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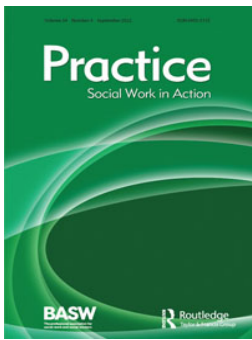
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‘It is Really Important That We Sometimes Remember the Children and Their Views Rather than Just Our Own’: The Presentation and Representation of Children’s Views in the Child Protection Conference

Justine Ogle and Sharon Vincent

In the UK, children are entitled to have their views, wishes and feelings conveyed to a child protection conference in person or through professional representation. This paper presents findings from a qualitative study undertaken in a local authority in England which explored perspectives of attending a conference in person and investigated how children’s views were represented when they were absent. Findings emerged through interviews with four children, focus groups conducted with four social workers and four conference Chairs, and case record analysis of reports submitted to and generated in child protection conferences for twenty-eight children. Three interrelating discourses of childism, participation and autonomous professional practice emerged within an overarching conceptualisation of power and generational ordering. The findings support contemporary understandings of the privileging of protection rights over participatory rights within child protection practices and add to the limited international evidence base concerning the extent to which young children can express their views, wishes and feelings. They also suggest a need to evaluate the impact of strengths-based practice frameworks, and approaches for assessment and recording practices that promote authentic participation for children across all age ranges.

Keywords: child protection conference; power; participation; case recording

Introduction

Socio-Legal Discourses of Childhood as Mediators of Participation

Listening to and hearing the voice of the child and taking their views, wishes and feelings into consideration in child protection practice is synonymous with

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upholding the participatory rights of the child, as articulated in Article 12 of the United Nations Convention on the Rights of the Child (UN General Assembly 1989). In a UK socio-legal context, participatory rights are further endorsed through the Children Acts 1989 and 2004, and statutory guidance for inter-agency child protection practice (DfE 2018).

In contemporary child welfare states, participation is understood as a legal, moral and practice good; albeit one that is qualified and mediated by professionals. The CRC (UN General Assembly 1989) recognises the inter-relationship between Article 3: the best interest of the child, and Article 12: the right to participation, emphasising their mutually reinforcing principles and functionality (United Nations 2009). The well documented dissonance between legal and moral expositions of participatory rights, and what occurs in social work practice (Collins 2017; Heimer and Palme 2016) is attributable to a complex interplay of structural, organisational and practice influences.

Westernised developmental perspectives of childhood which depict childhood as separate to adulthood through biological and psychosocial differences are dominant in socio-legal discourses of childhood (Burman 2017; Corsaro 2015). More contemporary sociological theories regard childhood as a socially constructed state of being; one that is understood through political, social and cultural processes (James and Prout 2015). Children are recognised as agentic social actors, capable of influencing and being influenced by their social worlds, and in social contexts that are mediated through the power relations that exist between adults and children. A structural analysis for understanding the lived experiences of children promotes understanding of how such experiences are constructed and mediated through generationally ordered social relations; conceptualised by Alanen (2009) as:

Structured network of relations between generational categories that are positioned in and act within necessary interrelations with each other. (pp. 161-162)

A structural analysis recognises childhood as a generational state that is separate to adulthood, within which diversities associated with age, gender, ethnicity, socio-economic status and disability are formed through social and political processes. Agency is thus intrinsically linked to power differentials that exist within social encounters between adult professionals and children considered vulnerable by their unique status, circumstances and characteristics.

Child Protection Processes as Mediators of Participation

Understanding the dissonance that exists between participation as a practice principle, and participation as a practice reality emerges from an analysis of government:

Any activity that undertakes to conduct individuals throughout their lives by placing them under the authority of a guide responsible for what they do and for what happens to them. (Foucault 1997, p. 68)

When applied to child protection processes and practices, instruments of governmentality include the practice systems, frameworks, approaches and professional roles and responsibilities that serve to regulate and control the social networks and relationships that exist between professional and child.

The child protection conference (CPC) is one element of a set of child protection processes that are located within a child protection orientated child welfare system, characterised by risk and regulation (Featherstone et al. 2018; Gilbert, Parton, and Skivenes 2011). The role of the conference Chair is one of quality assurance; ensuring accountability and continuity in effective case management, working within principles of partnership and participation and providing support and challenge to social workers and team managers in relation to practice concerns (Beckett et al. 2016). Positioning the child at the centre of assessment and decision making has been a statutory requirement for over two decades (DoH 2000; Ofsted 2017). There is, however, an established evidence base to suggest that children's participation in wider child protection processes and in child protection conferences remains a contested area of practice (Arbeiter and Toros 2017; Bastian 2020; Cossar, Brandon, and Jordan 2016; Muench, Diaz, and Wright 2017). Children, particularly those under the age of twelve, are less likely to attend in person. When children do attend, their experiences are generally negative, compounded by a lack of information and preparation, the absence of supportive and trusted adults and not feeling listened to (Arbeiter and Toros 2017; Muench, Diaz, and Wright 2017). When children do not attend in person, their views, wishes and feelings are conveyed to the CPC by others in the form of case records. Once subject to a child protection plan, ascertaining the child's wishes and feelings, usually through the medium of direct work, is one component of the child protection plan (DfE 2018). Participatory record keeping for children subject to a child protection conference is a less established area of study (Ogle, Vincent, and Hawkes 2022) and there is a limited evidence base to establish how children under the age of seven are supported in ascertaining their views (UN 2009; Vis, Holtan, and Thomas 2012).

Case records are both temporal and conceptual, text forms that connect the past with the current and future, and a mechanism whereby knowledge is constructed and reconstructed into a form of organisational reality (Gibson, Samuels, and Pryce 2018; Smith 2005). In social work practice, case records are working tools that serve two organisational functions; tools for talk that provide information about the child and their circumstances, and tools for demonstrating professional accountability within the organisation's information governance frameworks (Devlieghere and Roose 2018; Skotte 2020). Electronic case recording systems, such as the Integrated Children's System and its subsequent derivations have become synonymous with overly

bureaucratic technical approaches in statutory social work, which together with workload pressures and resource constraints erode capacity for evidencing the relational elements of social work encounters (Devlieghere and Roose 2018; Gillingham 2015; Huuskonen and Vakkari 2015). The atomised formulaic structure of contemporary recording systems, and the capacity for author discretion and autonomy in shaping content and knowledge creation are identified as significant influencers for authentic participatory record keeping (Gibson, Samuels, and Pryce 2018).

Aims of the Study

This paper reports on the findings of a small scale qualitative doctoral study undertaken in a local authority in England, at a time when Signs of Safety (Turnell and Edwards 1999), a relational strength-based practice approach for working with families experiencing statutory social work intervention, was being implemented as the overarching practice framework. The paper contributes evidence about how children experience participation in the CPC, and to the more limited evidence base concerning the extent to which the views of children, and those under the age of seven, are ascertained and reported on to inform the assessment and decision-making functions of the CPC. The analysis of child and professional perspectives, and case record analysis is a unique contribution to the field of study.

Methods

The methodological research design evolved from a phenomenological study, focusing solely on the perspectives of children who had attended a CPC across five local authorities in England, to a mixed method case study in one local authority. Challenges in identifying and recruiting child participants within the study's timeframe influenced the development of a critical social work methodology designed to give voice to those who are silenced and to generate knowledge for practice change (Weiss-Gal, Levin, and Krumer-Nevo 2014). The incorporation of case record analysis and focus group discussions into the revised research design enabled triangulation of multiple perspectives; enhancing the validity of the findings (Webber 2015).

The triangulation of data collection methods over an eighteen-month period, commenced with semi structured interviews with four participants: Arden (14), Georgia (14), Alicia (12) and George (12); followed by case record analysis of documents submitted to and generated in CPC's as outlined in Table 1, and concluding with two focus groups, one involving four conference Chairs, the other involving four social workers.

A purposive sampling strategy was adopted for the selection of research participants; and case records were identified through a representative sample

Table 1. Genre of child protection conference records.

Type of record	Number
Social work report	20
Core group minutes	13
Direct work examples	10
Conference report	30
Child protection/safety plan	22
Other agency report	19
Total	114

based on child age, gender, ethnicity and conference format. NVivo was applied as a tool for the thematic analysis of data generated from interviews and focus group discussions. Thematic analysis generated meaning through a systematic process of transcription, description, interpretation, conceptualisation and analysis and included elements of deductive and inductive reasoning (Blaikie 2007). Critical Discourse Analysis (CDA) was adopted for the analysis of case records to explore how language practices were constructed and reconstructed through the power relations within social work contexts (Fairclough 2003; Healy and Mulholland 2015).

Ethical Considerations

Ethical approval was obtained from Northumbria University (RGA 1304) and from the local authority's Research Governance Unit. Ethics Committees regard children as vulnerable research subjects (Groundwater Smith, Dockett and Bottrell 2015; Parsons et al. 2015), a position that is at odds with Article 12 (UNCRC 1989). Conference Chairs acted as initial identifiers of prospective child participants, with the child's social worker assuming a gatekeeper role in making decisions based on best interests (Collings, Grace, and Llewellyn 2016). The child participation information sheet, consent form and debriefing sheet were piloted with two children, aged 12 and 13, who were not involved in the study. Parental and child consent was obtained for child participants. Ethical approval for access to the case records was granted on the stipulation that data extraction, transcription and case record anonymisation would be undertaken on agency premises. Arden, Georgia, Alicia and George chose their own pseudonyms; elsewhere these were assigned by the researcher. All data were securely stored in password protected electronic files.

Findings

Three key findings emerged from the data: the opportunities and constraints associated with attending a conference; the dominance of the professional voice in ascertaining and reporting the wishes and feelings of children, and the status afforded to direct work as evidence of child centred practice.

'Maybe We Should Be Having Those Conversations More Often': Getting to and Being at the Conference

Being able to attend a CPC in person as an enactment of participatory rights was recognised by each of the four children, conference Chairs and three of the four social workers. However, Arden believed the onus was on her to prove herself to be sufficiently mature to attend:

It's just like you have to feel so grown up, you have to be adult like, to do it. Like you've got to be sensible and what's the word? Responsible. Responsible enough to do it.

In focus groups, participation was articulated as an opportunity for a child to engage in the assessment and the child protection plan, as a mechanism for understanding the child's lived experience and an opportunity to promote voice in the child protection conference. Although there was some consensus in both focus groups around the right for some children to attend in person or to contribute to core group meetings, there was no standardised approach for promoting this, and no practice guidelines to support individual decision making by social workers or conference Chairs. Social work participants considered themselves to be best placed to make decisions over attendance, albeit with some acknowledgement of practice limitation:

But I don't think we have a conversation about whether that child should be there or not and I can't think of any time I've had a conversation, maybe one time with this older child I was working ... and maybe we should be having those conversations more often. (Jen, SW)

Conference chairs were more likely to promote attendance at core group meetings or review conferences, because these forums were reported to be more informal than initial child protection conferences, and more emotionally containable for children in terms of process, membership and professional management of family dynamics. Conference chairs commented on their role in ascertaining the reasons for non-attendance; however, there was no evidence in case records of discussion, explanation, or challenge to these decisions.

Age was the primary mediating factor, with inter-agency Signs of Safety conference training recommending attendance from the age of twelve, although it was reported that consideration would be given to *'articulate and determined'* primary school age children (Karin, conference Chair). Conference chairs reported that children aged thirteen and over were more likely to attend a conference in person, and to have their views taken into consideration.

Both groups of professionals justified non-attendance in person based on acting in the child's best interests, with the professional and legal duty to protect the child from the more negative aspects of the conference environment overriding participatory rights:

What I don't want to do is to make a young person, or the situation, make that young person feel any worse than they already do so I don't want them to leave that room distressed, upset and angry with their parents which can often happen. (Diane, conference Chair)

The possibility for a child to disrupt what conference Chairs referred to as a carefully stage-managed process was a further justification for non-attendance:

They waltz in, they're full of fury and full of hell that they're actually going down this path and 'Who's do you lot think you are?' I suppose it could end up quite volatile that meeting, the child expressing that anger. (Natalie, SW)

Social worker individual preference for working with groups of children or with their parents was also identified as a mediating factor:

I'm not good at teenagers unless they're really chatty or mature ones and I would openly admit that I would struggle sometimes with some teenager's cos it's just not my forte at all. (Amy, SW)

Arden, Georgia, Alicia and George felt supported and sufficiently prepared for attending in person. All had met with their social worker on at least one occasion, and been provided with information about the conference purpose, process, and membership. They had been reassured about confidentiality and had completed direct work to facilitate expression of their wishes and feelings; this was reported to be a useful aide memoir during the conference. However well prepared, the experience of entering a room of professionals at the initial conference resonated strongly. Arden likened it to '*like the Knights of the Round Table*' and Georgia commented:

People. Like when you go in you don't think you're going into a big meeting and then you go into one oh god loads of people staring at you, oh no!

During the conference, Arden, Georgia, and Alicia were able to exercise some control over their parameters of participation. For example, Arden chose to opt out of the Signs of Safety Scaling exercise; designed to record judgement as to the impact of the family situation on the child; as she believed this would be disloyal to her mother. The conference environment invoked strong memories of feeling nervous, scared and shy, but all felt reassured by sitting in close proximity to their social worker and to the conference Chair. They were able to track the CPC progress through the whiteboard, although the layout of the table prevented them from holding each conference member in their line of sight and they reported to be less able to see and hear from each attendee. Although all had been told who to expect around the table, this information was forgotten in the moment, and it came as a surprise to Georgia and Alicia when the police representative identified themselves.

Child participants were positive about their experiences, they felt listened to, and believed their views had been taken into consideration. They particularly valued the preparation and support provided by their social worker and

the opportunity to meet with the conference Chair before and after the conference. The benefit of attending in person was also associated with the development of life skills, and was cathartic:

Yeah I was happy we went because we got everything out that we wanted to say, and we weren't holding it anymore. (Georgia)

Sometimes I Wonder If Anyone's Seen This Kid: The Child's Voice in the Assessment and Safety Planning Process

When a child did not attend the conference in person their views, wishes and feelings were established and communicated to the conference in the form of agency reports. The dominant themes to emerge from the analysis of case records were the absence of the authentic voice of the child, the construction of child identity, and the prominence given to examples of direct work as evidence of child centred assessment.

The absence of a standardised report template for all single agency assessment reports resulted in variation across agencies in both report structure and content. Reports submitted by primary and secondary school representatives included a pre-populated tick box section to confirm if the child had seen the report. This was either confirmed in the negative, or the section was left blank.

Statutory guidance (DfE 2018) requires social workers to 'see and speak to the child, listen to what they say and take their views seriously' (p. 10). The local authority child assessment report, core group meeting minutes and conference templates included a section positioned at the head of the template entitled '*Child and Young Person's View*', with the inference that this should be a priority area for completion. This emphasis on view as opposed to wishes and feelings and the child's lived experience led to some ambiguity over what was required:

View on what?... Do they need to be burdened when they're living an experience? Yes, we need to understand what that experience is and how we can make it better... We don't need that specific child's view because we're working on the premise that things ain't right here then we as professionals have to do something about it regardless of what the views are. (Amy, SW)

Assumptions around age related capacity were evident, with children under the age of five more likely to be reported as being too young to express a view. For example, an entry for Darren (3) stated '*No work was undertaken with Darren*' and the social worker for Eleanor (4) commented:

Due to her young age her direct wishes and feelings have not been undertaken as part of this assessment.

Notwithstanding age differentials, a dominant feature was the absence of the child's own perspective reported in their own words or images, and a subsequent reliance on professional interpretation and filtering:

Martha (4) wants to live with her maternal grandmother and for mum to live there. Martha worries about mum. (Initial CPC report)

The Child and Young Person's views section also included professional opinion and analysis, as illustrated in reports concerning Elizabeth (14) and Emily (13):

Elizabeth has described feelings of wanting to be away from her family but is unable to provide a clear and justifiable reasoning for this.

I asked Emily why she was so horrible to her little sister. She said she did not know and would try harder to be nicer to her. I am not convinced that this was said with any sincerity whatsoever from Emily.

Elsewhere, the voices of the individual child were subsumed within the sibling group:

The children have been visited both at home and school... Social worker attempted 1:1 work with children. (Daisy (4): core group minutes)

There was very limited evidence of a child's views informing decision making and safety planning. This was more likely to occur where there were concerns over sexual exploitation:

For Corrine [13] not to go missing... SW to meet with Corrine to ask if she would like to attend her review... Core group to further develop the plan and ensure that Corrine is aware of this plan and her views are included.

In contrast, the review conference for Taylor (16) noted his lack of engagement in elements of the safety plan, and in response a more directional tone was adopted:

Taylor will engage with education and training. Taylor to be spoken to re careers advice.

CDA analysis highlighted two further significant findings. Firstly, the extent to which textual content from social worker reports was then re-textualised, with different language and potentially different meanings incorporated into core group and/or conference minutes. In the social work report, Emily (13) was reported to have described home as a '*miserable and lonely place*' which was then re-textualised in the conference report as '*Home is not a happy place for her*', a somewhat diluted representation of Emily's own sense of reality. Secondly, child identities were constructed in agency assessment reports, and from these positive and negative perceptions of individual children emerged. Children under the age of five were usually described in positive terms by language such as *happy, playful, confident, not worried*. More negative identities were constructed for children emerging into young adulthood, with professional judgements made over perceived problematic behaviours not considered to be age appropriate.

In contrast, the school report for Sean (16) presented a much more positive identity, that of an engaged and cared about pupil:

Sean seems to lurch from one family/personal crisis and the pressure he is under is incredible. The fact that he has been able to get to school every day and engage in his education is nothing short of a miracle and he should be commended for this.

'It Was the Need to Say Look... I've Done a Bit of Work': Direct Work Tools

The Three Houses (Weld and Greening 2003) was the preferred direct work tool across the age spectrum, with examples submitted for children aged between four and fourteen. Some provided evidence that young children were able to engage in the activity, which elicited rich insights into their home life. For example, Belle (4) provided information previously unknown to the social worker which was relevant to parental engagement with the safety plan. Elsewhere, examples of direct work lacked analysis and achieved little in bringing the child to life to CPC professionals:

I had one, it was like under worries: letterbox. And I was like what about the letterbox? And mam was able to say', actually we've had problems with people putting stuff through and it's bolted up' but [child's name]... 's worried that she's missing her health appointments coming through the letterbox', but there was nothing around that. (Wanda, conference Chair)

Whilst Arden, Georgia, Alicia and George commented positively on the usefulness of the Three Houses as an aide memoir during the CPR, participants in both focus groups were sceptical about the value of an example of direct work which often lacked analysis, or which was perceived to be evidentially privileged as a measure of accountable practice:

But I just think that if a practitioner is feeling that writing down that we've had a conversation about this, this and this wouldn't be good enough to say I've done direct work, then something is going wrong in the system because it is— This is what social work is about, fundamentally. It should be about conversations. The other stuff that we bring in is stuff to enable communication. If communication is happening without that stuff, you shouldn't need that stuff. It doesn't make sense, but I'll upload me colouring in. (Jen, SW)

Discussion

The findings contribute to an existing body of knowledge which suggests that the rhetoric of child centred practice, as exhorted in legal, policy and organisational child protection discourses is not realised as meaningful participation for the majority of children who are the subject of child protection conferences and child protection plans.

There is some convergence between the findings from this study and those that have emerged from studies undertaken in comparable child welfare systems, including Nordic and Baltic states and the Netherlands (Arbeiter and Toros 2017; Bolin 2016; van Bijleveld, Bunders-Aelen, and Dedding 2020). In common with other studies, children in this study were less likely to attend a CPC on the grounds of professionally determined best interest decisions that were significantly influenced by psychological and sociological constructs of childhood and the developing child (Oswell 2013; Taylor 2004). In contrast with findings from other studies (Cossar, Brandon, and Jordan 2011; Muench, Diaz, and Wright 2017) children who had attended a CPC viewed this as a positive experience which elicited emotions of recognition, regard and worth. The reported attendance of some older children at initial and review CPC's does bring into question the manner in which social workers are able to exercise autonomy based on personal and professional assumptions of childhood vulnerability when deciding the parameters of participation. The experiences of Arden, Georgia, Alicia and George confirm it is possible for social workers to develop the quality of relationship considered essential for meaningful participation within the narrow time constraints as set out in statutory guidance (DfE 2018) and the Signs of Safety 'agile' 14-day assessment and analysis cycle (Munro, Turnell, and Murphy 2016, p. 15).

A complex discursivity of individual, organisational and structural processes mediate the extent to which children are able to exercise their participatory rights in child protection assessment and decision-making forums. The generationally ordered power relationships that exist between professional and child in child protection contexts contribute to a discourse of childism (Bastian 2020); the oppressive othering of children which renders them unseen, unheard and unheld (Ferguson 2017). Within a discourse of childism, assumptions made about individual children resulted in positive or negative representations to the CPC. Children under the age of five were more likely to be ascribed positive identities, and older children and young adults with the capacity for unregulated and uncooperative behaviours, and the propensity to disrupt what is a carefully stage managed professionally orientated decision-making forum. Young children were more likely to be considered not able to express a view, however there was evidence in some case records of good child directed practice that clearly demonstrated the agentic capacity of young children. As McCafferty (2017) notes, the right to express a view may be conflated with the right to express a mature view; with age as a parameter for participation.

When children do not attend in person, they are reliant on the professionals involved in their lives to represent their views, wishes and feelings on their behalf and in a manner consistent with their legal rights:

Transmitted correctly to the decision maker by the representative. The method chosen should be determined by the child according to her or his particular situation. (United Nations 2009, p. 10)

Statutory duties associated with ascertaining the wishes and feelings of children to inform assessments undertaken under Section 47 enquiries under the Children Act 1989 can be understood as a continuum of practices associated with either a child protection orientation, or a children's rights orientation (Gilbert, Parton, and Skivenes 2011). The acts of seeing and recording the wishes and feelings of children are mediated through the interplay of professional and organisational discourses. Individual social workers may possess or lack the level of skill and confidence required for meaningful authentic child directed participation (Handley and Doyle 2014), they may recognise the potential for any child to be a social actor, capable of expressing a view with varying degrees of adult support or hold more negative beliefs associated with a child's personal characteristics. As autonomous professionals, social workers may also exhibit varying degrees of autonomy, including acts of non-compliance with what are perceived as oppressive regulatory practices.

The case recording processes that transform the act of seeing as a private domain of practice into a more visible act of knowing are determined by organisational discourses which determine what should be recorded, how, by whom and for what purpose. Within a child protection orientated practice culture, case recording fulfils a truth telling purpose, a signifier of accountable practices (Gibson, Samuels, and Pryce 2018; Roets et al. 2015). Case records in the form of assessment reports, examples of direct work and CPC minutes are instruments of governmentality, depicting the power relationships between author and subject that privilege or suppress the authentic voice of the child (Ogle, Vincent, and Hawkes 2022).

The illustration of a child's subjective reality through analysis of their lived experience is a hallmark of the Single Assessment Framework (Ofsted 2017) and strength-based practice frameworks. As yet, there is limited evidence to suggest that strength-based practice frameworks such as Signs of Safety have influenced the systemic, organisational and attitudinal barriers to authentic and meaningful participation; namely the right to present views, wishes and feelings in a manner that suits the individual child and for these to inform safety planning decisions made at the CPC.

Implications for Practice

Practice recommendations that emerged from the key findings were presented to and subsequently adopted by the local authority. These were practical responses for promoting the participation of children and young people through direct and indirect means, including enhancing the experience of children attending in person, strengthening accountable decision making, and more authentic recording and representation of children's views in agency reports. A follow up study will explore the extent to which practice has evolved in the local authority as Signs of Safety has become more embedded.

There are wider implications for social work education and training in the UK and elsewhere as child protection services replace traditional conferences with more family centred strength-based forums and a shift from shame inducing practice to validated relational practice (Appleton, Terleksi, and Coombes 2015; Gibson 2015). Record keeping requires more than technical competence; a greater emphasis on ethical record keeping and the impact of power relations on the construction of the child's subjective reality will go some way to address the disconnect between professional principle and practice reality.

Limitations of the Study

These findings represent a microcosm of practice in one local area and do not claim to be generalisable. The CPC is one element of the child protection system; and the potential for representing findings from one atomised area of practice must therefore be acknowledged. The participant sample frame was relatively small, compounded by recruitment constraints and the necessity to adapt the research methodology at an advanced stage in the study's lifespan.

Conclusion

The findings of the study provide insight into participatory practice within the CPC in one local authority. Generational ordering provided an analytical frame for understanding the power relations that exist in assessment, intervention, and decision-making practices. The inclusion of findings in relation to children under the age of seven contributes to the emergence of case record analysis as a research methodology for advancing the core principles of social justice in social work practices with young children. When elements of the system are not effective in promoting cultural change, it is unlikely that the conditions for meaningful participation will be realised. What is required is a creative reimagining of the forces of generationally ordered power from positions of oppression to positions of possibility.

Disclosure statement

No potential conflict of interest was reported by the authors.

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