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ORIGINAL ARTICLE

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# 'Wishes and feelings': Misunderstandings and missed opportunities for participation in child protection proceedings

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## Abstract

The gathering of 'wishes and feelings' in UK child protection proceedings (s.53 Children Act 2004) should highlight the child's opinion of social work intervention and services provided. However, with no statutory social work guidance on participation currently in place, children frequently miss opportunities to be involved in their own child protection planning. This paper is drawn from a 3-year study into participation in child protection social work. It includes findings from qualitative interviews, and one focus group, with social workers, parents, children and participation workers, from three local authorities in the United Kingdom. The findings revealed some examples of significant gaps in service provision, particularly from the perspective and understanding of the child. The skewed translation of wishes and feelings legislation, along with its subsequent (and often inadequate) application to practice, prevents children from understanding and responding to social work intervention and can lead to idiosyncratic practice. This paper provides recommendations for a practical response to practitioner dilemmas regarding wishes and feelings and bridges the gap between research and practice.

**KEYWORDS**
child protection, children's rights, participation, social work, wishes and feelings

## 1 | INTRODUCTION

The need for social workers to ascertain the 'wishes and feelings' of a child during statutory social work intervention is enshrined in UK law. Falling under the banner of participation, the duty of wishes and feelings only gives power to children if their opinions are responded to or acted upon (Thomas, 2007). The Children Acts (1989, 2004), for example, require local authorities (LAs) to ensure the safeguarding and welfare of children by authorizing a range and breadth of services to support families and improve outcomes. Specifically, s.53 of the Children Act (2004) requires social work practitioners to encourage and support children to give their views, find out how children feel regarding the intervention and give due consideration to these feelings. This legislation is supported by Article 12 of the United Nations Convention on the Rights of the Child (UN General Assembly, 1989), which declares that children's wishes and feelings must be heard 'in all matters affecting them and to have their views considered and taken seriously'. This carefully worded right is dependent on the age and maturity of the child, along with their ability to formulate their own opinion (Archard & Skivenes, 2009). The world-wide adoption of the UN General Assembly (1989) highlights that children's rights and meaningful participation are reflected in discourse wider than UK legislation.

The term 'wishes and feelings' is perhaps contentious. It reads as whimsical and desire-focused, yet the purpose of this legislation is to create meaningful participation that can empower maltreated children

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and even prevent further abuse from happening (Cossar et al., 2016). During 'significant harm' investigations (s.47 Children Act 1989), s.53 of the Children Act (2004) states that social workers should 'ascertain the child's wishes and feelings *regarding the action to be taken with respect to him* …' [emphasis added]. However, there is little evidence ascertaining whether social workers fully understand the specificity or purpose of this legislation, with anecdotal evidence pointing towards a conflation with the term 'lived experience' (Dillon, 2019). This skewed translation from legislation to practice may in part explain why there is a disparity within social work practice concerning participation, with the term 'wishes and feelings' being interpreted by practitioners as children's dreams and desires, rather than their opinions of social work intervention. The duty for social workers to 'obtain wishes and feelings' blurs the links to participation, instead accepting wishes and feelings as a task, or a tick-box exercise. Wishes and feelings has therefore become an accepted, simplified and poorly translated trope.

The newly updated statutory guidance document, Working Together to Safeguard Children (WTTSC) (Department for Education, 2018: p. 9), has reintroduced the phrase 'working in partnership'. This revised guidance, that underpins statutory child and family social work within the United Kingdom, encourages social workers to seek children's opinions regarding the provision of social work services and to discuss their ongoing plans with the child and the family. A new section entitled 'Children have said they need …' (2018, p. 10) highlights issues important to children within child protection social work, including the ability to understand the actions of the social worker, to have that understanding acted upon and be informed of the outcome. Further instructions on how to involve children are however scattered throughout the extensive WTTSC (2018) document rather than given prominence in a separate section or chapter. Such disjointed guidance is difficult to follow in relation to participation. While listening and responding to children is of paramount importance, what remains missing from WTTSC (2018) is a semblance of order, or a guide, enabling practitioners to routinely encourage participation in their social work practice.

This paper explores the siting of wishes and feelings within participatory statutory social work practice and its place within my newly developed participatory model (Appendix A—developed using findings from Dillon, 2019). These findings are discussed alongside the opinions of parents, children, social workers and participation workers. Finally, the paper will identify how gaps in participation, particularly regarding the gathering of wishes and feelings, can prevent the child being meaningfully involved. As such, the paper offers vital and novel insights for social work practice in global settings, addressing the need for more effective methods to promote participation.

## 2 | BACKGROUND

The gathering of wishes and feelings, if interpreted and conducted accordingly, falls under the banner of participation. Although the Children Acts (1989; 2004) and UN General Assembly (1989) uphold the rights of the child, there is a conflict between encouraging a child to participate in the child protection process and the need to shield a child from the harsh reality of abuse (Sanders & Mace, 2006). Consensus is emerging, which seeks to balance the rights of the child with the responsibilities of the state. For example, Vis et al. (2012) discuss 'protectionism', that a child's access to certain people, processes or information should be restricted to avoid distress, but conclude that sensitive, age appropriate participation is not harmful. This is echoed in Cossar et al. (2016) who view children as social actors, actively responding to their environments.

The social actor perspective seeks out the strengths of the child. It uses their experience of the child protection journey as both a resource and as a meaningful contribution to their own child protection plan (Richards-Schuster & Pritzker, 2015). In the child protection environment, the child actor is not a 'problem'; instead, they are a survivor and potential contributor to solutions (Collins, 2017). However, children (bestowed with rights) cannot always access services without the assistance or involvement of adults (Sewpaul et al., 2013). A good UK-based example of this is an independently living 16-year-old school-leaver who is unable to access welfare benefits and assistance without confirmation of their estrangement from their estranged parent. Similar issues exist in Ghana where (despite their signing of the UN General Assembly, 1989) the child is 'an obedient recipient of adult decisions' and silenced from talking in meetings with adults (Manful et al., 2020, p. 2). Providing children with separate spaces to share their views with social workers can enable participation (Manful et al., 2020), yet parental resistance to allowing 'alone' social work visits requires skilled, engaging and persistent practitioners (Ferguson, 2016).

When concerns are substantiated following a 'significant harm' investigation (s.47 Children Act 1989), UK legislation requires a child protection plan to safeguard and promote children's health, well-being and development. WTTSC (2018) stipulates that working in partnership with children and their family is fundamental in promoting children's welfare. Currently, different countries specify different ages for participation in child protection planning, or in meetings where a child has been removed from their parents' care. In Norway, for example, children aged 7 years (and younger if deemed capable) are supplied information and invited to express their opinion. The views of children aged 12 years or over give weight to their child protection planning, specifically when social workers recommend out-of-home care (Berrick et al., 2015). While initially appearing to be an inclusive and empowering system, it is interesting to note that Norwegian children aged under 15 years are not recognized as an official party in court, hence the importance of promoting advocacy in child protection proceedings (Vis & Fossum, 2013). In contrast, in New South Wales, Australia, the Children and Young Persons (Care and Protection) Act (1998) deems children aged 10 years and over as mature enough to instruct their own lawyers, who then have a duty to act on these instructions (Parkinson, 2001). In England, however, due to the lack of statutory guidance, the invitation to participate is dependent on the local authority, the skills or awareness of the practitioner and the perception of whether the child is capable. McCafferty (2017) reminds us

that Article 12 of the UN General Assembly (1989) states that children need only to give a view, not a 'mature' view. Social workers therefore need to ensure they do not inflate the age at which they presume a child can express opinions.

Independent advocacy can have a positive impact on child participation, particularly regarding children's attendance at meetings (Thomas et al., 2017; Vis et al., 2012). However, following the introduction of advocacy for 82 children in Aldridge's (2013) study, children's presence in meetings remained low, with approximately 90% of children absent from their own child protection case conference. Acting as the child's representative, the advocate is expected to present children's wishes and feelings in their absence, yet Bell and Wilson's (2006) study of family group conferences concluded that advocates were not routinely available to children and there was a general vagueness about their purpose. Barnes' (2012) research into the effect of advocacy (for children accommodated in public care) analysed children's differing perceptions of their social worker and their Children's Rights Officer. The children found their Children's Rights Officer to be more respectful, more responsive, more reliable and more caring than their social worker. In return, the Children's Rights Officer felt that they compensated for the social worker, 'doing the tasks and providing the caring the social workers should' (Barnes, 2012, p. 1283). Advocacy services are therefore crucial in embedding children's opinions into decision-making forums, particularly when time-poor social workers fail to discharge this duty (Thomas et al., 2017).

Within the global literature on participation in decision-making forums (Alfandari, 2017; Bruce, 2014; Vis & Thomas, 2009), a default assumption that attendance at meetings equates to participation is often reflected in social workers' perspectives. However, despite Schofield and Thoburn (1996) advocating for a shift from children physically attending meetings to being codecision makers with a greater understanding of their situation, studies continue to record children as finding meetings frightening or embarrassing (Cashmore, 2002). Astonishingly, almost 25 years following Schofield and Thoburn's (1996) recommendations, children continue to report gaps in information shared by their social workers, an inability to influence decision-making, and a lack of understanding as to why social workers are involved in their lives (Dillon et al., 2016). Children were frustrated about not knowing what was written in their child protection plan (Dillon et al., 2016) yet are expected to supply wishes and feelings on demand. The fear of being removed from their home (Bell, 2002), the constant interrogation by professionals (Cossar et al., 2016), the high turnover of social workers (Dillon et al., 2016) and the poor sharing of information (Muench et al., 2017) all affect the capacity for building trusting relationships between children and social workers. Due to the legal framework and values underpinning social work practice in the United Kingdom, it could be assumed that child and family social workers routinely and purposefully embed participation into their daily social work practice. However, the formal nature of child protection proceedings and the limiting structure of working practices in which a social worker operates (i.e., working within office hours when a child is at school or college) creates barriers to relationship building (Alfandari, 2017). Tregeagle and Mason (2008) found that children resigned themselves to child protection meetings and social work visits to the family home being conducted during school hours; therefore, there were no opportunities for them to participate or build relationships with their supporting group of professionals.

## 3 | THEORETICAL UNDERPINNING

The most prominent theoretical framework for understanding youth participation, constructed by Hart (1992), identifies eight hierarchical ladder-rungs that a child must climb in order to achieve the highest level of participation. Building upon Hart's (1992) work, Shier's (2001) hierarchical participatory pathway (Appendix B) also identified the minimum and optimum levels of child participation, along with indicating the point at which the UN General Assembly (1989) is endorsed. However, 'the rhetoric of participation does not sit easily within statutory child protection services, particularly when the child is an involuntary high-risk client' (Dillon et al., 2016, p. 75). Social workers can find it difficult to upwardly progress a child beyond level three of Shier's (2001) Pathway to Participation due to the identified level of risk towards the child and the reliance on adults in the safeguarding process. Despite these complexities, Shier's (2001) participatory pathway underpinned the wording, design and scaling exercises within the child interviews and activities of this study (Appendix C).

## 4 | METHODS

This research paper reports the findings of a 3-year longitudinal qualitative study designed to explore how children and parents meaningfully participate in their own child protection planning and how social workers and participation workers embed participation into practice. For clarity, the participation workers taking part in the study were acting in the role of an advocate for children on child protection plans and were employed by the same local authority as the social workers. Particular focus is given to wishes and feelings, for example, how these impact on the discharge of local authority duty under s.53 (Children Act 2004) and missed opportunities to embed wishes and feelings into participatory practice.

The children (aged 8–12 years) ($n = 6$) participating in this study all had a child protection plan in place and were living at home with their parents. Children known to be experiencing trauma or chaos at the time of the research were excluded from participating by the local authority. This exclusion was also extended to children who were living with another primary caregiver, in a different address to their parents at the time of the research, for example, children in temporary local authority care or respite placements. Parent participants ($n = 4$) (unconnected to the child participants) all had a child (aged 8–12 years) who was the subject of a child protection plan and living at home with them. This sample included separated parents where the child was co-parented, spending time at both parents' houses.

Parents, who were identified as being extremely vulnerable, or where it was deemed too risky to approach the parent due to volatility, ill health or chaos within the home, were excluded from the study by the local authority. Parents with parental responsibility for a child on a child protection plan but not involved in a co-parenting relationship with the primary caregiver, or estranged from the child, were excluded from the study due to privacy and confidentiality reasons. Finally, the participating social workers ($n = 5$) and participation workers ($n = 3$) had children (aged 8–12 years) with child protection plans on their caseloads. There were no identified reasons as to why either would be excluded from participating therefore all who met the inclusion criteria were contacted.

The participants were recruited from three LAs within the United Kingdom (see Figure 1 below).

Access to all participants was dependent on consent. The potential parent participants approached by the local authority were informed of their ability to refuse their details being shared with the researcher. Similarly, after gaining parental permission, the purpose of the study was clearly explained to the children (using child-friendly information sheets and consent forms), and the interview only took place if consent from both parent and child was explicitly received. Social workers and participation workers were recruited following a local authority email inviting interest in the research. In the cases of LA1 and LA3, the study also went through the rigorous research governance process.

Recruitment of participants differed within each local authority. LA1 provided the researcher with an anonymised list of children, parents, social workers and participation workers who met the inclusion criteria. LA2 also provided an anonymised list of potential child participants. LA3 did not agree to provide the researcher with anonymised data, instead requesting Independent Reviewing Officers (IRO), who often chair child protection meetings in the United Kingdom, to seek consent from parents and children prior to their referral to this study. With the momentum taken out of the hands of the researcher, only one child was recruited to this study from LA3.

By acting as a gatekeeper to child participants, local authority representatives were required to balance the issues of protection versus participation as in this study 'it is adults who determine whether necessary steps have been taken to protect children, thus entrenching a view of children as vulnerable and in need of [adult] protection' (Collings and Llewellyn 2016, p. 500). Westlake and Forrester (2016, p. 1540) urge researchers to be cautious during recruitment as '…overstating the vulnerability of service users can take the decision-making power away from them and place it in the hands of the gatekeepers…who may decide that they are too vulnerable to participate'. Gatekeeping can therefore effectively halt research before it begins but accepting this decision-making without challenge or further exploration of the child's opportunities to participate directly conflicts with both the requirements of the UN General Assembly (1989) and s.53 Children Act (2004). Navigating this process is complex, however, as building an intricate and trusting relationship with gatekeepers takes time.

| Participant Description | Local Authority | Number of Participants |
|---|---|---|
| Parents | LA1 | 4 |
| Social workers | LA1 | 5 |
| Participation workers | LA1 | 3 |
| Children (aged between 8-12 years) | LA2 | 5 |
| Child (aged 10 years) | LA3 | 1 |

**FIGURE 1** Breakdown of research study participants

**FIGURE 2** Novel methods for interviews with children [Colour figure can be viewed at wileyonlinelibrary.com]

## 5 | DATA COLLECTION AND ANALYSIS

All of the child interviews took place within their homes. A compilation of dolls, toy figures, paper, pens, name-cards, stickers and pictures enabled the child to illustrate and describe their experiences in a way that was familiar and unique to them (see Figure 2).

Whereas a semi-structured interview underpinned the creativity, the children's selection of emoji cards or representative figurines provided a robust start for discussion. Figure 3 below displays Child 5's (aged 12 years) perspective of power dynamics within her family and core group of professionals, paying particular attention to whether the child felt heard and understood.

The sometimes-uncooperative nature of parents in child protection proceedings can place boundaries in the way of social workers undertaking direct work with children and seeing the child alone (Dillon, 2019). It is therefore important to understand why such obstructions occur and whether parents wishing to restrict child participation consciously create the obstructions. In order to keep the parent participants focused on the child's experience of participation, the parents completed a participatory research activity based on a diamond-ranking exercise (O'Kane, 2008). While the social workers engaged in one-to-one semi-structured interviews, the participation workers took part in a small focus group. Due to its flexible approach, thematic analysis was used for all data, highlighting commonalities or differences (Nowell et al., 2017). Nvivo software helped to manage the volume and richness of the data, while enabling the identification of patterns throughout participant responses. Although the data were analysed individually, each participants' perspectives were compared with others—other participants, other research findings, law and statutory guidance and my own exploration and writing. The findings are therefore written as a reflective exegesis, a critical interpretation of the participant interviews and focus group.

## 6 | FINDINGS AND DISCUSSION

### 6.1 | Wishes and feelings—the concept

Participation by service-users is recognized in the United Kingdom as a vital aspect of the social work process, but seldom meaningfully defined or consistently implemented by practitioners. With the absence of robust participatory guidance for social workers creating a chaotic (or haphazard) style of working, participation remains dependent on the practitioners' experience and knowledge.

Participation Worker (PW) 1 provided their definition of participation in child protection social work:

> Being involved. As the word says, participating means being part of the whole process, knowing what's going on. And having an understanding of what's happening and being involved about potential decisions being made for you. (PW1)

In this initial interpretation of participation, we are reminded of the non-voluntary nature of child protection social work. Although Shier's (2001) pathway *invites* young people to participate, and ultimately share power with adults, children and parents have no choice but to be party to child protection proceedings (s.47 Children Act 1989). Social workers must be ready to listen to children, support children and take their views into account (Shier, 2001); however, decisions can be made 'for them' which creates resistance.

> I think they are not completely involved in the decision-making stage necessarily but then that's not always appropriate … you cannot just have a kid going 'right, this is what I want to do with my life'. And if they do not have that experience then professionals have to make those decisions … And being involved in

**FIGURE 3** Child 5's depiction of her family and professional core group, and their positioning within it [Colour figure can be viewed at wileyonlinelibrary.com]

> the decision-making process you know … being able to identify … I mean it's not always appropriate for a young person to be told to identify the issues but you know … (PW3)

The social work duty of ascertaining the child's opinions and giving weight to these is located in s.53 of the Children Act (2004) and is referred to in UK social work practice as simply wishes and feelings. While it sits within a participatory framework, there was confusion as to its meaning. Participation Worker 1 stated:

> Coz with participation, I connect it with the same, that by giving us their wishes and feelings they are participating. (PW1)

Participation Worker 1's colleague swiftly challenged this statement:

> Really? Coz I don't. Wishes and feelings is a way of them being involved and participating but it's a small snippet under the umbrella term of participation and it … when it goes back to the ladders is … if you are involving them to a degree because you are saying 'we want to hear this'. But for it to be truly participative …. it's young people's involvement throughout the whole process. Not just a little bit of it. For me, wishes and feelings is going 'we want your involvement and participation, but we want this'. (PW3)

The notion that wishes and feelings is something *to do* at a certain point of child protection proceedings is the crux of the problem, exacerbated by expectations that young children can process their thoughts on the spot. To give due consideration to a child's wishes and feelings, a discussion or action is needed, with social workers and children sharing information and co-sourcing solutions (Bouma et al., 2018). Recording statements from a child as part of wishes and feelings with no further action or discussion is simply one-dimensional (or linear) social work practice, with no link to s.53 Children Act (2004) (Dillon, 2019). The siting of wishes and feelings within meaningful participation also becomes blurred:

> I think that you could gather a child's wishes and feelings and not fully encourage them to participate in the process so, as a snapshot, you'll gather their wishes and feelings for an assessment. Yet they are not kind of actively encouraged to participate in the rest of the process, or you might gather wishes and feelings at certain times but they are not actually participating. (Social Worker [SW] 3)

This affirms the need for a 'revolutionary' child protection participatory cycle (Appendix A), where the understanding and analysis of a child's wishes and feelings is intertwined within the developing child/social worker relationship. This, in turn, feeds into decision-making forums, the outcome being relayed to the child for further discussion (Dillon, 2019). Failure to join up the circle, or revolutionize participation, leaves the interaction as linear and a child uninformed about the weight given to their opinions (UN General Assembly, 1989).

## 6.2 | Wishes and feelings in practice

The term 'wishes and feelings' was already understood by the parents and children within the study, and needed no further explanation. Parent 4 was happy for his children to voice wishes and feelings, but sceptical about the way this was interpreted by social workers and doubted it gave weight to decision-making.

> I am positive about it, I just don't want to, you know … you know what social workers are like, they twist things. They look at a lot of negative stuff. A hell of a lot of negative stuff. And I'm not happy with that, coz I'm their Dad. (Parent 4)

Parent 4 was not alone in his desire to protect his children from basing wishes and feelings on 'negative stuff'. Despite being 12 years old, an age considered mature enough to participate (Berrick et al., 2015; Bouma et al., 2018; Parkinson, 2001), Child 5 was not sure what the purpose of her child protection plan was, nor of the actions within it designed specifically to support her and her family. Without this context, Child 5 was limited in her ability to provide wishes and feelings yet it was the choice of both her IRO (an independent chairperson of UK child protection meetings) and her mother to withhold this data. This provoked anger and anxiety in Child 5:

> Like, it makes me feel like they don't trust me. Because if they don't trust me to read [my plan] or owt … but it also makes me think it might be something that I'm not allowed to know. Something upsetting and they don't want me to get upset. Coz if it was upsetting and my mum would tell me and like … I'm in a good mood … like coz if I'm in a bad mood, it's even worse coz I'll start punching walls and everything like that. (Child 5, aged 12 years)

Previous research by Cashmore (2002) raised concerns about the amount of redacted information contained in care-leavers' files, stating that what young people *imagined* the reports to say was often worse than the reality. This is indeed the case for Child 5. However, Child 5 felt that she could positively contribute to her child protection planning, if she knew what the issues facing her family actually were.

> I want to know what I have to succeed, and I might be able to succeed it. (Child 5, aged 12 years)

Child 5 is succinctly describing the conflicting discourses of participation, the clash between protectionism (Vis et al., 2012) and the

child as a social actor (Cossar et al., 2016; Polkki et al., 2012; Sanders & Mace, 2006). This finding is echoed in Dillon et al.'s (2016) research, where a young male felt that the lack of information being shared about his child protection planning meant that he was unable to support his parents. This sentiment aligns with the findings from Sanders and Mace (2006, p. 90) where they identified the 'tension within child protection between the child as the powerless victim … and the child as the potential unlocker of the solutions to their own difficulties'. Indeed, research by Pastor et al. (2020) continues to report a lack of information sharing with children newly placed into foster care, particularly regarding the reasons for their removal from home. Worryingly, due to professionals and parents being fearful of sharing the reality of the situation, the research also reports the telling of lies to children 'in a huge part of the cases' (Pastor et al., 2020, p. 8). Purposefully excluding children from participating, and withholding information about decisions made on their behalf, can provoke negative emotions and ultimately lead to a distrust of adults (McCarthy, 2016; Pastor et al., 2020).

Child 5 was not alone in their uncertainty around their child protection planning. Out of the six child participants, none of them had seen/read their own child protection plan (neither the original document nor a child-friendly version). Indeed, the initial step on Shier's (2001) Pathway to Participation asks 'Are you ready to listen to children?'—a task impossible to undertake without initially sharing some information with a child. None of the five social workers or three participation workers routinely created/shared child protection documents to be used as a basis for wishes and feelings. This practice contravenes statutory guidance, with WTTSC (2018, p. 48) stipulating that social workers must 'explain the [child protection] plan to the child in a manner which is in accordance with their age and understanding and agree the plan with the child'. Social Worker 2 was aware of this gap within her practice:

> I'd love to have the time myself to sit down and write child-friendly action plans. You know, and that is what I imagined myself to be as a social worker. You know, when I did my social work training and I had like six kids on my caseload, you could do bubble plans and nice pretty things. I just don't have the time to do that for every child now. (SW2)

The task of sharing private thoughts with strangers must be daunting for all children, particularly those with no previous experience of social work intervention. If social workers fail to introduce themselves and their role adequately to a child, children will not understand the reason for the questions nor the implications of their answers (Ferguson, 2016). To enable a child to give their opinion, a certain amount of information needs sharing with them, which can leave social workers worried about what they should reveal:

> The younger ones, much younger ones I have struggled with. You know, trying to … because you do not want to put fear into them, do you, and often with them I suppose, eight year olds, their parents are like their world and everything, aren't they, so it's … it's about getting that balance, isn't it? (SW2)

Interestingly, the children in this study were perceptive to the prescriptive nature of wishes and feelings work that had already been identified by the participation workers. Five of them, for example, identified that the role of an advocate (or participation worker) was to simply visit before meetings to establish how the child is feeling. This was also the case for Parent 4:

> … someone goes to school to see them before the conference … to talk to the kids. Now the kids will tell them straight you know. The kids are honest, them. You know, if they have got an issue they'll tell them, just like they did when they said they did not like me giving them a back-hander every now and again, when they was naughty and carrying on. (Parent 4)

Along with WTTSC (2018) the newly published Ofsted inspection guidance (2018) stipulates that 'children and young people are listened to … practice focuses on their needs and experiences and is influenced by their wishes and feelings' (Office for Standards in Education, 2018, p. 52). Child 1, the youngest participant at 8 years old, recalled her advocate asking her what she liked and disliked, along with what she wanted to change.

> I remember saying I wanted to go to France. (Child 1, aged 8 years)

Child 1 did not know what her advocate did with this information nor whom he shared it with. When asked about the role of their advocate, the responses from Child 3 and Child 4 were similarly vague and focused solely on the imminent occurrence of a child protection meeting:

> Well, she tells us stuff, like if there's going to be a meeting or something. And stuff like that. (Child 3, aged 10 years)

> They ask "what are my thoughts" and then they say it at the meeting (Child 4, aged 11 years)

Child 1's desire to visit France and Child 4's comments about 'sharing thoughts' offer an insight to their hopes and desires yet fall short of ascertaining 'the child's wishes and feelings *regarding the action to be taken with respect to him* …' (s.53 Children Act 2004). Unable to attend her own meetings, Child 5 instead met privately with her family's IRO, who also listened to Child 5's wishes and feelings. Interestingly, this now totalled three people (IRO, social worker and advocate) who had conducted home visits to Child 5 for the purposes of collecting wishes and feelings. This is a laborious process for a child who must repeat their thoughts and opinions several times. Child 4 reflected further on

this when choosing a 'talk to the hand coz the face ain't listening' emoji card to describe his feelings towards his advocate.

> It's when I have to say things over and over again … I get asked the same questions over and over again … But sometimes I make sure I do this [hides face]. [Because] it's the same stuff. (Child 4, aged 11 years)

The opinion of duplicated questioning by social workers was echoed by Child 6:

> And also they never listen to my feelings. They … they … they always bring up my past! And I didn't want to bring up my past. So … so every time they bring up my past I just get angrier and angrier and angrier. Up to a certain point where there's only a little bit left where if the social worker brings up any past again, it's filled and I'm going full rage! (Child 6, aged 10 years)

The potential overuse, misinterpretation and duplication of questioning and paper-based templates/resources—such as the Three Houses (Weld and Greening, 2013)—can lead to social workers assuming their duty of ascertaining wishes and feelings has been met. However, it would take a skilled social worker to draw out a child's opinion on their social work intervention and planning from predefined template-based activities. What is surely needed is a unique, or bespoke, resource co-produced with the child, to incorporate what they are thinking, feeling and what they want? This however takes time to plan and is dependent on the child's relationship with their social worker.

## 7 | RELATIONSHIP BUILDING: IT'S NOT 'CHILD'S PLAY'

Within the majority of research studies on participation in social work practice, the relationship between child and social worker is highlighted as key. This is emphasized by the title of Cossar et al.'s (2016) England-based research 'You've got to trust her and she's got to trust you'. Children desire a good relationship with their social workers (Cossar et al., 2016; Dillon et al., 2016; Muench et al., 2017) but may censor what they say for fear of social workers 'twisting things' (Cossar et al., 2016); a concern already raised by Parent 4. With the attitude, skills and availability of the professional raised many times as a barrier to participation (Berrick et al., 2017), the children were asked about their relationship with their social worker.

Five out of the six children interviewed chose emoji cards representing 'love' or 'happiness' to describe their feelings towards their social worker. Asked to select a toy/animal to represent the social worker in the interview activity, Child 4 stated:

> I'm going to choose a horse [to represent the social worker] because she helps us on our journey. (Child 4, aged 11 years)

When asked why they like spending time with their social worker, Child 2 stated:

> Because she'll make me feel happy and everything. (Child 2, aged 9 years)

Asked the same question, Child 5 stated quite simply:

> Coz every time she comes out she, like, asks us about what's going on at school and stuff like that, and how is life, and stuff like that. And like, and like, she's just here to, like, realise what we feel like at home and stuff … I'm alright with it because I know I can trust her. I'm honest. (Child 5, aged 12 years)

It was very clear that Child 5 adored her social worker and loved spending time with her. She explained further why she and her social worker had become so close after working together for only 3 months:

> Erm … like, I don't know. She … I don't know really. I just like … coz she talks to us and she understands what we are saying and stuff. Do you know what I mean? (Child 5, aged 12 years)

Although this is heartening, it is surprising considering the changes in social workers that the children had experienced. Two children had had two social workers, two children three social workers, one child at least five, and one child more than 10. Increasing workloads, low pay, a lack of organizational communication and poor supervision are issues often linked to the high turnover of social workers (Cho & Song, 2017). In 2016, 4440 child and family social workers joined the profession (Department for Education, 2016) yet 4200 social workers left, diluting participatory experience and leaving local authorities consistently needing to retrain their new workforce. What remains is a disrupted flow of child/social worker collaboration, repetitive direct work with children and the need to build relationships from scratch (Manful et al., 2020). Having already had two social workers, Child 3 also worked with a third when his regular social worker took annual leave.

> It's a bit weird, but I can get used to it … I have to see people I don't really know and it makes it a bit weird. But it's ok sometimes. (Child 3, aged 10 years)

As the field of child protection constantly changes in-line with updated social policy and research outcomes, a well-trained social work team providing child-centred participatory practice should remain a constant (Bagdasaryan, 2012). Social Worker 1 took time to reflect on the intricacies of supporting many families at once, and recognized that embedding participation is an added pressure:

> It's just a little bit more … you know … when I go, you know, there's always something going on, you know.

> Mum's just had a fight or Dad is saying we have had all our benefits stopped, there's always something going on. And you are still in, you are managing PLO [public law outline] as well, you have got to remember to tell them, you know, there's this court date coming up or are we stepping down, you know, the messages about managing the case in general. So you are juggling a huge lot of information in your head at all times. And you have got to see the children and work out what's going on for them. But that dedicated role …'tell me what's going on for you' … because my head is full, I'll be honest about it, all the time. (SW1)

Along with relationship building, the knowledge of children's rights and child development were identified as key skills lost on social workers' departure (Schofield & Thoburn, 1996). Moreover, newly qualified social workers may not have received in-depth training on how to gather wishes and feelings with children on their pre-qualifying university programme; most practical skills would be learned on student placement or during previous work experience:

> I know from my experience, you get a lot of training on how to fill assessment forms, procedures and rules. But I never once had a session on how to sit and use open questions with a child. (SW1)

> I found the university course did not cover enough of the practicalities of social work really. I loved the course because I'm an academic at heart, so I loved doing all of the anti-oppressive practice, the ethics … but I thought, when coming into the job and not having had any statutory placements, I was surprised to see how little that featured in day-to-day work. (SW2)

Despite her perceived lack of training, and when faced with uncommunicative children on statutory social work visits, Social Worker 2 introduced a journal in which the child recorded their feelings and opinions in between social work visits, which they eventually sat and read together. This counteracted the sometimes-negative responses from children (McCarthy, 2016), including the feelings of surprise, resignation, worry and anger, when finding a social worker to be waiting for them at home (Dillon et al., 2016).

> I think that being able to sit down in a quiet space … and they can keep writing for as long as they want, 'til they find the right [words], rather than feeling that they have got to answer a certain question that I'm asking them right now and they have got to come up with the right answer and the right word [laughs]. And that's working really well. (SW2)

With statutory child and family social work placements being hard to obtain, social workers may have trained within adult-only environments and entered the profession with no previous experience in children's social work. It is therefore imperative that social workers are honest about their capabilities and raise training needs, regarding relationship building with children, in supervision (Bruce, 2014).

## 8 | CONCLUSION

Due to the lack of statutory, participatory social work guidance, and the absence of clear links to s.53 (Children Act 2004), children are missing opportunities to be involved in their own child protection planning. This research highlights practitioner confusion over the meaning and application of wishes and feelings legislation, resulting in children and parents being left uninformed and unable to effect change. Wishes and feelings has seemingly become a task *to do*, rather than part of a 'revolutionized' participatory process to meaningfully embed children's opinions into their own social work intervention. A shift from template-based paper exercises towards bespoke, co-produced resources that remain with the child can alleviate duplication of task, reduce worry and enhance the quality of the relationship between the child and their social worker. To address this gap in practice, I am currently collaborating with a UK-based local authority to study the effectiveness and impact of co-production with children on child protection plans. With social workers feeling under-prepared in using creative and playful methods with children, a local artist and youth worker has joined the new study, training social workers on innovative ways of working. With no hard-fast rule regarding child participation in child protection, social workers are currently bound by their local authority's internal policies, as well as their own training, availability and expertise in this field.

### DATA AVAILABILITY STATEMENT

Due to the sensitivity of the data, the participating local authorities did not agree for data to be deposited and available to other researchers

### ETHICAL STATEMENT

The study was granted full ethical approval from Liverpool John Moores University in 2016.

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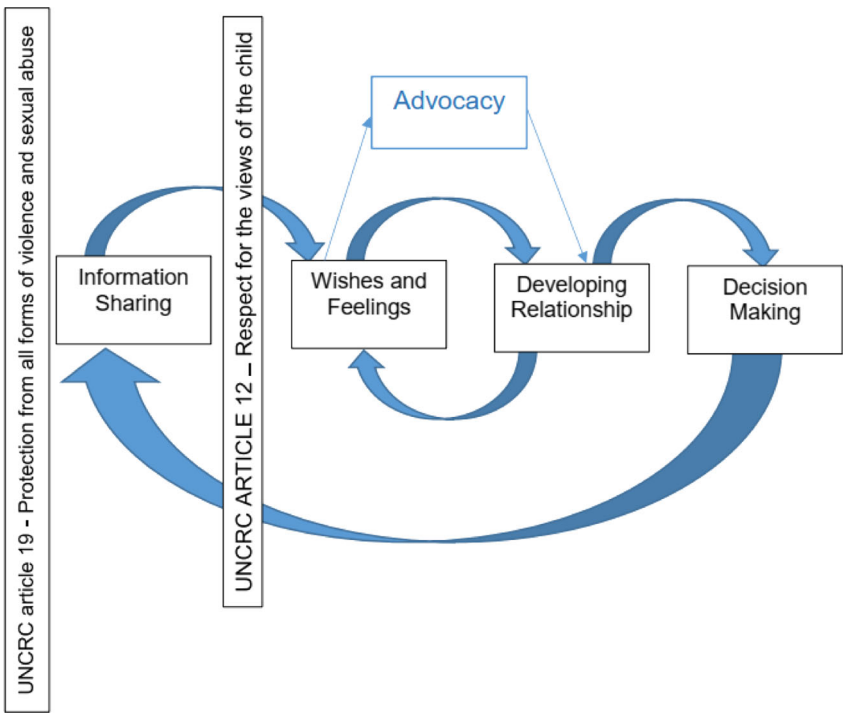
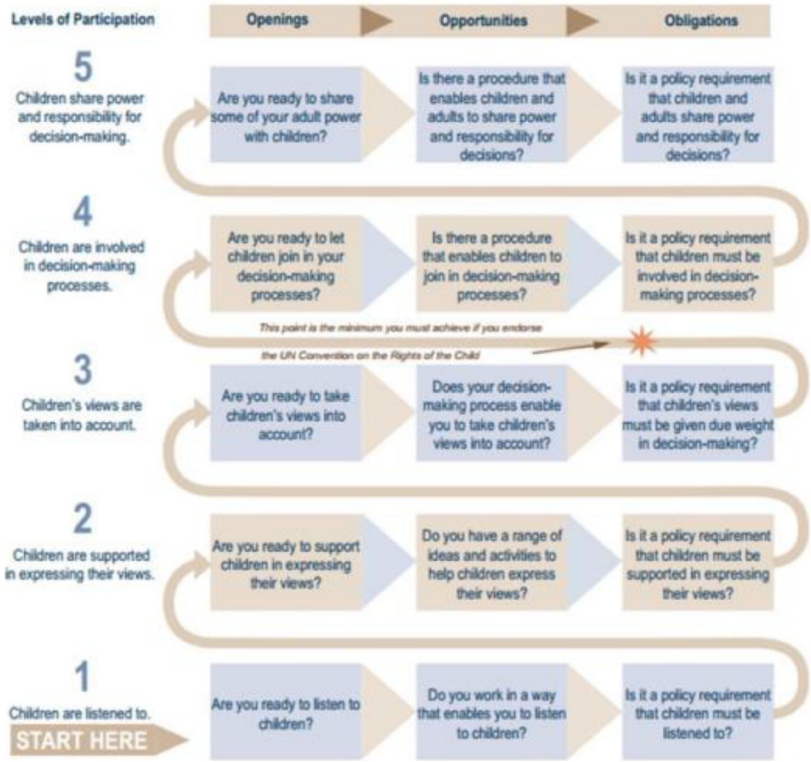
## APPENDIX A: 'Revolutionizing' participation in child protection proceedings (Dillon, 2019)




'Revolutionizing' participation in child protection proceedings (Dillon 2019)

**APPENDIX B: Pathway to participation (Shier, 2001)**




Pathway to Participation (Shier 2001)

**APPENDIX C: Semi-structured interviews with children—questions and activity**

1. **Child**

Child to choose a doll /animal/name card to represent themselves

Tell me about [name]

Who lives with [name]

Who is friends with [name]

Who looks after [name]

Who visits the home to speak to [name]

How easy do you find it when speaking to the adults who visit you at home/school to talk to you?

If you could choose one person who you find the easiest to speak to whenever you are feeling worried, who would that be?

2. **Parents**

Shall we choose a doll/animal/name card for your Mum/Dad?

Tell me about your Mum/Dad [child will have said above who lives in the home with them]

What does your Mum / Dad do to take care of you?

What things/activities do you do with Mum/Dad after school and on weekends?

Are there any grown-ups helping your Mum and Dad? Who are they?

3. **I know you have a social worker**

Do you know what a social worker does?

Shall we choose a doll /animal/name card for your social worker?

What is your social worker's first name?

What does your social worker do with you? And what else …?

Do you know why you have a social worker?

Do they visit you? Where?

Are you on your own with the SW or are other people there too?

Does the social worker have an office that you go to?

How do you contact your social worker? Do you have their telephone number or email address? Who gave you these contact details?

Have you ever telephoned your SW by yourself? Did they answer?

Have you ever asked your SW to do something and they have been able to help you?

Have you ever asked your SW to do something and they have said no, they cannot?

Has anyone ever told you not to speak to your social worker?

Are your parents happy to meet with the social worker?

Are you happy to meet with the social worker? Use scaling question …

Have you had more than one social worker?

4. **Do you have an advocate/participation worker? If so:**

What is your PW's name?

Shall we choose a doll /animal/name card for your participation worker?

What does your PW do with you?

Do you know why you have a PW?

Where do they visit you?

Does the PW have an office that you go to?—How do you contact your PW?

Do you like speaking to your PW? Use scaling question …

5. **Interviewer to place the representations of the SW/parent/child and advocate in a line, on table in front of child**

Ask child whether they spend time together as a group. Where? When? What for?

Who is in charge? Child to place a 'token' (likely to be a coloured disc of paper with the words 'in charge' on) in front of the person they feel are in charge.

Explore further. Why does the child feel this way? The same 'token' exercise is to be used for the following questions:

Who speaks the most? What about? When do you speak?

Who listens the most? How do you know they are listening? Who listens to you?

Who makes decisions? What decisions? If the child does not indicate themselves, ask whether they get to make any decisions.—Who writes things down for you to read?

Who would you tell if you were worried about something?

Give child a mixture of cards showing 'emojis' with different emotions. Child to be asked to choose emotions from pack of emojis to describe how they feel when they talk to SW and parents and place these emojis next to the representation of that person. Interviewer to explore these emotions further with the child.

6. **Other people – build up picture of Core Group**

Which other people are supporting or listening to you?

School teacher?

MOSAIC?

Nurse?

Police officer?

Other?

Get child to personalize the cards and add names and places where the person 'lives'. This will identify whether the child knows where these professionals are located and how to contact them

Use emoji cards to describe how child feels when they talk to these people

Out of the people on the table, who do you think listens to you? You can choose as many cards as you like

Place cards in order—who listens to you most, who listens to you least.

7. **Gesture to all of the people. Have you been to any meetings where some or all of these people are there too?**

If yes, which people were also at the meeting?

Any new people that we need to draw/get figures for that went to the meeting?

Did you know everyone who was at the meeting?

Where was the meeting? Can you describe the room to me and where people were sitting?

Do you get to speak here?

Do people listen to you? How could you tell that people were listening to you?

In the meeting, are you asked to make decisions or choice about what happens to you?

How do you feel when you are at the meeting—use emoji cards with emotions?

Have you ever heard of the words "Family Group Conference"? If so, can you describe to me what this means?

How many meetings do you think you have been to?

Do you like going? Use scaling question ….then ask 'What would make you like it more?'

Do you understand everything that people are saying at the meeting? Use scaling question …

8. **Written records**

Has anyone shared with you written details of what your social worker and parents are working on?

Have you ever heard of a child protection plan? If yes, has someone shared any details with you?

Does anyone give you any written work that is prepared just for you, so that you can understand it?

After you have been to a meeting, do people come out and talk to you about what happened? Do they give you any written notes of the meeting to read?

Have you got anything anywhere that has been written down by your social worker and given to you to keep?

Are you given anything to read before going into a case conference?