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Social worker decision-making in court

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Abstract

The current study aimed to explore the factors that influence how social workers make decisions and develop their decision-making skills in care proceedings, and to identify effective support and intervention to develop social worker decision-making skills. The study employed a mixed thematic approach across two phases of study: an initial inductive thematic analysis of responses to an online qualitative questionnaire and then a mixed thematic analysis of follow-up focus groups and interviews with social workers working in various social work roles within England and Northern Ireland. The findings identified a number of themes that help to understand the decision-making skills of social workers; thorough assessment skills, relationship-based anti-oppressive practice, being mindful of the lived experience of the child and using critical reflection to make complex decisions. Wider structural factors that support or hinder decision-making, particularly in respect of organizational support and management supervision were also identified. Social workers can be supported to develop decision-making skills through additional training, reflective learning and management support to develop their practice wisdom within this field.

KEYWORDS

care proceedings, child protection, decision-making, practice development, practice wisdom, social work

1 | INTRODUCTION

Social workers make decisions that significantly affect the lives of children and families (Holt & Kelly, 2012). Between April 2019 and March 2020, over 18,000 public law applications were made in England, with a national average of 11.4 applications per 100,000 population (Cafcass, 2021). Recent figures show a continuing trend of increasing number of infants and babies in care proceedings (Pattinson et al., 2021). This growing national average hides significant differences in different geographic regions in respect of number of children being made subject to care proceedings and the legal outcomes at the end of proceedings (Harwin et al., 2018; Pattinson et al., 2021). These

differences can be attributed to a range of reasons, including accessible preventative services (Pattinson et al., 2021) and differences in local practices (Harwin et al., 2018; Pattinson et al., 2021). Social workers undertake assessments of children at risk of harm to develop support plans and make recommendations that they place before the court as part of the decision-making process relating to living and care arrangements for children who are subject to care proceedings. This includes making recommendations about the long-term capabilities of parents to meet their children's needs and provide an expert view on the relative strengths of risks of different placements and care plans.

While decision-making within the context of child protection has been studied previously (Benbenishty et al., 2015; Cowley

Social worker's development of decision-making skills in care proceedings: The role of practice wisdom.

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et al., 2018; Doherty, 2017; Nyathi, 2018; O'Connor & Leonard, 2014; Whittaker, 2018), its role in the legal framework of care proceedings has received less attention (Beckett et al., 2007; Burns et al., 2018; McCafferty et al., 2021; Skivenes & Tonheim, 2018) and is a research area that requires further investigation. Timely decision-making is important and delayed decision-making has a detrimental impact regardless of the type of court order sought (Selwyn et al., 2014) and delay itself can produce poorer outcomes for children due to the emotional harm of uncertainty around their future (Beckett et al., 2007). This is reflected in the inclusion of the Public Law Outline, which describes the different stages of the process a local authority follows when making an application to the court (Ministry of Justice, 2021). Its intention is to secure early resolution and minimize delay in care proceedings (Department for Education [DfE], 2014) and ratified in the Children and Families Act 2014 (s. 14); however, these mechanisms are not sufficient to prevent poor practice (Braye & Preston-Shoot, 2016).

There is a lack of clear theoretical basis for how information is analysed or recommendations are made (Taylor, 2017) and there is an inconsistency in decision-making between individuals (McCafferty et al., 2021). Decision-making in this field is complex and multifaceted; there is no 'perfect algorithm' to provide the right answer (Samsensen & Turney, 2017), and Preston-Shoot (2014) notes that law is concerned with whether the right decision-making approach is adopted, rather than the right decision is made. The primary aim of care proceedings is to safeguard children and achieve 'better outcomes' for them (Dickens et al., 2019). However, the definition of 'outcomes' is poorly defined (Forrester, 2017), and there is no national framework for assessing outcomes (La Valle et al., 2019) or structuring assessments (McCafferty et al., 2021). Understanding local differences in decision-making is crucial to provide transparency (Harwin et al., 2019), and Munro (2019) explains that professional practice can be constrained by organizational culture, she advocates a 'positive error culture' to improve decision-making by understanding errors are likely to occur and using them as an opportunity to learn and not to blame. Beckett et al. (2007) undertook a qualitative study of social workers to discuss how they reached decisions in care proceedings. The study provided a clear picture of social worker's perception of systemic limitations, individual skills and the need for support. Despite the study limitations (e.g., including only social workers in four teams across two local authorities), the study provides a rich description of their experience of decision-making in proceedings.

Serious Case Reviews (SCRs) provide case examples of the complexities for children who have experienced care proceedings due to past experiences of harm, and the affect this has on their expectations of care and their behaviour towards caregivers (Brandon et al., 2020). Cases require careful assessment, monitoring and support of specific difficulties facing children within care proceedings. SCRs provide examples of where processes have not been appropriately followed or mistakes have been made. These have often identified that workload and budgetary pressures can threaten professional practice (Brandon et al., 2020). It is within this high-pressured and time-limited environment that social workers must make decisions (Masson et al., 2017),

and Saltiel (2016) describes the complexity and uncertainty of social work decision-making in these situations.

Preston-Shoot (2014) argues that good social workers learn from experience and reflect during and after direct work. Decision-making is a learned skill that can be improved through experiences (Hastie & Dawes, 2010). Within care proceedings, there is no clear structure for how decision-making is judged in respect of social work practice or how that learning is consolidated and used within future practice. Practice wisdom appears to allow practitioners to make sense of multiple sources of evidence to reach conclusions (Collins & Daly, 2011). It involves the application of practice knowledge to the situation facing the social worker (Dybiczy, 2018). This knowledge is described as well-earned professional intuition rather than a bias (Cheung, 2016) and is built upon tacit knowledge and the 'ability to base sound judgments on deep understanding in conditions of uncertainty' (O'Sullivan, 2005). Developing confidence working within uncertainty within care proceedings and reflecting on previous experience to improve practice may be described as the development of practice wisdom. The consolidation of this learning could be through factors such as critical reflection and effective supervision to acknowledge, explore and manage emotions which enhances decision-making (O'Connor & Leonard, 2014).

By developing an understanding of how practitioners develop their practice and analysing what tools and strategies they use to do this can improve how services are implemented and ultimately improve outcomes for children. Reflecting on decision-making processes can stimulate the development of expertise (Van De Luitgaarden, 2007), but this requires self-knowledge, insight and being creatively adaptive (Houston, 2016). The integration of knowledge from a range of sources are interlaced to develop practice, and Trevithick (2008) describes these sources of knowledge as Theoretical, Factual and Practice knowledge. How this knowledge is incorporated into practice requires a clear understanding of what social workers know and do not know about their knowledge base and how they make decisions.

Child protection cases have a far-reaching impact on both children and families. While there is literature on decision-making processes in this area, there requires further investigation to answer the following research question; what factors influence decision-making in care proceedings and how can social workers be supported in developing these decision-making skills? The aims of the present study were to explore factors that influence how social workers make decisions and develop their decision-making skills in care proceedings. A secondary aim was to identify effective support and intervention to develop social worker decision-making skills.

2 | METHOD

2.1 | Design

The study employed a qualitative approach using a reflexive thematic analysis (Braun & Clarke, 2019). This approach can provide rich data

and has been employed within this study to explore the complexities of social worker decision-making in care proceedings through collection of questionnaire data and subsequent focus groups and one-to-one interviews.

Data were collected through online survey responses and follow-up focus groups and interviews. Initial questions were generated and widely distributed via survey to understand the key factors that are involved in the decision-making process and the impact these have on the outcome of cases. The initial questions were developed from the first author's own experience of social work practice in this area and previous literature in the area as outlined in the introduction to this paper. In order to allow a richer, more detailed qualitative analysis, the broad stroke survey approach was then followed up with in-depth focus groups and interviews. The structure of the data collection allowed an inductive thematic analysis of the qualitative survey responses and a mixed thematic approach of the follow-up data to identify themes and trends within the data. The advantage to this approach is that the inductive analysis does not impose any preconceived categories on the analysis of the data and this can then be tested by a more directed analysis against the initial themes by providing supporting and non-supporting evidence (Hsieh & Shannon, 2005). Quantitative data from the surveys were not included within the theme development process and were collected purely for context and sampling purposes.

2.2 | Ethical consideration

Ethical approval was granted by the Plymouth University Faculty of Health Ethics committee prior to any data collection. All ethics guidelines for research as outlined by the British Psychological Society (BPS) were adhered to at all times (Oates et al., 2021). The research was conducted in a sensitive and empathetic way. This was achieved through paying close attention to participants body language and verbal and non-verbal cues as well as the facilitators own presentation within the group, seeking clarity through paraphrasing participants comments and ensuring the environment was inclusive of all participants. Preparation before the focus groups and debrief after helped ensure that participants were supported to fully engage.

2.3 | Reflexivity statement

The importance of reflexivity is clearly described in reviews of qualitative research (Barusch et al., 2011). Within this study the first author was mindful of their own experience as a practicing social worker, working within care proceedings for 12 years, and reflected on potential for his own experiences to create biases and blind spots. A reflective journal was kept during data collection and analysis alongside close discussion with the second author and member checking with participants to ensure transparency of the development of themes.

TABLE 1 Survey participant characteristics

Participant characteristics	Number of survey participants
Gender	
Female	31
Male	5
Age	
20–30 years	2
31–40 years	17
41–50 years	9
51–60 years	5
61+ years	3
Number of years qualified	
0–5 years	0
6–10 years	4
11–5 years	2
15+ years	3
Number of years working in care proceedings	
0–5 years	10
6–10 years	15
11–15 years	5
15+ years	4
Unanswered	2
Geographic location	
South West	21
Midlands	3
North West	3
East of England	2
North East and Yorkshire	1
South East	1
Northern Ireland	1
London	4
Current social work role	
Advanced practitioner	6
Independent reviewing officer	3
Social worker	13
Team manager	5
Children's guardian/family court advisor	2
Independent social worker	2
Service manager	1
Specialist court role	3
Teaching fellow	1

2.4 | Participants

Participants were recruited through social media and local and national agencies employing or supporting social workers, including British Association of Social Workers, three local authorities and a

local Independent social worker group. The study recruited qualified social workers in a variety of roles with experience of care proceedings. It was important to gather a wide range of views from participants with varying levels of experience, but all participants had some level of experience in care proceedings. The survey was cascaded through a snowball sampling method through the agencies discussed above, Twitter and word of mouth.

Thirty-six participants completed the online survey (mean age = 43 years, 31 females). Of these, nine took part in further focus groups or one-to-one interviews (mean age = 49, seven females) (see Table 1). The gender divide is representative of the children and family social work workforce (DFE, 2020). The job roles and location of the focus group and interview participants have not been included to ensure anonymity due to a small number of participants. These participants worked in a variety of roles and were from three geographic areas.

2.5 | Procedure

2.5.1 | Stage 1

Participants completed a short self-designed online survey using 'Joint Information Systems Committee Online Surveys' consisting of 24 questions about their experiences within care proceedings and how decisions are made. The survey consisted of demographic questions (see Table 1) and questions about their perception of outcomes in proceedings, using Likert scales and free-text responses (see Data S1). It was piloted with a local group of social workers to ensure ease of use and clarity of questions. Data collection took place between January 2021 and March 2021. All responses were anonymous.

Participants who wished to take part in the follow-up stage of the study were asked to share their e-mail address. Twenty participants expressed an interest in the follow-up stage. They were all contacted to take part in the second stage and nine responded to subsequent e-mails inviting them to attend.

The survey questions were developed to consider what factors affect outcomes in care proceedings, how these are measured and the impact these have on future practice. The qualitative data from the surveys were coded and analysed using NVivo 12 computer software (NVivo, 2021). An inductive process was used to code the data through reading and identifying important aspects within the survey responses (Norman et al., 2020). These codes were then used to generate a coding framework for analysing the subsequent focus groups and interviews (Fereday & Muir-Cochrane, 2006).

2.5.2 | Stage 2: Focus groups and interviews

Two focus groups were conducted remotely via video conferencing software. The discussions were recorded and transcribed for analysis. The focus groups were semi-structured with questions based upon the inductive thematic analysis of the survey responses (see Data S2). Participants from across the United Kingdom were able to take part in the focus groups. Focus groups lasted up to 1 h.

One participant had technical problems with the connection for the focus group and another was unable to attend. Both were offered the opportunity to respond to the questions on a separate occasion on a one-to-one basis. The interviews were semi-structured and used the same schedule of questions employed in the focus groups. Interviews lasted up to 45 min.

2.6 | Data analysis

Data analysis is a reflexive process using thoughtful engagement to develop a rich nuanced reading of the data (Braun & Clarke, 2019). The qualitative data were coded and analysed using NVivo 12 computer software (NVivo, 2021). An inductive process was used to code the data within the survey responses. A six-phase process was used to analyse the data (Braun & Clarke, 2006; see Figure 1). Initial coding led to themes being generated, reviewed and refined, before

Phase	Description of the Process
1. Familiarizing yourself with your data:	Transcribing data (if necessary), reading and re-reading the data, noting down initial ideas.
2. Generating initial codes:	Coding interesting features of the data in a systematic fashion across the entire data set, collating data relevant to each code.
3. Searching for themes:	Collating codes into potential themes, gathering all data relevant to each potential theme.
4. Reviewing themes:	Checking if the themes work in relation to the coded extracts (Level 1) and the entire data set (Level 2), generating a thematic 'map' of the analysis.
5. Defining and naming themes:	Ongoing analysis to refine the specifics of each theme, and the overall story the analysis tells, generating clear definitions and names for each theme.
6. Producing the report:	The final opportunity for analysis. Selection of vivid, compelling extract examples, final analysis of selected extracts, relating back of the analysis to the research question and literature, producing a scholarly report of the analysis.

FIGURE 1 Phases of thematic analysis taken from Braun and Clarke (2006)

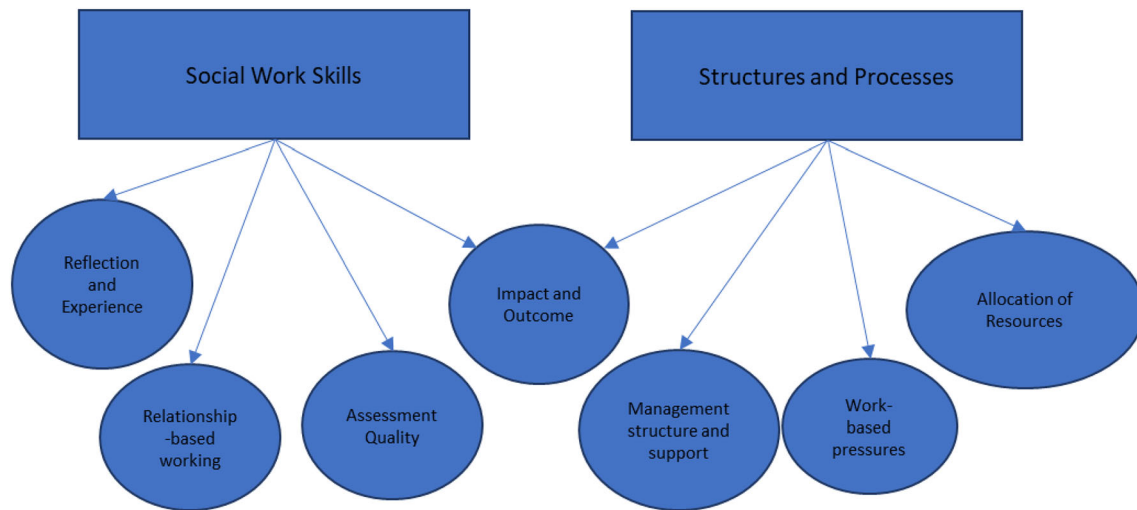


FIGURE 2 Thematic map, with links

gathering more data through focus groups and then moving back and forth through the phases to finally bring the narrative together and placing it in the context of the current literature. The initial survey allowed broad themes to be identified and then explored in greater detail within the following focus groups. These codes were used to generate a coding template for the focus group data which allowed member checking within the focus groups to understand the trustworthiness of the themes previously developed and to generate a coding framework for analysing the subsequent focus groups and interviews.

All interviews and focus groups were recorded via the video conferencing software, transcribed verbatim and analysed using thematic analysis (Braun & Clarke, 2006). The transcripts were read multiple times and coded within NVivo 12, using the coding framework generated in stage one of the study. This mixed thematic approach enabled a validity check of the data already collected as well as capturing any new themes not already identified (Fereday & Muir-Cochrane, 2006). Coding was undertaken by the first author, and the second author reviewed the results and transcript; there was consensus in terms of the identified themes and the descriptions of these themes. Results were member checked by focus group and interview participants by inviting them to provide feedback on the findings (only one participant responded). Triangulation of analysis can provide broader and more complex understanding and increase the credibility of findings (Tong et al., 2007).

3 | FINDINGS

Survey responses ($n = 36$) were received from a range of social workers in various roles across the country (see Table 1). They identified a range of factors that related to how decisions were made within care proceedings. Experience was deemed to contribute to

participant's capacity to critically reflect and develop coping strategies and skills to manage high caseloads or workload pressure.

Survey participants provided qualitative responses about their experiences. Participants of the focus groups ($n = 7$) and one-to-one interviews ($n = 2$) provided further detailed and reflective accounts of their experiences. These data were combined and provided a rich account of participants' experiences within care proceedings and how decision-making skills are developed (quoted throughout with an SR or P[1–9] to denote survey response or participant response). Through the six-stage process of analysis noted above, two emergent core themes with associated subthemes were identified: (1) social work skills and (2) structure and processes (see Figure 2). These two themes highlighted that the process of decision-making required the involvement of core social work skills but was also dependent upon the structures and processes surrounding social workers. The interplay between these core skills with the structural processes surrounding social work involvement in care proceedings heavily influence how decisions are made.

3.1 | Core Theme 1: Social work skills

This core theme incorporated a number of subthemes relating to social work practice, relationships, assessments and planning. These related to the capabilities of the social worker, as opposed to wider influences discussed in Theme 2. There was a consensus within responses regarding the importance of relationship-based practice particularly working in an 'adversarial environment [of court proceedings]' (P1) and that it 'takes a really skilled practitioner to be able to work around that ... and convince the parent that they are going to be fairly assessed' (P8). A lack of experience may mean social workers may struggle 'to build relationships sometimes with difficult to work with parents and they maybe have unrealistic expectations in terms of

what the courts going to expect in terms of how decisions are made that they might not understand case law' (P3). This can have a significant impact on the outcomes for children, and the social worker's capacity to make decisions that safeguard children and reflect their lived experience. This core theme reflects the complexity of social work skill in developing that relationship with a family and showing a 'fairness and being able to see all of the sides of ... what's happening' (P8) based on 'their knowledge and understanding of the family' (P4). There were four distinct subthemes that described different areas of social work skills.

3.1.1 | Subtheme: Reflection and experience

This subtheme related to how social work is practiced, the importance of professional development, experience, and of 'having the confidence [that] your role is valuable' (P6). While there was no conscious process or method for incorporating learning from previous experience described '... one of the critical things is about experience ... [Newly qualified] workers won't have the knowledge and experience of the court system or how to assess capacity to change' (P3).

Participants reflected on their previous experiences within care proceedings. Some reflected on how 'it takes a long time to build up that experience and actually we should be coming into it like quite confident that we understand child development' (P2). While others considered how experience had made them feel more able to acknowledge that 'all of us can be wrong' (P6) and reflect on the long-term ramifications of those decisions. This capacity to critically reflect and have the confidence to express the limitations of the social worker's knowledge was often linked to participants own experiences of developing their skills.

When I was newly qualified I had much more confidence in my ability to be right and to know what the best was for families. And over the years I'm much more conscious that we hardly know anything ... and that all of us can be wrong ... (P6)

Participants felt that those with greater experience were more capable of 'balancing pros and cons of your arguments' (P5) and having 'confidence in those ... skills' (P4) and accepting flaws and limitations in their own arguments and felt more capable of defending their own position, even when this was in contrast to the view of the local authority.

... we need to, you know, hold on to social workers and just giving them the right skills to be able to make those really, really informed kind of recommendations to the judges. (P4)

Reflective practice was consistently discussed as an essential aspect of decision-making, and having the 'opportunity to reflect critically and notice patterns' (SR) was important. There was little

description about how this is incorporated into future practice or learning but it was frequently linked to the importance of developing and promoting social work practice and thinking 'what might the outcome have been from a different decision' (P2) Reflecting on their knowledge base in relation to practice experience and vice versa is the primary mechanism for professional development (Taylor, 2013), and while this was not a conscious process, there appeared to be a clear theme of incorporating learning through reflection.

I think that reflection afterwards is good. I've had cases where there's been positive outcomes for children and cases where I think that there's not been such a positive outcome. Particularly when there's not been such a positive outcome, I always even just with myself try to reflect about could I have done anything differently? (P2)

3.1.2 | Subtheme: Relationship-based working

Participants spoke with passion about the importance of relationships and working alongside families and professionals in order to make decisions and protect children. They were mindful of the complexity of their role and how 'a positive relationship is a catalyst for positive change' (P2). Participants reflected on the challenges of meeting parents at 'probably the worst time' (P9) in their lives, and these relationships have a direct impact on how decisions are made. The decision to initiate proceedings could also be a way of managing 'anxiety ... in terms of your decision-making' (P3) which reflected concerns from respondents about a lack of consistency in decision-making. The initiation of proceedings may allow social workers 'to relieve your anxiety about the risk to make a decision' (P3) by allowing that decision-making to be made by the court. Participants described the importance of trying to balance different aspects of the social worker role and considered how to manage the competing responsibilities.

Having a relationship with the family is really crucial ... even though it can be an adversarial environment. (P8)

My experience is if you can build a good working relationship with the family ... those outcomes are much better. (P2)

Alongside the descriptions of the importance of 'working collaboratively' (P9) with families was the sense of frustration when collaboration was not working. This was particularly relevant with other professionals within the court proceedings. There was frustration where it was felt that the social worker's views or knowledge of the case were ignored or their 'evidence not being treated as professional'. (SR) The adversarial nature of the court 'can seem like a battle against everybody else rather than about the child' (P4). There was also description of where collaborative working worked well with 'some of the social workers are really up to working

collaboratively to talk about and explore that. But then others get really defensive so then you get a bit stuck with' (P9). The importance of collaboration and frustrations where this does not take place is consistent with previous research (Beckett et al., 2007) and points to the ongoing difficulties of the adversarial nature of court proceedings.

3.1.3 | Subtheme: Assessment quality

This subtheme described the importance of good quality assessment or assessing risk within proceedings; 'there's no specific definition of what significant harm is. You know what constitutes that, its professional judgement ...' (P2). Participants reflected on this complexity with this subtheme arising repeatedly across survey and follow-up responses. It was strongly linked to achieving positive outcomes for children.

So actually the biggest task is to provide the court with all of the relevant information so it can make the best decision it possibly can for that child. (P5)

There was concern about the limitations of assessments and in particular a lack of 'robust analysis' (P9). This was linked to delays in concluding proceedings and often to a lack of experience within proceedings.

[Newly Qualified social workers are] going to sometimes struggle to know how to write evidence properly ... (P3)

There was a consistent thread of the impact care proceedings have on the children involved and how important their lived experience can be; 'the narrative for those children gets lost because the workers are often not there if an issue arises several years down the line'. (P3) Capturing this narrative was linked to better decision-making skills, as these ensure the child remained central to the court process.

assessment quickly found the impact of his lived experience was causing him emotional harm, which resulted in a swift move into a placement rather than delay. (SR)

3.1.4 | Subtheme: Impact and outcomes

The consideration of outcomes for individual children, as well as wider trends in court applications and support being provided, were consistently raised by participants; 'I'm conscious that what is a good outcome for one child in the family or for one family member often brings terrible suffering for other family members ...' This included the incorporation of research and investigation of the long-term impact of decisions on children.

I think that's quite difficult, like when you reflect on it, because sometimes there are no good outcomes and I've had a case where the seven experts that were involved all said, well, these are the two choices and either choice you are going to traumatise the child further. (P7)

The complexity of planning for children, particularly sibling groups, was a challenge. The importance of considering all options for children, as well as the impact of outcomes on various members of the family was discussed. One participant highlighted a need to 'look at the whole process, start to finish so we understand the end results ... using care leavers voices a lot more' (P1).

I think that that you know so many things where this particular child isn't properly thought about where they are in the family, where they are in extended family and where they are with their adopters. (P5)

... six siblings that have been adopted and they are scattered across the UK. It's just sad to think kind of what if we'd just thought a bit more creatively about how we could support families to stay together ... (P7)

There were no clear outcome measures within care proceedings. Some respondents questioned if 'they serve a purpose for the child' (SR), although this was felt to be a gap in research in respect of the utility of outcomes measures within court proceedings. The value of any outcome measure was felt to be quite limited due to the individual nature of children's circumstances and the difficulty in measuring the complexity of factors that lead to care proceedings being sought.

We don't track it, we don't measure the success or failure of that. I know that the adoption process is measured to a certain extent because we look at adoption breakdowns ... how do you measure success? (P3)

I don't use them. How do you measure something as complicated as care proceedings? We won't know the success of any outcome for years and often not at all because we won't know if the long-term placement has worked ... (SR)

In the absence of outcome measures, participants used a variety of measures to judge a positive outcome including; whether it was the order the local authority sought or what kind of judgement the court gave. The lack of outcome measures reflects the difficulty in assessing the effectiveness of interventions such as care proceedings and is consistent with the lack of research in this area (La Valle et al., 2019).

3.2 | Core Theme 2: Structure and process

This theme related to aspects of proceedings outside of social worker's control, including systems and processes within the local authority and the courts themselves, as well as the importance of timely intervention focused on the child's needs. There were areas of frustration with proceedings feeling 'like a process train' (P1) and that there were often 'too many demands on the social worker' (SR). The subthemes represent specific factors within this theme that directly impact on social worker decision-making.

3.2.1 | Subtheme: Work-based pressures

This subtheme related to the role of management and support from the local authority, including direct supervision and managerial oversight, as well structural support such as caseloads and work pressure.

you also need the right sort of capacity's in your organisation to help workers develop that critical kind of reflection and analysis ... (P3)

... how safe am I? Have I got a team and a manager so I've got someone to help hold the anxiety that I'm carrying for too many families fighting fires something is a huge issue around time and resources and just Yeah, level of support and care. (P1)

3.2.2 | Subtheme: Management structure and support

The experience of management and organization support was described as more important for newly qualified or relatively inexperienced social workers. The need to nurture and support staff to help develop their skills was recognized with one recently qualified social worker describing the important 'role of managers in your perspective as to whether a case is successful or not in care proceedings and can change it hugely' (P7).

Supervision skills were identified as essential in supporting staff to make decisions. The experience and skill of the manager was important in this regard to help 'challenge our thinking ... and achieve the right outcome for children' (SR). Where this was effective, it was seen as a positive in aiding decision-making. The role of a manager and organization to 'help hold the anxiety' (P1) social workers carry was important, particularly due to the high workload and ongoing pressure social workers face. Furthermore, peer support can augment and 'forces you to kind of explore your thinking a bit more' (P9). This can be useful for addressing limitations within management quality and workload pressures and was identified as an important factor in aiding learning and development within the social work team.

I think you can use your supervision in that way when you're reflecting on a case and where things are and how you feeling about it and how you feel about your decision-making and whether there's anything that you would do differently ... (P2)

3.2.3 | Subtheme: Allocation of resources

This subtheme characterized the impact the court process had on social workers and the children they work with. There were positive and negative aspects of this process with participants feeling 'much safer, much more comfortable if there's ... good open communication between professionals' (P2) but a sense of frustration that the process and court needed to be more accountable for decisions 'especially when this involves delay' (SR).

The provision of resources, or lack thereof, repeatedly had an impact on social worker's capacity to make decisions or implement the interventions necessary to safeguard children or support families. Timely interventions were recognized as important, and the impact of delay was frequently raised, alongside the impact of an 'over reliance on expert assessment that slows down proceedings' (P9).

Swift allocation of services when need is identified therapy being identified for parents early on and the being able to access this. (SR)

Some of it is around thinking about timescales and whose timescales is it? The courts timescales? Is it the child timescales? It's the parent's time scale. (P8)

Another frustration within the proceedings was the allocation of resources. Participants felt funding for preventative measures and universal services would reduce the reliance on statutory intervention and enable more children to be safely cared for by their birth families.

We spend so much money in the courtroom you know you look around and you think what's the hourly rate of this [court] room and how many family support workers could that pay? How many rents on decent homes could this cover? We're spending all the money in the wrong place. (P6)

4 | DISCUSSION

This study aimed to gain a greater understanding of factors affecting how social worker's make decisions and how they develop these skills within care proceedings. Participants described having a clear understanding of the complexity of their role within care proceedings and of the various skills required to work in this field. Relationship-based practice, strong assessment and planning skills alongside experience and reflective practice gave them the confidence to make decisions

within care proceedings. They were mindful of wider structural processes within the court system and within local authorities and how these can have a significant impact on their practice in a variety of ways (see Figure 1). These themes are consistent with the development of good practice and clear decision-making frameworks (Braye & Preston-Shoot, 2016), and the findings of this study support previous literature that considers the individual and structural factors that influence decision-making in this field (Font & Maguire-Jack, 2015). Within our study themes were identified from a national cohort and while individual differences of practice were evident, particularly in allocation of resources, but there was also consistency in how individual social work skills were often affected by the structural processes surrounding decision-making.

The quality of social work practice impacted collaborative working with families and professionals, the quality of assessment and analysis of the impact decisions have on the child. This core theme evidences the complexity of decision-making and of the various factors that promote these skills. Social workers, like everyone else, are susceptible to relying upon heuristic principals to make decisions. Developing a greater understanding of these can improve decision-making in situations of uncertainty (Tversky & Kahneman, 1982), particularly around individual and cultural attitudes, beliefs, knowledge and values in respect of removing a child from their parents care (McCafferty et al., 2021). To develop learning from experience it is important to understand the structure of the task (Einhorn, 1982). This is consistent with Participant 3's concern that newly qualified social workers 'won't have the knowledge and experience of the court system'. Developing this skill did not appear to be constructed consciously but intuitively through experience. The development of this practice wisdom is more than intuition and is the reflexive integration of theory and practice (Samson, 2015) It can be developed through training, experience and clear and supportive feedback (Newell et al., 2007) but requires an understanding of the organizational and statutory processes within proceedings.

In order to understand decision-making processes, we must consider the cognitive and emotional processes that shape these decisions (Hastie & Dawes, 2010), and it is important to be aware of emotions to ensure we are not unduly swayed by them (O'Sullivan, 2011) and consider the contexts which shape these decisions (Saltiel, 2016). There is evidence that the vividness of imagery and the emotional reaction to this imagery affects heuristic judgement and evaluation of likelihood of outcomes (Newell et al., 2007). This is particularly relevant when considering the theme of collaborative working; families have often experienced significant trauma and the practitioner needs to undertake detailed and complex assessments of their history and functioning in a sensitive and empathetic manner. A trauma-informed approach may be considered to be an important part of developing practice (Brandon et al., 2020) in a manner that promotes collaborative working by being mindful of the lived experience of the people they are working with.

Experienced social workers have been found to work more collaboratively, taking on board the client's perspective and incorporating domain-specific knowledge (Ghanem et al., 2018), and the themes

identified within our study are consistent with this. The experienced social worker uses intuitive expertise by drawing on their previous experience to recognize cues and patterns to build a narrative about the novel situation (Whittaker, 2018). A reliance on personal experience rather than empirical research has been found in previous literature (Mapp et al., 2008). The limited empirical data in this field was identified by participants and is consistent with previous research (Bronson & Davis, 2012). Evidence that is incorporated, such as adoption breakdown statistics (Selwyn et al., 2014) and internal auditing processes (La Valle et al., 2019), can frame the decision-making process, but it is the integration of knowledge, skills and values that enables practitioners to engage with the unique complexity of each situation (Braye & Preston-Shoot, 2016). Participants within this study did this intuitively, consistent with the spontaneous and tacit nature of practice wisdom (Cheung, 2016). This intuitive approach can be developed through reflection and analysis to understand the reasoning behind decisions (O'Sullivan, 2011).

The development of practice wisdom requires critical reflection, linking theory to practice and can be supported through supervision (Samson, 2015). Respondents described the impact that structural constraints and court processes had on social worker's capacity to develop their skills. Limited availability of resources or support for families before, during and after proceedings was a common concern and impacted the social worker's capacity to plan effective interventions and effect positive change. This was particularly present in respect of the reduction of community support services due to previous austerity measures (Hastings et al., 2015). While positive themes were identified in respect of the social worker's role within proceedings, participants expressed frustration that social worker's views were not always given equal weight to that of other professionals and an overreliance on expert assessment from independent social workers or psychologists. A perception of lack of experience or the low status given to social workers within care proceedings can result in delayed decision-making (Munro & Ward, 2008).

Local authority processes impacted on social worker's practice, their capacity to plan and make timely decisions. Organizational culture can facilitate learning and promote professional development and social worker's felt more confident in their own abilities when supported by their manager and the service they work for. This theme is consistent with previous research that found that high-quality supervision assisted with risky and complex decision-making (Ofsted, 2012). By developing reflective and clinical supervision social workers can be supported to develop their decision-making skills. The Johari window (Luft & Ingham, 1955) is one possible process for exploring a social worker's perception of a situation and drawing out known and unknown aspects of understanding. Where this is incorporated with sharing of theoretical and practical knowledge of the manager it can help develop decision-making skills (Berland., 2017) through the use of reflexive questions and joint exploration of the situation (Halpern, 2009).

Decision-making within social work is often a decision process taken over time, making incremental decisions to bring about effective change (Taylor, 2013). Within care proceedings there is a sense of

urgency and a need for the court to make a decision based on the facts available. The process of decision-making is dynamic and can be seen as a series of embedded choices (Hastie & Dawes, 2010); social workers make conscious and unconscious choices which effect the final decision-making process and include choices about how to engage with the family and children, which assessment tools to use, what weight is placed on information from different professionals and families members, and ultimately how all that information is analysed to reach a final decision. This process can be supported through effective management, peer support and being given time to undertake the work fully and reflect on the information provided. Too often social worker's felt unsupported and 'running around fighting fires' (P3) to undertake the work fully or did not fully understand the procedural rules governing decision-making (Braye & Preston-Shoot, 2016). A high proportion of staff leave local authority employment before they have 5-year experience (DfE, 2020) which creates a significant drain on experienced staff working in this field and reduces the ability to develop decision-making skills. This was captured by one participant's view that work in care proceedings 'should be the pinnacle of people's career, rather than people seeing it as the experience they need to go on to the next step' (P3).

The interconnection of theory and practice and the development of critical reflection of direct practice are crucial to the development of practice wisdom (Glumbíková et al., 2020). These skills can be taught and nurtured through training and ongoing support within agencies through effective supervision. The development of a training programme to aid in assessment quality, relationship-based practice and greater self-awareness, would benefit social worker decision-making skills but requires commitment and development of management structures to support this through reflective supervision and a focus on the development of good practice. This may require additional training and support for managers as well as social workers in order to develop a more consistent approach to decision-making within proceedings. This would require changes in national policy as well as local changes and a focus on not just developing individual practice but also the structures within which decisions are made. The development of these skills requires greater confidence in practitioners and offers a positive feedback loop in terms of engagement with the court and other professionals.

There is limited use of outcome measures in care proceedings and where they are used, there is no standard measure. This study evidenced this lack of routine outcome measures, consistent with previous research (La Valle et al., 2019), and there remains a clear gap in the literature to consider how social work practice can be improved without a clear understanding of what constitutes an effective intervention within care proceedings which may reduce the requirement for additional expert assessments. This is an area that requires further research.

5 | STRENGTHS AND LIMITATIONS

While the data provided are rich, it only stems from 36 participants with a very low response rate. This limited engagement may be indicative of the identified gap between research and practice within this

field (Teater, 2017); this may be due to the heavy workload pressures participants described and the difficulty the profession has in articulating its theoretical knowledge base (Finne et al., 2022). It is, however, positive to note the variety of respondents both geographically and in terms of roles and experience offers a broad variety of views. A greater response rate may have been achieved through a shorter initial survey as a number of respondents ended the questionnaire before completing and so their data were not included.

6 | CONCLUSION

Better decisions can be made by the integration of research, theory and experience through the development of practice wisdom. This study not only adds to the limited body of evidence regarding the elements of core social works skills social workers drawn upon when making decisions in child protection cases but also highlights the influence of structural processes surrounding social work and child protection cases. Decision-making within care proceedings is a complex and challenging skill. Developing an organizational culture of support and critical reflection to aid social worker's development of assessment skills, grounded in relationship-based practice, and being mindful of the impact of those decisions will improve decision-making and outcomes for children in care proceedings.

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CONFLICT OF INTEREST

It is acknowledged that the primary author works as an independent expert within the field of interest so has a conflict of interest in this research arena. The second author has no conflict of interest to declare.

ETHICS APPROVAL STATEMENT

Ethics approval was obtained from the University of Plymouth faculty of Health: Medicine, Dentistry and Human Sciences committee, and agreement to share survey with its members was received from British Association of Social Workers and local authorities.

PATIENT CONSENT STATEMENT

All participants were provided with an information sheet and then signed to express their informed consent to take part in the research.

DATA AVAILABILITY STATEMENT

Anonymized survey responses, transcripts and coding are available upon request.

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SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section at the end of this article.

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