

Key provisions of contemporary social policy, and its impact on services to child...

[Sociology](#)



“ Social Policy is the way that governments attempt to ensure that all citizens can lead a fulfilling and responsible life. ” (Mullard, 1995) So what is Social Policy? ??? When asked this question I find it quite difficult to explain in terms that are easy enough for everyone to understand, therefore I have done research in order to find a simple explanation. I particularly like Hartley Dean’s definition, ‘ Social Policy is the study of human wellbeing’ he also states that ‘ Social Policy, involves the study of human wellbeing, the social relations necessary for wellbeing and the systems by which wellbeing may be promoted. In my opinion this explanation is clear, concise and makes it easy to understand. (Dean, 2005). Our thoughts and ideas of childhood as a social construction have altered noticeably over the last ten years. The development of constructions of childhood has steadily become more intricate as the numbers of theories rise. Through research of early examples of childhood this essay sets out to describe how contemporary thinking of childhood has developed through complex patterns of sociological deliberation and political, cultural and historical pressures. (Kehily, p. 2-12).

During the past 10 years, the changing attitudes and arising problems within the state-parent-child relationship has stirred a vast amount of concern leading to the need for further research; which in turn has lead to new policy proposals. It is widely believed that the lack of support given to families, due to the collapse of communities working together in harmony, is impacting on the current, wider spread, social problems within our families. It has become more predominant that state-parent-child relationships play an important role in the wellbeing of today’s children. Barnes et al. 2006). Having an

understanding of Social Policy offers us guidelines which in turn promotes <https://assignbuster.com/key-provisions-of-contemporary-social-policy-and-its-impact-on-services-to-children-and-families-with-regard-to-this-state-scr-tmp-toc-parent-scr-tmp-toc-child-relationship-assignment/>

our abilities to ensure the well-being, needs and rights of children are being met. Working towards these guidelines set by the government we are able to help change and reduce the power disparity between children and adults; allowing children to have a say on decisions that will impact on their future lives through listening to the individuals thoughts and opinions whilst considering that children have rights too.

It is of utmost importance, that those working with children use this approach, continually keeping up-to-date with current laws and legislation within this area. Having an understanding of how social policy has changed over the years is also an important factor to consider; giving us a clear understanding of how policies and legislation have changed in order to improve outcomes for children in relation to available resources, shared responsibilities and managing risk. Yet social policy, unlike law, has the potential to be proactive ??? to set in place a series of principles that define a just and inclusive society and practical but flexile ways of implementing them". (Hendrick, 2008, p. 336) In the UK, Parliament is responsible for making changes to law. Parliament is made up of the House of Commons, the House of Lords and the Queen, they must all agree to any new law before it can be passed and become an Act of Parliament. There is not just a single law in place to protect children but a multitude of laws, legislation and guidance which cover all aspects of children's care in the UK. (Alcock et al. 008, p. 19-25). Past information about social policy offers us a view of the past and how it has changed, as Harold Perkin said " We want to know not only what laws were made or battles fought or even how men [sic] got their

living, but what it felt like to be alive, how men [sic] in history ??? not merely kings and popes, statesmen and tycoons ??? lived and worked and thought and behaved towards each other. ” (Perkin, 1981, p. 24) In 1945 the Welfare State was created, this offered a new focal point towards the children’s physical health to coincide with earlier worries about the mind and mental health of children’s development.

At this time a rising importance on preventive care became prominent, looking at the family and its relationship with the State. These ideas developed slowly during the 1960’s – 70’s and it was recognised that a child should be dealt with “ as a whole and continuously developing person” (Hendrick, 1994, p. 263). At this point in time the child became more permitted to have individual rights, giving them responsibilities and freedom from “ traditionally passive and often repressive protection” (Hendrick, 1994, p. 57).

Worries cropped up with regard to the “ balance between too much and too little intervention” and particularly between “ competing claims of parents, children, social workers and local authority social services departments” (Hendrick, 1994, p. 273). The Prevention of Cruelty to and Protection of Children Act 1889 was the first law to enforce criminal penalties in the hope to discourage abuse and neglect of children. This legislation is contained within the Children and Young Persons Act 1933 which was introduced to protect children from ‘ cruelty and exposure to moral and physical danger’ (p.), some parts of this act are still used today but more current guidance can be found in the newer Children’s Act 1989. (Youth Justice Board, 2006).

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This act was set up to help improve and simplify the overabundance of laws concerning children. Lord Chancellor Lord Mackay of Clashfern had said it was “ the most comprehensive and far-reaching reform of child law which has come before Parliament in living memory”. The Children’s Act 1989 set out to help keep children safe and well, within their environment and to provide the necessary provisions where possible, to allow the child to live within their own family structure.

Today’s child protection system has been developed from the Children’s Act 1989. The Children’s Act 1989 requires local councils to make available a variety of services to all children especially those with disabilities, health and development issues; these services are intended to help keep children safe and well. Following the Children Act 1989 many new laws have been passed to improve the ways in which children are protected. (NSPCC, 2010) In September 1989 the United Nation Convention on the Rights of the Child (UNCRC) was introduced – as the first legally binding treaty that was to be used internationally.

This treaty gave children and young people under 18 years, throughout the world, human rights (civil, cultural, economic, political and social rights) equal to those over 18 years; giving them the extra care and protection which was much needed. The UNCRC set out what rights children have, along with how the government should safeguard those rights. This allows children and young people around the world to have an authoritative way to preserve their human rights, allowing them to act in accordance with the law if their rights within this act are not met.

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The UK Government did not agree to follow the UNCRC until 1991. Below are just a few of the rights of children under the Convention on the Rights of the Child which can be found at http://www.unicef.org/crc/files/Rights_overview.pdf. (Fact Sheet) Article 3. The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Article 6. Children have the right to live. Governments should ensure that children survive and develop healthily. Article 27. Children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing. Article 36. Children should be protected from any activity that takes advantage of them or could harm their welfare and development.

There are a total of 54 articles contained within the UNCRC, all of which are equally important and linked with each other, therefore working well together and easy to understand. Every child should be made aware of their rights (article 42), as it is our duty to safeguard their rights and ensure they have opportunities to live in a safe environment with all of their needs being met. In my opinion if a child is aware of their rights they are less likely to be exploited, giving them an understanding of how they can expect to be treated and hopefully have a voice that can be heard.

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A child friendly poster has been produced with the articles set out in laymen's terms allowing children to understand their rights more easily. (UNICEF). Children around the world are subject to neglect and abuse and all because adults are failing to protect them. Throughout the UK during the past years progressions in human rights and civil rights have improved alongside those rights of the child. The eradication of physical punishment in schools and attempts to ban the smacking of children by parents shows us that the rights of the child are being listened too.

It has been argued by Kay that until recently children didn't really have individual rights; she believed that their rights were 'conferred via their parents' (2001, p. 14). This is where children's rights were ignored, not allowing the child to have a say or be listened to. Social work has been critiqued by Smith for 'lagging behind legal expectations of consultation with children'. (1996, pg 55). Some of the criticisms have been focused around the lack of taking into account the needs of each child as an individual and not fully listening to the child's own wishes during proceedings.

Social services have regularly been criticised for failing some children through lack of support and services to the families when they were needed. Even turning a blind eye in some cases, thus having a detrimental effect on children, predominantly 'looked after' children and those in need, unfortunately some cases have resulted in devastating circumstances for some children. Victoria Climbié is one of those unfortunate children; she died at the age of 8 years in February 2000 while living with her carers.

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She was subjected to physical and mental abuse but no-one noticed. Her death led to an independent inquiry which helped shape and change safeguarding policies for children in England. The inquiry was chaired by Lord Laming in April 2001 (alongside 4 other professional assessors). Laming carried out his research by contacting all that were involved in the care of Victoria before her death, this involved 277 witness statements and 158 witnesses. Through these inquiries it was established that her bereavement was avertable on 12 individual instances.

Through Laming's inquiry it came to light that services involved in the care of children were not working together or sharing information, some difficulties had arisen due to low staffing levels and available resources. Lord Laming gave a speech about his inquiries on 25th January 2003 saying " I well recognise that the frontline services charged with the protection of children have a difficult and demanding task. Adults who deliberately harm, neglect or exploit the vulnerability of children often go to great lengths to conceal their behaviour. (Laming, 2003). Laming found that if services had intervened just a little in the case of Victoria her death could have been avoided. As a result of the inquiry, 108 recommendations were made to change to local services; these recommendations had to be acted on swiftly. Following Lord Laming's report on Victoria Climbié's death the government responded by writing two reports, the Keeping Children Safe report (DFE, 2003) and the Every Child Matters green paper (DFE, 2003) which resulted in the Children Act 2004.

This act introduced further laws and legislation in respect of protecting children from harm and neglect, particular emphasis was put onto safeguarding children requiring local authorities to implement Local Safeguarding Children Boards. The Children Act 2004 did not substitute or modify much of the Children Act 1989, but improved and expanded it, offering guidance on how services could work together to improve outcomes for children. (Barker, 2008) The Every Child Matters green paper was intended to look at how to prevent incidents like that of Victoria's instead of picking up the pieces and was built around four key issues. (Cleaver & Walker, 2004, p. 7) * Strengthen the support available to those around the child, families and carers. * Make sure intervention takes place before it's too late for the child, protecting them from harm and slipping through the net. * Looking at the problems acknowledged and failings for Victoria within Lord Laming's report. * Making sure that those working with children are valued, rewarded, trained and kept up-to-date with current policy.

It also identified five outcomes for children; this set out guidelines to enable every child to reach the Every Child Matters outcomes: to be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being. The themes and outcomes set out within the Every Child Matters were put in place to ensure that no child/young person should fall through the net again and so all children have opportunities to achieve their full potential no matter what their circumstances.

This has been done by looking at failures in education, reducing health problems, addressing substance/drug abuse and tackling anti-social

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behaviour amongst young people and adults. Research shows that early involvement and support is vital in improving the well-being of children. Proposals set out to offer much needed support for parents and carers so that children can receive the protection and assistance from the onset of difficulties no matter what their background. Services were improved by setting up Children's trusts with multi-agencies working closely together with other services, offering better services to families in local areas.

Through the closer network of services (multi-agency) working together information can be closely monitored and shared between all professionals connected to the child, giving a clearer picture of the child's story. (Barker, 2008). Hopefully as services are now working closer together, the case of Victoria will not be repeated, Lord Laming's report highlighted so many poor judgment calls that could have been avoided. " On each occasion that Victoria was admitted to hospital vitally important information went unrecorded and staff failed to act on their suspicions and observations.

Telling marks on Victoria were seen and then all but ignored". (Laming, 2001) To make certain the Every Child Matters targets are met, the government established a new set of regulatory plans and forms of inspection using the Care Standards Act 2000. This act created the National Care Standards Commission, setting out national minimum standards which were to be used in children's homes, fostering services, boarding schools and residential special schools. Regulatory frameworks were also created, e. g. National Service Frameworks to be used for children in health care settings. (DFE, 2003).

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The Warner Report set out new guidelines for recruiting staff to work within child care homes at the end of 1992. This report set out to lessen the risk of abuse to children who were in care and was produced due to a string of high profile court cases. It was hoped that by introducing a Criminal Record Check on possible staff would help to find the 'right' kind of person to work with children in care. CRB (Criminal Records Bureau) checks are used to verify details of the individual, establishing whether a prospective employee has any convictions that prohibit them from working with children or other vulnerable members of society.

Anyone that works regularly with children or is in contact with children (including foster care, adoption or childminders) must have a CRB check to ensure their suitability in order to protect the child. In 1999 the Protection of Children Act was approved and offered a legal foundation for lists to be produced of unsuitable people who had in the past been registered on an informal basis. The Department of Health was satisfied that all councils had produced policies and procedures in 2002 which met the requirements of the Warner Report but not all were consistent in their implementation of these requirements. Wilson & James, 2007, p. 186-8). The Children and Young Persons Act 2008 arose from the Government's White Paper, Care Matters: Time for change, (DFE, 2007), the purpose of the act was to offer higher quality care, outcomes and services for those children in care. The intention of this Act was to modify the legislative framework for the care system in England and Wales, it formed part of the Government's programme to

guarantee children and young people are always able to access high quality care and support.

It also included the requirements set out so that children and young people's well-being needs were met in all forms of care. It requires public officials to notify the Local Safeguarding Children Board of all child deaths so they can be fully investigated to ensure there has been no wrong doing, allowing the Secretary of State to carry out research and requests for the release of Emergency Protection Orders. (The National Archives, 2008) The Equality Act 2010 was brought in to replace all previous equality legislation, providing some of the changes that schools should be aware of.

The majority of the new laws and legislation are the same as previously, for example, schools must not 'unlawfully discriminate against pupils because of their sex, race, disability, religion or belief and sexual orientation'. Some changes include; it is now unlawful to discriminate against a transgender pupil, it is now 'unlawful to discriminate against a pupil who is pregnant or has recently had a baby'. Further details can be found through the Department of Education. (DFE, 2011).

In June 2010 Professor Eileen Munro was commissioned to write a review report on the current issues surrounding Child Protection the completed report, named the Munro Report, was published in May 2011. The completed report set out radical changes to improve the current systems in place for the protection of children. It was recommended that local areas should be

given more freedom to build up their own effective child protection services, instead of having to concentrate on meeting central government targets.

The report also outlines her concerns that “ a one-size-fits-all approach to child protection is preventing local areas from focusing on the child”, highlighting the need for agencies involved in the protection of children to have a more open mind, dealing with cases individually and using past incidents for learning and development, ensuring future training is compliant with the new regulations making it easily accessible to all involved.

It has come to light through the Munro Report that the needs of the child should come first, the amount of paperwork previously involved has been getting in the way of important children’s outcomes. (Munro, 2011) As Professor Eileen Munro said “ A one-size-fits-all approach is not the right way for child protection services to operate. Top down government targets and too many forms and procedures are preventing professionals from being able to give children the help they need and assess whether that help has made a difference. (2011) Gordon Brown described child poverty as a ‘ scar on the soul of Britain’ (2000). The lives of children and families living in poverty throughout the the UK are subjected to social exclusion. ‘ In Britain and other English-speaking countries, the general public and its political representatives expect the child protection system to anticipate and prevent child abuse. Yet a major factor in many cases of child maltreatment is something that, except in marginal ways, child protection professionals can do very little about: poverty and social exclusion. ‘ (Beckett, 2007, p. 69).

Unfortunately professionals working in the child protection circle have their

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hands tied when it comes to dealing with 'poverty and structural inequalities' and are unable to do much about it, saying this it is of utmost importance that child protection workers do have an understanding of the implications poverty brings so that they can be supportive and considerate to the families they come into contact with. 'Poverty is a source of stress ??? and stress, we know, can push people who otherwise would have coped quite adequately into abusive or neglectful parenting'. Beckett, 2007, p169). As we look at the social systems in place, it is more often than not impractical to expect to discover a prime cause of why neglect, abuse or poverty has emerged. It is an understandably known fact that poverty is responsible for high levels of stress within the family and it is often found that stress is definitely a major cause of child abuse and neglect, leading us to possibly believe that children who are abused and neglected often do come from poor families.

Children that do come from socially deprived backgrounds appear to suffer with considerably inferior mental and physical health issues, poverty is experienced in so many areas but do we really know how to deal with it? It is thought that the UK is a rich country with a high level of wealth compared to many international standards but many people in the UK are still tormented by economic and social deprivation.

Child poverty levels within Britain are a particular cause for concern, with varying issues such as single parent families, unemployment and the cost of child care all of which play an important role, contributing to the ever increasing risks of poverty. Poverty has a detrimental effect on many aspects

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of people's lives, from unemployment, leading to lack of money, poor housing, low or no self-esteem etc. , it doesn't just affect the adults but children feel the knock on effect often suffering in silence. How can child protection workers protect the children of poor people without contributing to the stress that may be one of the major causes of child maltreatment in the first place? ' (Beckett, 2007, p. 180). Understandably parents / carers often find the intervention of social workers too much to take, making them feel inadequate in caring for their own children, thus having a detrimental effect on the work social workers do to try and make family life more manageable, giving children the opportunities to thrive within their family circle. Although the Convention on the Rights of the Child was introduced over ten years ago there are still areas in the UK which are still struggling to put into practice all of the guidelines. It is clear to see there have been vast changes for the better surrounding the protection of children over the years. Laws and legislation have improved dramatically placing a clearer awareness of children's rights since the Children Act was first put into practice. Typically, authors write from their own national perspective, with an historical overview of policy developments being presented along with a more detailed treatment of the most recent policy developments'. (Hudson, Kuhner ; Lowe, 2010, p. 7) It is interesting to see that some of the original ideas and guidelines are still in place today but it is equally important to remember there will always be room for further improvements. So therefore it is of utmost importance to continually reflect on and act upon new laws and legislation as they arise.

I particularly like the wise words of Sir Francis Bacon ‘ knowledge is power’ and acting upon the knowledge we are given gives us the opportunities to help and improve the lives of children in our care. As Lord Laming said at the end of his report into the Victoria Climbié inquiry “ I hope it will be used in the training of staff not least as a stark warning of the damage that can be done to children as a result of bad practice. Too many inquires have had to be held following terrible harm to a child. I and my colleagues hope that this will be the last”. (2001)