

Local Authority Social Workers, Managers and Lawyers in Child Care Cases

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ABSTRACT

This thesis discusses the relationships between local authority social workers, managers and solicitors in child care cases under the Children Act 1989. The original focus was social workers and lawyers, but as work progressed the importance of the social services manager became clear. The empirical work involved 54 semi-structured interviews with members of the three groups between March 2001 and April 2002. The findings show that the relationships usually worked well enough, but that tensions were never far beneath the surface and could break out in resentment and frustration. The tensions are rooted in the disjunction between the popular mantra 'the lawyer advises, the client instructs' and the much more complex relationships that the professionals experience in practice. Lawyers may give their advice very forcefully, and can sometimes resist instructions; social workers sometimes rely on the lawyers more closely than any of the groups consider ideal. Behind these difficulties lie the diverse and potentially incompatible responsibilities held by each group, competing notions of reasonableness, different approaches to risk and the challenges of managing limited resources. The tensions provoke powerful criticisms of each group by the others – lawyers don't fight hard enough, social workers don't analyse their cases properly, managers don't supervise their staff adequately. Flexibility, tact and communication are required to keep relationships working well. At a theoretical level, the tensions between and within the three groups are seen to reflect and construct tensions between and within three key discourses in contemporary child care work – welfare, law and managerialism. The relationships between the three professional groups reproduce the relationships between these three paradigmatic approaches to, and technologies of, social and professional regulation. The implication for professional practice and social policy is to recognise and value the challenging benefits of dynamic interaction between the professional groups and the discourses.

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