

Module Outline Guidance for trainers - Module 3

Module 3

Making the permanence decision

Introduction

Module 3 provides an overview of the legal system, ethics, core principles of legislation, and the role of precedent and case law. It will explore how case law develops and will equip social workers with the skills, resources, and knowledge to help them remain informed of significant changes, such as relevant case law decisions on threshold criteria and permanence. Its aim is to ensure that decision-making is evidence-informed and based on an understanding of legal processes.

This module addresses the application of critical, analytical, and reflective thinking to assessment, planning and decision-making. It will consider a range of practical tools (e.g. chronologies, the five anchor principles). It equips social workers to consider the advantages and disadvantages of all permanence options for individual children /young adults. It also provides an overview of significant research evidence relating to these (including options for supporting a child/young adult within the family, reunification to parents and other long-term permanence strategies) to ensure that the decisions that are made are in the child/young adult's best long-term interests.

Participants will be encouraged to explore the application of ethical social work principles in practice with children/young adults and their families throughout this module. Issues of culture and identity are woven into the whole of this module.

The expectation is that participants already have a working knowledge of the legal system and different legal options for permanence including adoption, special guardianship orders etc. Participants should have evidenced enhanced skill in whole family assessment; direct work with children/young adults and families; preparation of analytical reports; ability to articulate defensible decision-making; and confidence in the practical skills required to prepare for and attend court. Participants should have experience of care proceedings, either directly, or through shadowing another worker through a case.

Module aims

This module explores:

- research on what supports children/young adult's needs to make reunification with their family work
- an appreciation that while the law tells us what we can and cannot do for children/young adults and families, it will not tell us what we should do in any given scenario – we must use the law to support best decision making for each child/young adult

- the importance of high quality, person- centred record-keeping that is concise, clear, and fit for a range of audiences
- what to record and why
- communication with all stakeholders as advocates for the child/young adult's needs throughout the process
- use of research within written and oral evidence
- multi-agency working to ensure information is as comprehensive, evidenced, and relevant as possible
- organisational and professional governance to make the right permanence decision
- stress-testing evidence
- consideration of the court process and the competing tensions
- consideration of the different roles, responsibilities, powers, and duties of individuals in the court process
- consideration of scenarios involving multiple siblings
- the legal concept of findings
- legal considerations where parents have cognitive and mental health difficulties
- consideration of scenarios including highly complex families where important factual matters are still in dispute and the effect on the whole family assessment
- awareness of strengths and weaknesses of various assessment models and how to adjust for this
- best practice for kinship and other permanence assessments
- understanding the purpose of contact with family members and how this may affect the needs of the child/young adult
- assessing and testing good enough parenting and parental capacity for change
- the effective use of hypothesis and testable propositions, linking this directly to the child/young adult's current experience and the effect of these circumstances upon the child/young adult
- characteristics of purposeful analytical assessments, involving the connection between analysis, intuition, reflection, analysis hypothesising, and critical thinking.

Questions for participants

Participants will be asked to consider a series of questions:

- how does legislation, guidance and case law support decision-making and planning?
- what issues need to be taken into account in contingency planning?
- how can you ensure that your decision-making rests on critical thinking?
- which model of systemic assessment is the best fit with your own practice/the context in which you work?
- what gets in the way of timely, person-centred planning in your own practice/the context in which you work? How can you overcome these challenges?
- what types of evidence inform plans in your own practice/the context in which you work? Is this evidence base adequate?
- how do you manage decision-making where there is complexity and uncertainty?

Module outcomes

Participants will be offered opportunities to:

- exemplify the role of practice wisdom in advanced social work
- express in-depth understanding of the legal system and how to navigate it
- identify the range of legal orders and permanence options (including reunification) and evaluate the most appropriate option based on individual children/young adult's needs and evidence-informed practice
- explain the developments in case law relating to permanence and the purpose of contact for the child/young adult
- differentiate between intuitive, reflective, analytical, and critical thought processes, with a view to applying these purposefully in social work assessment, planning and decision-making
- employ deep understanding of how the law can ensure that the child/young adult's voice is heard and enable best practice
- compare all the realistic options for achieving permanence, analyse alternatives, and stress-test decisions
- prepare written and oral evidence that properly reflects that the role of advanced social workers as expert witnesses and advocates in communicating the needs of the child/young adult
- evaluate relevant and up to date research with a view to sustaining evidence-based assessment, planning and decision-making
- demonstrate capacity to meet the time frames for the developing child/young adult and challenge court and local authority processes if timely decisions are not made.

Week one

Suspicious minds

Introduces participants to some of the legal issues that arise in relation to children and family social work with an emphasis on achieving permanence.

Learning outcomes

Participants will be offered opportunities to:

- exemplify the role of practice wisdom in advanced social work.

Week one essential tasks/activities

Participants will be asked to:

- read part 4 of the programme case study “Chloe leaves placement’ and complete associated tasks in the participant workbook
- outline the evidence that informs their answers (e.g. personal/professional experience, research evidence, local or national practice guidance)
- reflect on how this material resonates with their own experience in the court arena.

Week two

The legal context

Ensures that participants have a good working knowledge of the legal framework in relation to children and families social work and particularly permanence.

Learning outcomes

Participants will be offered opportunities to:

- express in-depth understanding of the legal system and how to navigate it
- identify the range of legal orders and permanence options (including reunification) and evaluate the most appropriate option based on individual children/young adult’s needs and evidence informed practice
- explain the developments in case law relating to permanence and the purpose of contact for the child/young adult.

Essential tasks and activities

- Read the programme briefing paper Achieving Permanence: Law and Statutory Guidance
- Read the programme briefing paper Achieving Permanence: Case Law
- Read the Children Act 1989 Guidance and Regulations Volume 2
- Address a series of questions set out in the participant workbook
- Read case study Olivia and her un-named son.

Week Three

Essential reading

- Colin Green's special report on Assessment and Analysis, and its Appendix, both written for CareKnowledge, June 2017.

Choice of further reading to be guided by specific learning goals identified by the participant with their manager/supervisor.

- Brown, L. and Turney, D. (2014) Analysis and Critical Thinking in Assessment. Resource pack. (2nd ed) Dartington: Research in Practice.
- Braye, S. and Preston-Shoot, M. (2010) *Practising Social Work Law*. (3rd Edition). Palgrave MacMillan.
- Tunstill, J and Willow, C (2017) Professional Social Work and the Defence of Children's and their Family's Rights in a Period of Austerity; a case study. *Social Work and Social Sciences Review*, 19, 1, 40-65
- Wilkins, M. & Farmer, E. (2015). 'Reunification: An Evidence-Informed Framework for Return Home Practice'. NSPCC.

Week four

Workshop three

Making the permanence decision

Learning outcomes

Participants will be offered opportunities to:

- differentiate between intuitive, reflective, analytical, and critical thought processes, with a view to applying these purposefully in social work assessment, planning and decision-making
- employ deep understanding of how the law can ensure that the child/young adult's voice is heard and enable best practice
- compare all the realistic options for achieving permanence, analyse alternatives, and stress-test decisions.

Workshop Timetable

09.30 – 11.00	Review learning Critical thinking
11.00 – 11.10	Break
11.10 – 12.45	Systemic assessment models
12.45 – 13.45	Break
13.45 – 15.00	Person-centred plans
15.00 – 15.10	Break
15.10 – 16.30	Explaining decisions.

See session plan with notes for trainers for further detail of workshop content and process.

Week five

Planning for permanence

Considers the process of designing purposeful plans for permanence.

Learning outcomes

Participants will be offered opportunities to:

- prepare written and oral evidence that properly reflect the role of advanced social workers as expert witnesses and advocates in communicating the needs of the child/young adult
- evaluate relevant and up to date research with a view to sustaining evidence-based assessment, planning and decision-making.

Essential tasks/activities

Participants will be asked to:

- reflect on their understanding of 'evidence-based' practice using questions set out in the participant workbook
- examine their plan for the children/young adult in their own ongoing case study
- prepare a brief critical analysis (maximum 500 words) that addresses the questions:
 - Where and how does the plan communicate the child/young adult's unique needs?
 - Where and how does the plan advocate for the child?

Week six

Transformative practice

Learning outcomes

Participants will be offered opportunities to:

- express in-depth understanding of the legal system and how to navigate it
- demonstrate capacity to meet the time frames for the developing child/young adult and challenge court and local authority processes if timely decisions are not made.

Essential tasks/activities

Participants will be asked to:

- review their plan for the children/young adult in their own ongoing case study, with an emphasis on its compliance with SMART and ExACT

principles. Prepare a brief critical analysis (maximum 500 words) that presents the rationale for and an evaluation of the planned interventions and the timetable for their implementation

- review their plan for the children/young adult in their own ongoing case study and prepare a brief critical analysis (maximum 250 words) that presents the rationale for and an evaluation of its contingency plan.

Week Seven

Essential Reading Week

Essential reading

- Wilkinson, J. and Bowyer, S (2017). The impacts of abuse and neglect on children; and comparison of different placement options. Evidence review. Department for Education.

Additional learning options

Choice of further reading to be guided by specific learning goals identified by the participant with their manager/supervisor:

- Baynes, P. (2015) *Contact: Making good decisions for children in public law*. Dartington: Research in Practice www.rip.org.uk/frontline
- Cottrell, S. (2005) *Critical Thinking Skills. Developing Effective Analysis and Argument*. Basingstoke: Palgrave MacMillan
- Neil, E, Beek, M. and Ward, E. (2014) *The "Contact After Adoption" Study*. Available online at: <http://www.uea.ac.uk/centre-research-child-family/child-placement/contact-after-adoption-project/2012-13>
- Ruch, G., (2007) "Thoughtful" practice: child care social work and the role of case discussion *Child and Family Social Work* 12 370-379.
- BBC Radio 4 *The Adoption* Podcast
<http://www.bbc.co.uk/programmes/p05k3wsq/episodes/downloads>