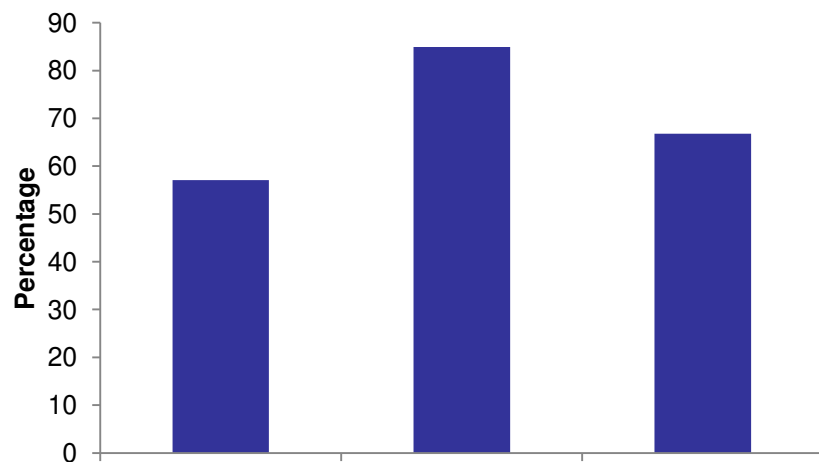


# Feeling safe and welcomed

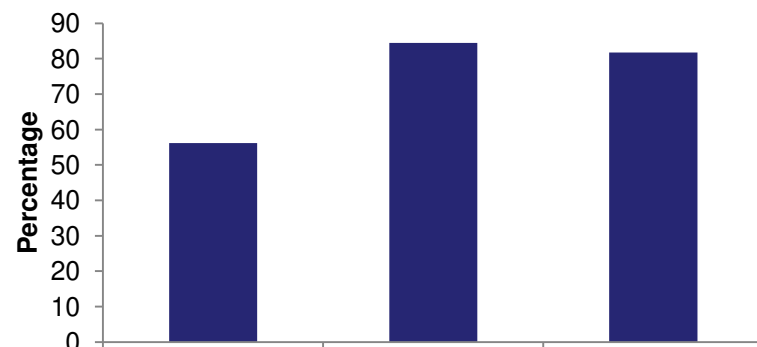




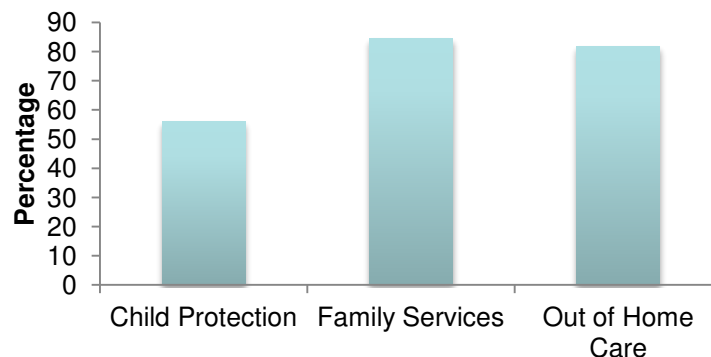
# The provision of help



**Worker provided help to get the services I needed**  
 $(\chi^2(6) = 18.599, p = .005)$



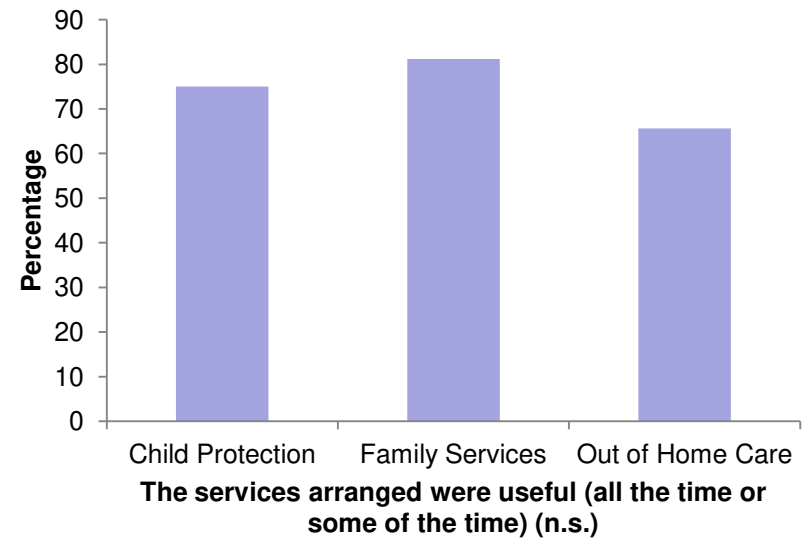
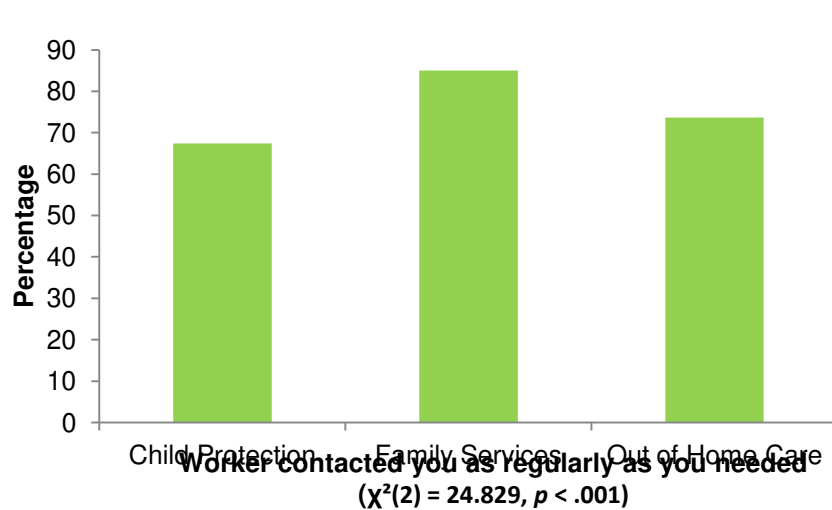
**Worker responded when assistance was needed (all the time or most of the time)**  
 $(\chi^2(6) = 90.470, p < .001)$



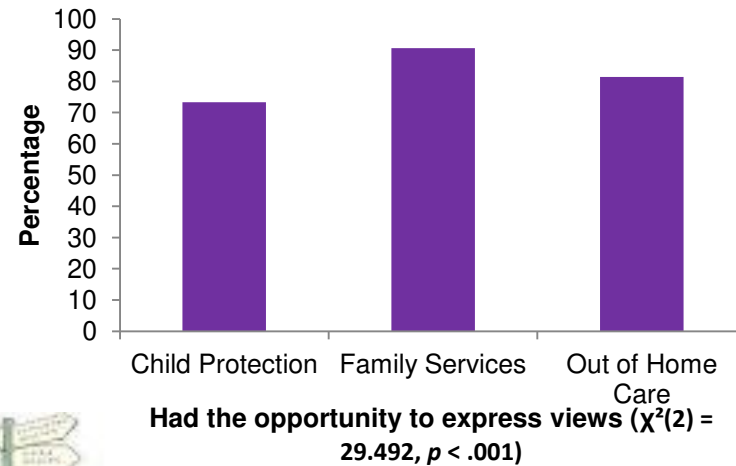
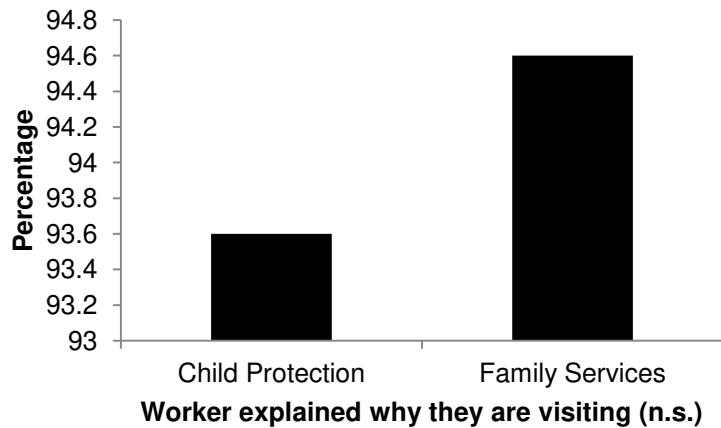
**Worker responded when asked for assistance (all the time or most of the time)**  
 $(\chi^2(6) = \dots)$



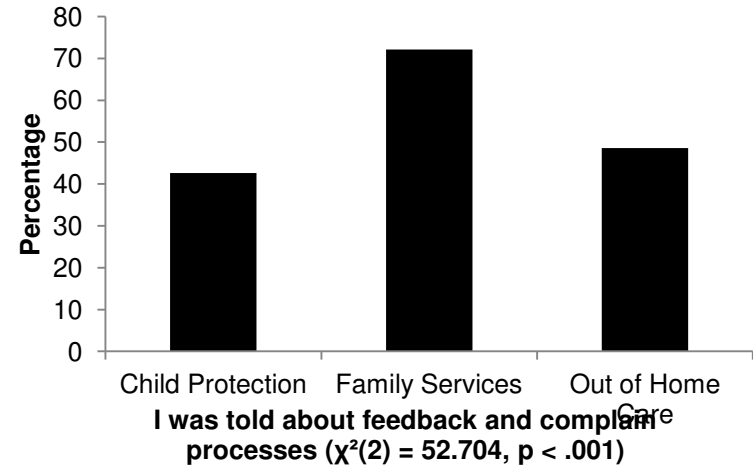
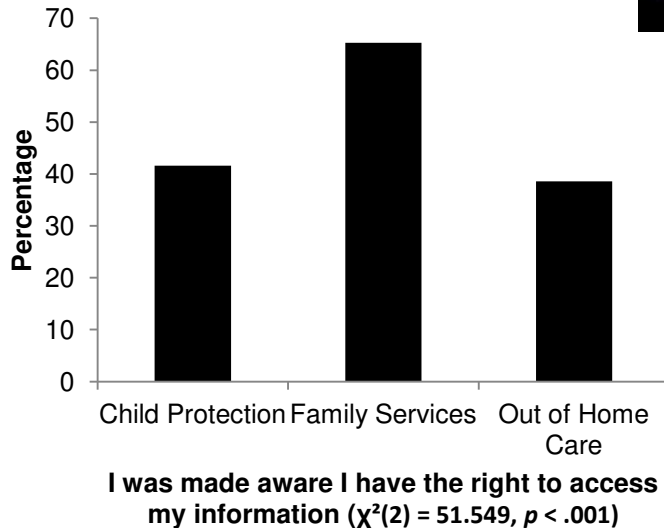
# The provision of help



# Provision of rights-based information

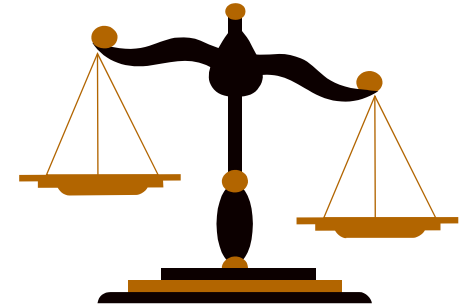
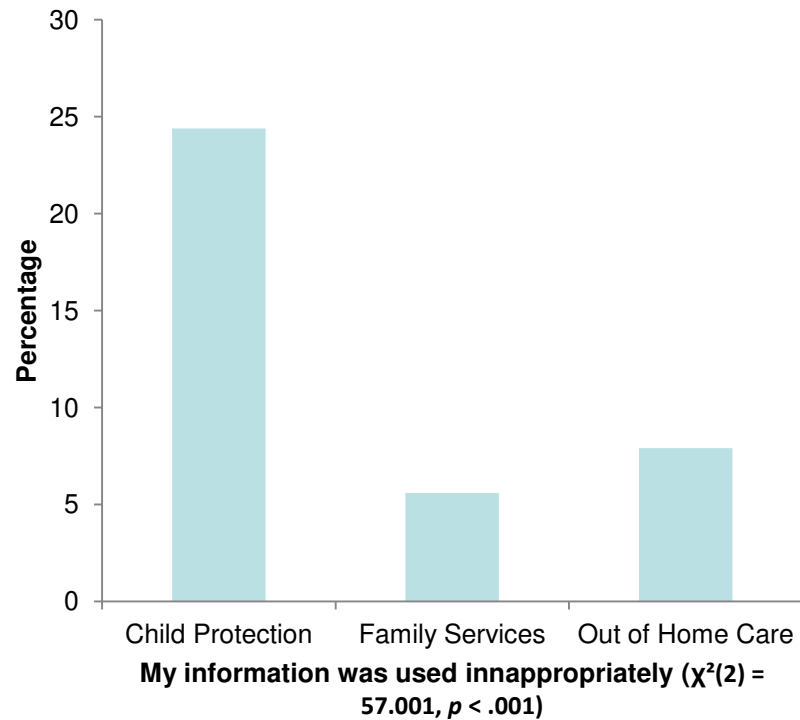


# Provision of rights-based information





# Use of information



# Regression Analysis Results

- Parent/carer experiences of their relationship with workers have a direct impact on their perceptions of improvements in their own parenting skills and the health and wellbeing outcomes for their children or young people.



# Regression Analysis Results

- when Child Protection parent's perceived that the worker had contacted as often as was needed there was a 227 per cent increase in the likelihood that they would perceive an improvement in their parenting skills
- when Child Protection parents perceived that they had the opportunity to express their views about the service, and of being welcome in the agency, there was a 3 fold increase in the likelihood that they perceived improvement in their parenting skills due to the involvement of the service

# Regression Analysis Results

- when Child Protection and Family Services parent's or carer's had positive perceptions of the worker's response to requests for assistance there was a 400 per cent increase in the likelihood that they perceived an improvement in their parenting skills





# The key results and their implications

- From Child Protection parents' or carers' perspectives, there are significant relational and informational issues impacting on intervention success.
- The nature of the worker-parent/carer relationship underpins the likelihood of achieving protective and supportive outcomes for children and young people.



# Partnership – Active Collaboration

- Interventions are rated positively when workers are perceived to be listening, helpful, available, understanding and inclusive
- Partnerships are based on trust and can be built on the following:
  - Authenticity, caring and interest in others
  - Appropriate and ethical use of power
  - Being responsive to requests for help (practicality)
  - Sharing information in open and transparent ways
  - Inclusive decision making



# Thinking Ethically



# ARISTOTLE'S DEFINITION OF ETHICS

“Ethics is concerned with the conditions for human well-being or flourishing, the conditions which enable people to achieve fulfilment or happiness through the development of their physical, mental and social potential.”

# Ethics and Power

“Ethics is fundamentally about how we manage power relationships”

Aristotle

# SOME DRIVING QUESTIONS



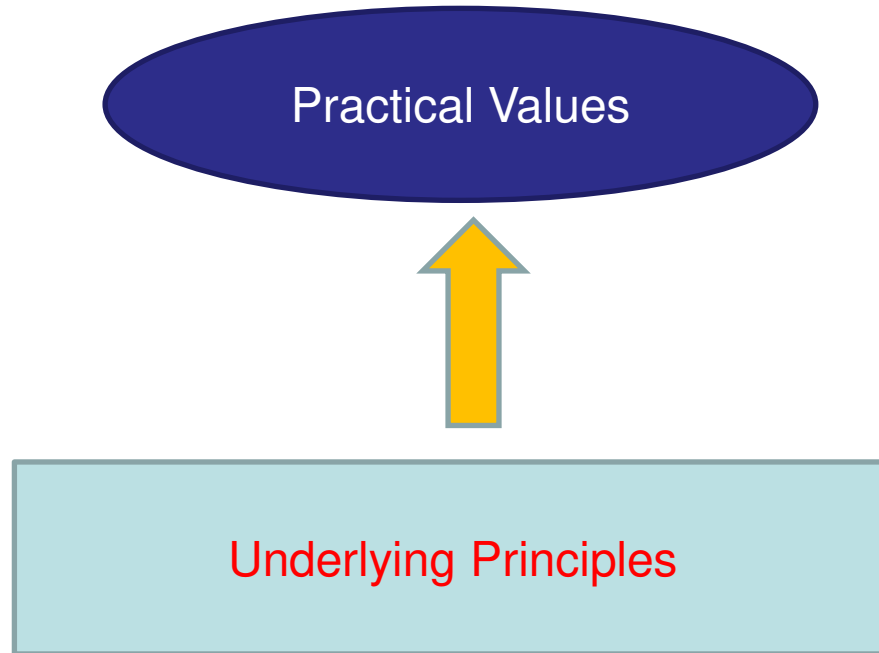
- What does/might ethical practice for child protection look like?
- How do we know we are practising ethically?
- How able are we to practise ethically in what are experienced as hostile policy and organisational contexts, where NPM dominates and power is used overtly, and adherence to procedures is an absolute requirement?
- How do we ethically incorporate ‘the best interest principle in practice?

# ETHICS AS A PRACTICAL DISCIPLINE

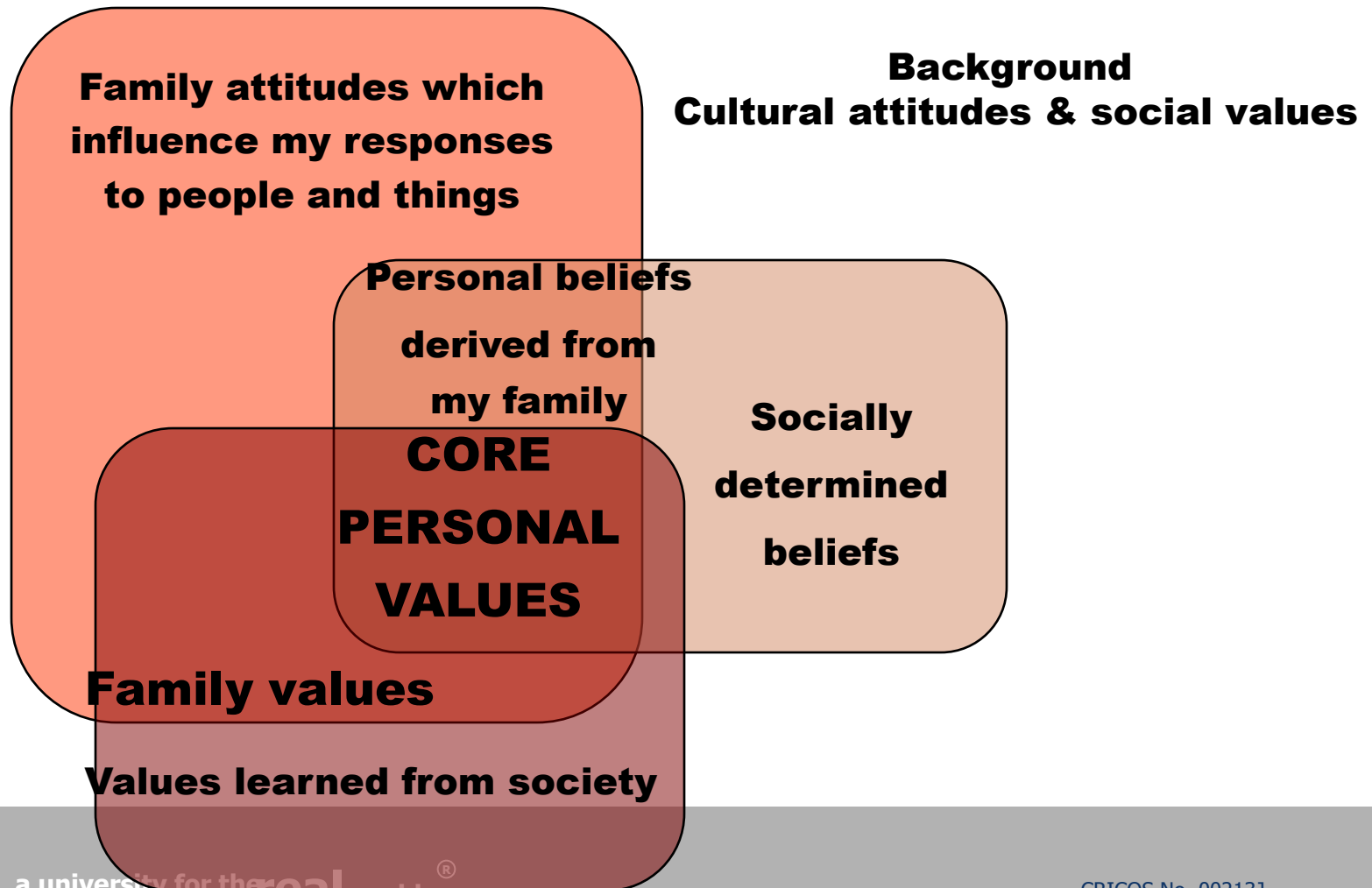
## Sound ethical practice in daily life requires:

- knowledge of the basic principles on which practical moral rules and values are based
- competence in the decision-making skills required for dealing with moral problems
- discretion in choosing appropriate policies and decision procedures for use in different situations
- sound habits and stable dispositions [competencies] to ensure one acts effectively as a responsible moral agent

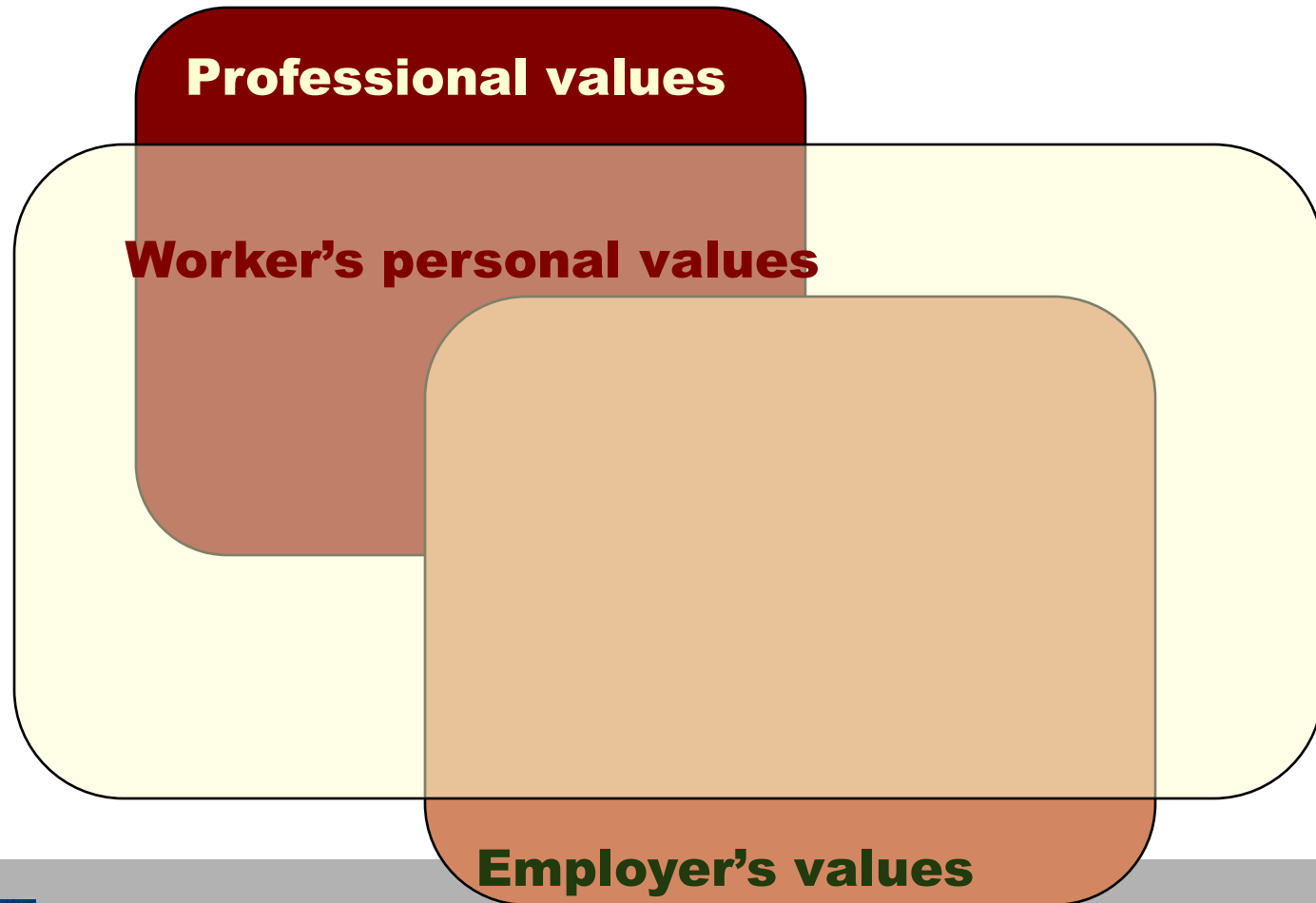
# Values based on Principles



# RELATIONSHIP BETWEEN ATTITUDES, BELIEFS & VALUES



# PERSONAL, PROFESSIONAL & AGENCY VALUES



# Integrated Organizational Practice

- Entails the wise exercise of judgements to incorporate sometime competing and conflicting values, principles and ethics of:
  - The organisational context and requirements
  - The legal obligations and duties
  - Personal situations and circumstances
  - Community expectations and aspirations



# COSTS OF NOT BEHAVING ETHICALLY

- Personal costs
  - No direction, confused about goals, no benchmarks, arbitrary decision-making, not dependable, liability and negligence risk
- Corporate costs
  - Management by crisis, divide and rule, authoritarian or laissez-faire decision-making



# BENEFITS OF ETHICAL PRACTICE



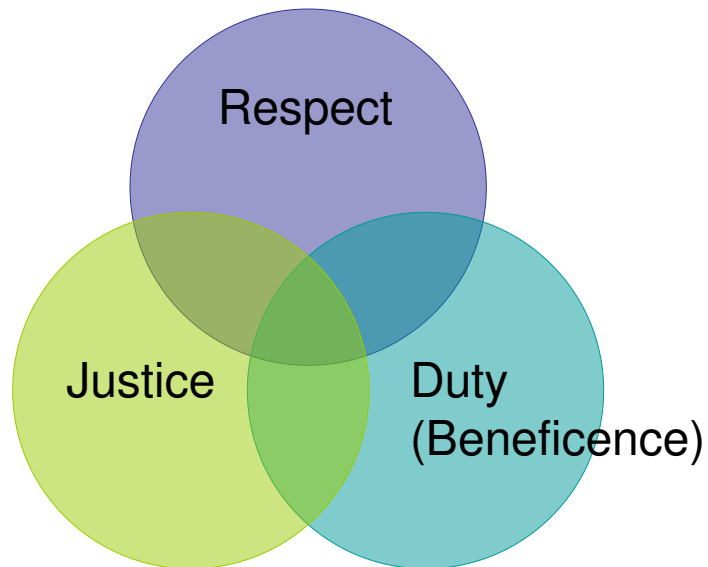
- Personal benefits
  - Clear vision, definite goals, standards for achievement, well justified decisions
- Corporate benefits
  - Clear vision, mission; principles leadership & conflict resolution, consistent basis for decision-making

# Ethical Practice

Three competing ethical principles that are central to all decision making & always in tension in any given society

- Beneficence (often referred to as the duty of care) constitutes the duty to do good rather than harm, to protect the weak and to defend the rights of those who can't defend their own.
- Justice represents the duty to treat people as ends in themselves and never as means to an end, to be fair and equitable to all and to avoid discrimination.
- Respect for persons contains the duty to value the rights, autonomy and dignity of all people and in so doing to be truthful and honest with them because in doing otherwise, one is not respecting them (eg confidentiality).

# PRINCIPLES ALWAYS IN TENSION WITH ALL STAKEHOLDERS



# Approaches to ethics

<b>CAUSES</b> <b>Deontological Theory</b>	<b>MEANS</b> <b>Virtue Ethics</b>	<b>ENDS</b> <b>Teleological Ethics</b>
<i>Antecedent Conditions</i> <i>Principles</i>	<i>Instrumental Means</i> <i>Contextual</i> <i>Pragmatic</i>	<i>Consequences</i> <i>Utilitarian</i>
Immanuel Kant John Rawls	A. Macintyre Aristotle	Jeremy Bentham John Stuart Mill

# Virtue ethics

Emphasizes the cultivation of the virtues, or the moral character of the decision maker, as a necessary condition for sound ethical decision-making.

One description of virtue as used by Aristotle is that of the habit of being able to choose the mean between extremes. Aristotle suggested that this capacity for discernment requires a depth of character and a capacity for prudence rather than an articulation of rules.

Virtue ethics stands in contrast to the two other approaches which emphasize either the duty to obey rules, or to make consequences of actions the touchstone of ones' morality and decision making.

In virtue ethics competent decisions are based on a mixture of knowledge and skilled judgment or practical wisdom. This must be informed by real experience, and not just abstract principles or anticipation of future consequences.

What virtue ethics emphasizes is that the quality of the decision and action is mediated by the integrity, practical wisdom and competence of the decision maker (in this instance, the child protection worker).

# Virtue and Relational Ethics

Current trends and thinking are highlighting the advantages in professionals utilising virtue ethics and relational ethics

Virtue - “Ethics is about doing the right thing and - more importantly - about being the kind of person who can be relied upon to do the right thing” (Tobin 1994: 55)

# Virtue and Relational Ethics

There are four themes in what is called relational ethics

- mutual respect
- engaged interaction
- embodiment and
- creating environment.

These can provide a framework for acknowledging power imbalances and developing trusting relationships with families.

“It is possible to have a moral and trusting relationship with at-risk families, but this needs to be based on critical self-reflection and mutually respectful relations”



# Relational Practice



- Places change as emanating from the dynamics of caring interactions between people at all levels,
- Sits squarely within virtue ethics and the wise & beneficent use of power
- Utilises systems theory and Stages of Change (Prochaska & DiClemente)
- Embraces a therapeutic orientation
- Culturally safe
- Gender safe

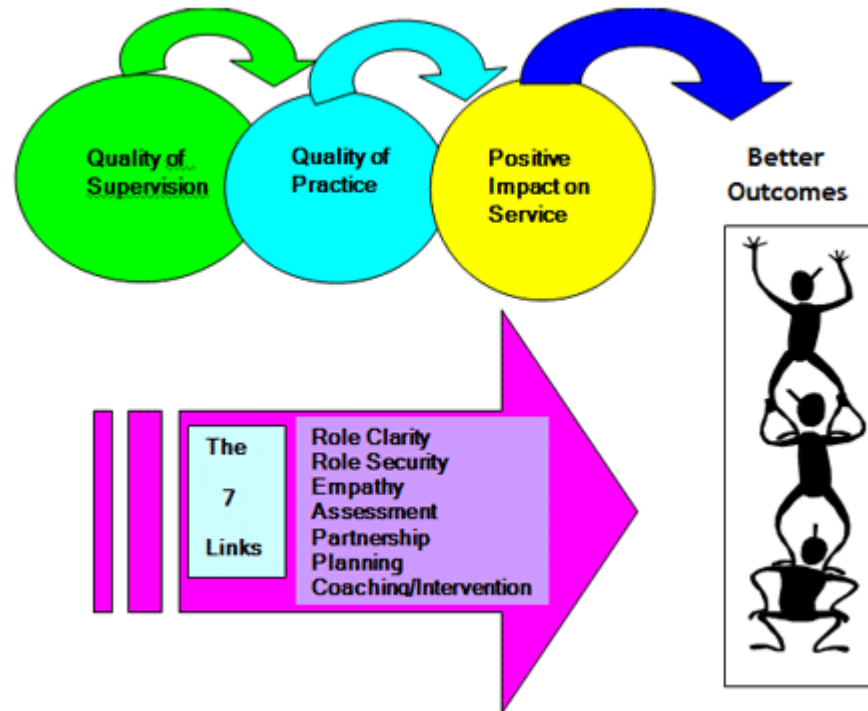
# Aspects of Relational Practice

- Being an 'Agent of Hope'
- Taking the time that needs to be taken to build the relationship – attention to process issues
- Need to focus on and attend to:
  - Engagement through warmth and rapport building
  - Distrust and the need to build trust
  - Use of power and how words can be like knives
  - Genuine respect and authentic listening
  - Displaying empathy and understanding
  - Being aware of stereotypes and prejudices

# Aspects of Relational Practice

- Reaching out to the 'other'
- Being non-judgemental & walking a mile in their shoes
- Wanting to hear and learn about their underlying feelings of:
  - Being imprisoned by circumstances
  - Being continually let down by others
  - Abandonment
  - Grief and loss
  - Sense of failure
  - Sense of fatalism that things will never improve etc

# Professional supervision



# Desirable supervision outcomes

- Two different types of emphasis
  - Professional supervision (how you are doing the job?)
  - Task supervision (what you are doing on the job?)
- Three primary outcomes
  - Guidance and direction (accountability and outcomes)
  - Education (knowing more & developing wisdom)
  - Support (building morale)
- Practice development through being an agent of change and empowerment



# The direct practice supervisory relationship

- The gatekeeper of good practice - accountability
- Mentoring & modelling behaviours to guide others
- Involves negotiating the tensions between:
  - Competing stakeholder interests
    - Child/ren and young person
    - Parents/ family
    - Communities
    - Agencies, media and others
  - The processes issues upon which good practice relies
  - The desired outcomes of protective actions
  - Top-down interventions



Directing – guiding staff – use of authority and power

# What does ethical supervision look like?

- Is a key accountability mechanism
- Focuses on process and outcomes
- Embodies ethical principles and values
- Explicitly frames issues within an ethical context and helps to identify the ethical principles and values and their respective priorities
- Provides an integrated framework for decision making taking into account the dynamic and diverse influences on practice
- Promotes a culture of learning rather than slavish compliance



# Variations in practice

Variations in practice are due to diversity of factors and differences in:

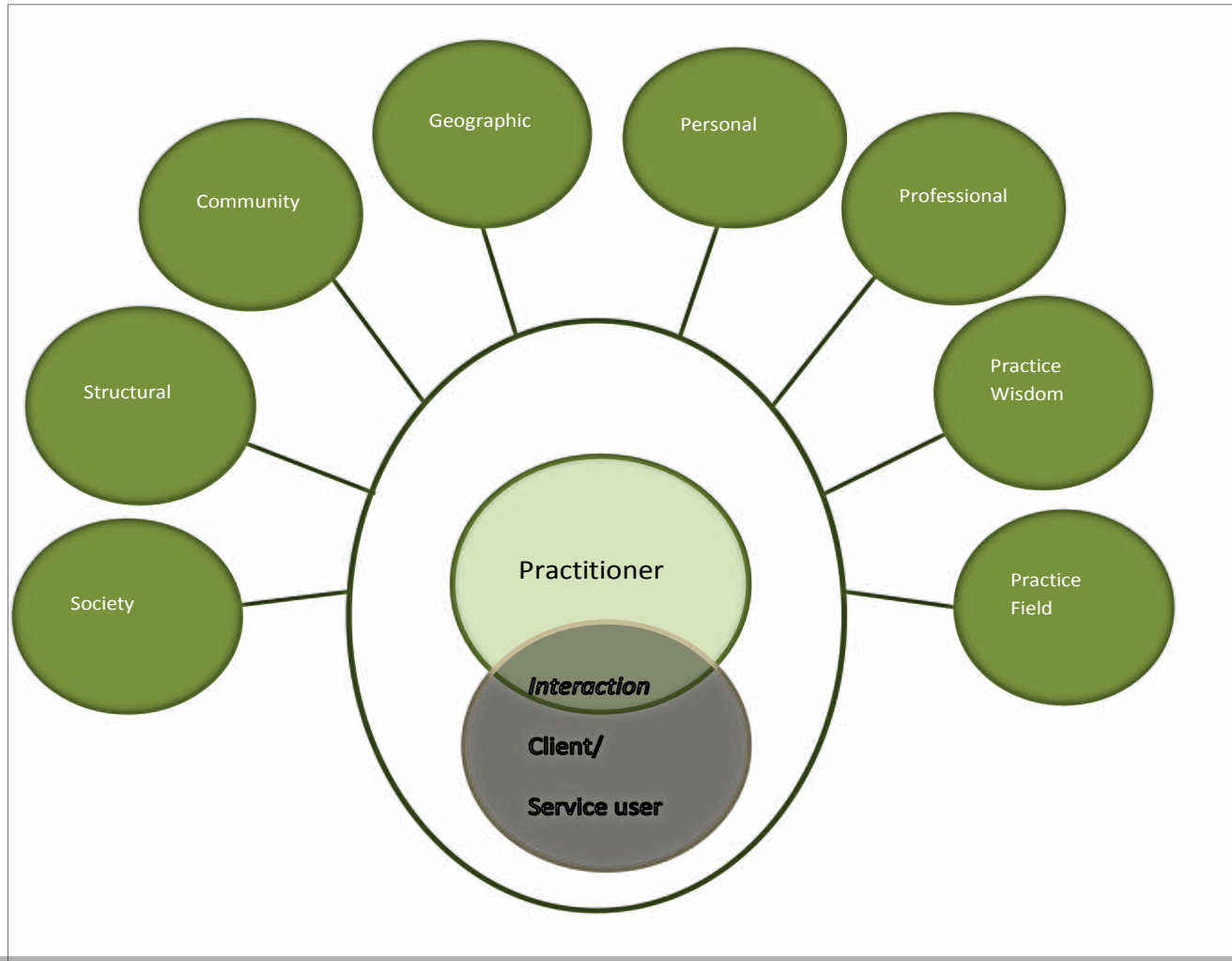
- Societal ideologies, arrangements and structures for the provision of social welfare
- The relationship of social work to the State
- Specific institutional and organizational context
- Legislative, policy and procedural requirements
- Cultural and other characteristics
- Community diversity
- Practice fields (eg health, child welfare etc)







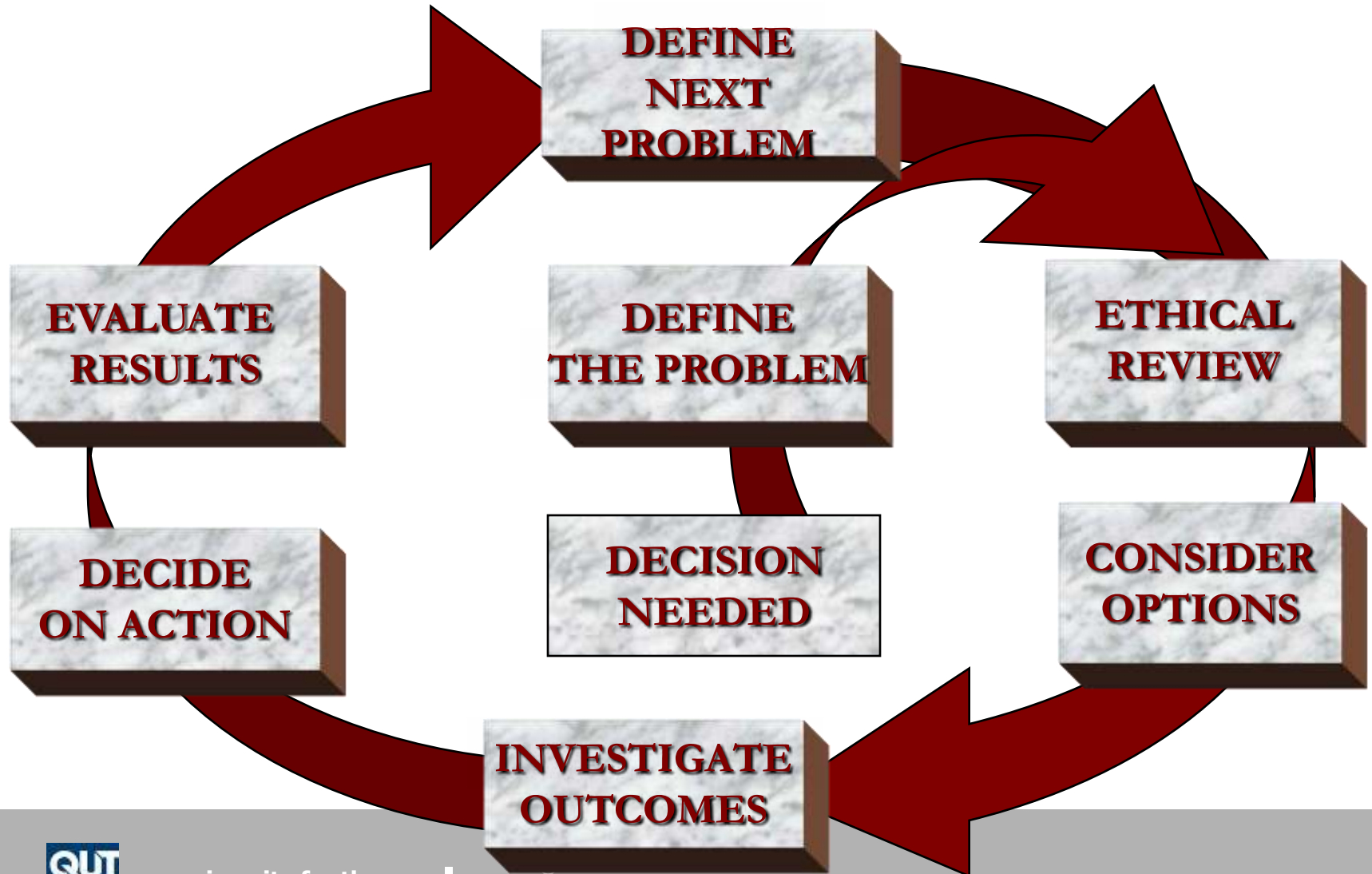
# Domain Theory



# Domains and their influence

- Each domain has narratives of relative influence
  - Dominant narratives refer to those discourses holding the most sway for in any given domain – they dominate the construction of meaning.
  - Secondary narratives are those that in some way support the dominant narrative.
  - Subversive narratives challenge these dominant and secondary narratives.
  - Latent narratives only get activated now and then in response to a specific trigger.
  - Emergent narratives refer to those that are just beginning to form
- Notion of ‘best fit’ for specific practice contexts

# DECIDE MODEL



# The DECIDE model

- Define the problem and clarify the facts
- Ethical review against principles
- Consider options
- Investigate outcomes
- Decide on action
- Evaluate results



# Define the problem and clarify the facts

- **What are the key facts of the case and**
- **What ethical issue/s demand a decision immediately from you or your team?**
- It is important to summarise the facts of the case and to attempt to define what is the most important problem to be tackled first. You may be surprised to find that defining the problem is often the most difficult part of the process [for it may involve teasing out several tangled problems]. However defining the problem clearly helps make the next steps easier.

# Ethical review against principles

- **Which Ethical Principles have a special bearing on the Problem and Decision you have to make, and how do you prioritise these?**
- The fundamental principles of justice, responsible care and respect for people's rights, as well as other subsidiary principles and rules may have a bearing on the case.
- Decide which of these principles should take precedence over the others in the particular circumstances – there is no obvious 'right' answer

# Consider options

- **What are the most reasonable, ethical and practical choices available to you in the specific situation under consideration?**
- Brainstorm all the possible things that you could do to deal with the problem, and then spend some time focusing down on which are the most sensible and practical options. Some options will depend on obtaining further help or resources, or will take longer to achieve a satisfactory result, and some options may be more expensive or risky etc.

# Investigate outcomes

- **Given past experience, what are the likely Ethical Outcomes, Costs and Benefits, of each choice?**
- Having generated a list of Options and having ranked these in order of priority from your point of view, it is important to run each option past the three fundamental principles of Justice, Respect for people's rights and Responsible Care for others and the public good.
- Which option is both more practical and ethically acceptable, or, at worst, least harmful



# Decide on action

- **What is your goal? What are your practical objectives and how do you intend to achieve them effectively ?**
- Develop a specific action plan with clear and achievable objectives for your best option, for only if you have clear goals and objectives, can you be said to be acting responsibly, and your goals and objectives allow you to evaluate later whether your action was successful or not. Commit yourself to resolute action and execute your plan as efficiently and effectively as possible.

# Evaluate results

- **What criteria will you use to judge your success in achieving your goals and your practical and ethical objectives?**
- No ethical decision can be said to be a fully responsible one if you have not carefully appraised the results of your action and identified what you can learn from your successes or mistakes. on

# Evaluate results

- Accountability means being able to give an account of what you have done –
  - What you perceived the problem to be and what were the relevant ethical considerations
  - What alternatives you considered and what reasons you had for choosing your course of action
  - What your action plan was and what goals and objectives you hoped to achieve
  - What the specific outcomes of your action were, and whether these were good or bad.
  - Sound evaluation also means keeping records of decisions and outcomes, so that you can compare results on future occasions when faced with similar circumstances.

# The DECIDE model

- Define the problem and clarify the facts
- Ethical review against principles
- Consider options
- Investigate outcomes
- Decide on action
- Evaluate results

# AN ADAPTABLE PROCESS FOR DECISION MAKING

1. WHAT IS THE PROBLEM?
2. WHO IS INVOLVED?
  - MANDATORY CLIENTS?
  - INVOLUNTARY CLIENTS?
  - OTHERS?
3. WHAT DECISIONS HAVE TO BE MADE?
4. WHAT IS THE AGENCY MANDATE?
  - WHAT ARE THE SYSTEMS GOALS?
5. WHAT VALUES INFORM THIS DECISION?
6. WHAT POLICIES INFORM THIS DECISION?
7. WHAT THEORY INFORMS THIS DECISION?
8. WHAT ETHICAL ISSUES ARE INVOLVED?
  - RIGHTS?
  - RESPONSIBILITIES?
9. RELEVANT PRINCIPLES IN ETHICAL HIERARCHY
10. LIKELY CONSEQUENCES USING DIFFERENT PRINCIPLES?
11. WHO SHOULD BE INFORMED OF DECISION AND HOW?
12. RESOURCE ISSUES CONSEQUENT TO DECISION MAKING?

# Best Interests of the Child

- ☐ Some guiding ethical principles and values that collide in decision making:
  - ☐ Confidentiality
  - ☐ Need for informed consent for decision making
  - ☐ Need to know
  - ☐ Protection from harm
  - ☐ Do no harm
  - ☐ Rights and responsibilities of all in a civil society need to be balanced
  - ☐ Self-determination
  - ☐ Public good
  - ☐ Accountability of government officers in executing duty
- ☐ There are multiple characters who have rights and needs



# Reflecting on reactions

How do we understand the ‘problem’?

- What is worrying me?
- Who has a stake in this?
- What are the issues?
- Which ethical principles are important?
- What are our duties and to whom?



Each day forces us  
to totter on planks we hope  
will become bridges  
Kevin Hart





# Thank you for your appreciative attention



# Any Questions?



# The End

# References

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