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State Intervention and Vulnerable Children: Implementation Revisited

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Abstract

This article derives from a two year study of 'Home Supervision', conducted as part of a programme of research on the Children (Scotland) Act 1995. The focus is on children looked after by the local authority who are on a legal supervision order at home, primarily as a consequence of having been abused or neglected, having offended or having failed to attend school without reasonable excuse. Two assumptions, both arguably a legacy of Lipsky, are challenged: first, that non-implementation by street-level bureaucrats is in opposition to their managers; and, second, the passivity of clients in respect of policy making. It is argued that the street-level bureaucrats and managers in the Home Supervision study share assumptive worlds in respect of children on home supervision, and that clients, as agentic actors, reveal a capacity for shaping policy at the implementation stage. These issues are explored and their implications for implementation studies and child welfare are discussed.

Policy context

Three major reforms of child welfare law in the UK in the late twentieth century – the Children Act (1989) in England and Wales, the Children (Scotland) Act 1995 and the Children (Northern Ireland) Order 1995 – were accompanied by concerns about implementation. Specifically, in respect of the Acts, detailed guidance (amounting to several volumes) was issued by central government to those responsible for implementation. In England and Wales a legal duty was placed upon the minister to report annually on progress in implementation to the House of Commons, and annual reports on this were published by government. In Scotland, a programme of research was commissioned by the Scottish Executive entitled 'An evaluation of the implementation of the Children (Scotland) Act 1995'. One of the studies, discussed in this article, concerns vulnerable children who continue to live at home, usually with their parents or guardians, under a legal order termed home supervision. Drawing on findings from the Home Supervision study, this article focuses on social workers, whom Lipsky (1980) refers to as 'street-level bureaucrats', and considers them in relation, first, to their managers and, second, to their clients.

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It would be misleading to assume that the inclusion of the Home Supervision study in the programme of research indicated that supervision requirements at home were a new addition to the options available to help children who had offended or been offended against. On the contrary, home supervision orders have been the disposals most commonly used by the Children's Hearings System since its inception in 1971. The Children (Scotland) Act 1995 did not give any more indication as to what home supervision should comprise of than its predecessor, the Social Work (Scotland) Act 1968. However, the introduction of the 'no order principle' signified that all orders should be used more sparingly[1] and the White Paper, 'Scotland's children: proposal for child care policy and law' (Scottish Office, 1993), which preceded the 1995 Act, underlined the Government's intent 'to clarify and tighten up the arrangements for home supervision requirements' (Scottish Office, 1993: 6.12). The details of these arrangements were subsequently published. *Scotland's Children: The Children (Scotland) Act 1995 Regulations and Guidance, Volume 2 Children Looked After by Local Authorities* (Scottish Office, 1997)[2] and *The Arrangements to Look After Children (Scotland) Regulations 1996*[3] provided local authorities with details of their responsibilities for looked-after children, including those on supervision at home. These are detailed volumes of regulations designed to frame the implementation of the legislation. While the Regulations and Guidance emphasise the need to collaborate with other organisations, such as health and education, there is no doubt that social workers are the key players identified as having responsibility for the supervision of looked-after children.

Home supervision

Scotland's unified system of juvenile justice and child welfare, the Children's Hearings System, deals annually with over 70,000 referrals of children up to the age of 18. Its mechanisms are described in detail elsewhere (Norrie, 1997). In brief, children who are abused or neglected, who commit an offence or who fail to attend school without reasonable excuse are referred to locally based officials, called reporters, who decide whether to take no action, to recommend voluntary measures of help or to arrange a tribunal, known as a children's hearing. According to the Children (Scotland) Act 1995, if 'compulsory measures' are deemed necessary, children are placed on supervision (s70). The decision to impose a supervision requirement lies with the tribunal or children's hearing, which comprises three lay panel members, sitting to determine the outcome. In addition, a reporter, a social worker and the family are usually present. Once imposed, it is the responsibility of the local authority to give effect to the requirement, and in the case of home supervision this usually entails a social worker being assigned to the family. Thereafter, the role of the children's hearing is one of reviewing the progress of the supervision order and deciding whether it should be continued, varied or ended.

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TABLE 1. Children on supervision requirements.

	2000/2001	1999/2000	1998/1999
Parent/guardian	**6,404**	**5,683**	**5,722**
Relatives or friend	1,174	1,070	1,062
Foster care	2,120	1,868	1,656
Local authority home	503	477	522
Residential schools	579	565	576
Other	98	112	169
Total	10,878	9,775	9,707

Source: Scottish Children's Reporter Administration (2002), *Annual Report 2000–2001*: 13.

As Table 1 indicates, children on supervision at home with their parents or guardians comprise the majority of children under supervision in any one year.

Given the fact that home supervision is the most common disposal of the children's hearings, the dearth of research about the topic is somewhat surprising. Three key studies of children 'home on trial' in Northern Ireland (Pinkerton, 1994) and England (Farmer and Parker, 1989; Thoburn, 1980) have relevance to home supervision, although they relate to different legislative contexts, and 'home on trial' is not directly comparable with home supervision in Scotland. In relation specifically to child protection, Gough (1993) argued that the evaluation of innovative schemes often takes precedence over research of routine social work practice. However, with the funding by the Department of Health of 20 studies on child protection, the balance was redressed, at least in England and Wales. In an overview of this research programme (Department of Health, 1995), a shift in emphasis was evident from children looked after away from home or receiving specialist services towards the evaluation of mainstream practice. In Scotland, government funded research on home supervision was first mooted in 1994, but was not forthcoming until the current study. One study of teenagers in Scotland and England (Triseliotis *et al.*, 1995) included mixed samples of children looked after at home and away from home and under differing types of supervision (voluntary and statutory). However, unfortunately for the purpose of this study, those on statutory home supervision requirements were largely undifferentiated in the analysis. The Home Supervision study is therefore the first to concentrate solely and in depth on children on this type of supervision requirement.

Home supervision study

The Home Supervision study, conducted at the University of Stirling from 2000–2002, was commissioned as part of a programme of research on the implementation from 1997 onwards of the Children (Scotland) Act 1995 and is reported in full elsewhere (Murray *et al.*, 2003). The research aimed to encapsulate

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the characteristics and circumstances of children on home supervision, to identify beneficial changes (if any) in the lives of these children, and to appraise practice in respect of the implementation of the Regulations and Guidance for home supervision. A range of quantitative and qualitative methods was employed in the study. First, secondary analysis was conducted on a national dataset of all children on supervision. Secondly, from the national database, a sampling grid was drawn up to identify the characteristics of children on home supervision across Scotland according to location, age, gender and reason for referral. Using the grid, children who had an annual review in 2001/early 2002 were identified and they comprised the representative sample of 189 children on home supervision. Data were extracted from their 189 social work case files on to a computerised proforma. Postal questionnaires were sent to the reporters, children's panel members, social workers and teachers involved with the 189 children, and interviews were conducted with a small sub-sample of families. Thirdly, a postal survey was conducted of key informants with responsibility for child and family social work services at a policy level in 31 of 32 local authorities. Fourthly, the Children's Services Plans, obtained from all 32 local authority and island councils, were analysed. This article draws on findings from each of these datasets, with the exception of the postal questionnaires completed by professionals and lay panel members.

Analysis of documentary evidence, in this study of case records and of Children's Services Plans, is well established in qualitative research and was the preferred method for eliciting the practices of workers in social services departments. Atkinson and Coffey highlighted the importance of documents and written records as a method suited to researching those working in organisations and emphasised that they 'should be regarded as data in their own right', rather than as secondary to other data sources (1997: 47). Whereas the analysis of documents was deemed appropriate as a means of researching an organisation, with its attendant bureaucracy, interviews were considered more appropriate for families. Given that 'it has been estimated that 90 per cent of all social science investigations use interviews in one way or another' (Holstein and Gubrium, 1997: 113), interviews as a method require little justification. They were conducted face to face and were semi-structured in order to encourage families to formulate their own perspectives on home supervision. The quantitative data were analysed by means of SPSS and the qualitative data were analysed using QSR NVivo, a software package for the analysis of qualitative data.

Children on home supervision and their families

The national data set of 5,683 children up to age 18 on home supervision indicated that there were more boys (61 per cent) than girls (39 per cent), with more boys referred because of offending and more girls because of abuse or neglect. The

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majority of home supervision requirements lasted one or two years. More re-referrals following the onset of home supervision were made in respect of boys (69 per cent) than girls (56 per cent). In the representative sample of 189 children, there were also more boys (65 per cent) than girls (35 per cent) on home supervision, and ethnic minorities accounted for 2 per cent of children. The home circumstances revealed the 189 children to have greater than average family size and to be drawn disproportionately from lone-parent households, from local authority housing and from households in which no adult was employed, when compared with the population as a whole (National Statistics, 2004). The poverty and disadvantage of the families were striking. Often multiple and complex problems were recorded in the case files, with financial and housing problems noted most frequently, followed by mental and physical ill health, domestic violence and drug and alcohol misuse.

Pinkerton (1994), in a study of children 'home on trial' in Northern Ireland, found that the placements were often lengthy (rather than the brief time-limited period with careful monitoring originally envisaged) and that minimal services or support were provided by agencies. In the current Home Supervision study, the resources made available to families during the course of supervision ranged from very intensive packages of care over a period of several years to no intervention at all. Most frequently the input comprised home-based practical support, groupwork and respite care. Across all the indicators (from re-referral rates to satisfaction ratings derived from panel members' reasons for their decisions), successful outcomes were more often found in respect of children referred for abuse or neglect, followed by those referred for offending. Home supervision appeared to be least successful in respect of children referred for non-attendance at school without reasonable excuse. These and other findings are discussed in detail elsewhere (Murray *et al.*, 2003) and the focus for the remainder of the article is on implementation.

An implementation gap: front-line workers and care plans

The concept of an implementation gap or deficit between planned policy and what is achieved in practice has its roots in 'top–down' theories. Pressman and Wildavsky's (1973) seminal work on implementation was developed by Hogwood and Gunn (1984), who subsequently concluded that the now classic list of ten preconditions for 'perfect implementation' (such as adequate resources) were unattainable in practice. Although 'bottom–up' theorists seriously challenged the assumed clear-cut distinction between policy making and implementation and argued that policy is continually created and re-created through the process of implementation, the concept of an implementation gap has endured (Charlesworth *et al.*, 2003; Blackmore, 2001). Child welfare is no exception. For example, Cleaver and Walker, in their study of the implementation of the

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Framework for the Assessment of Children in Need and their Families and the accompanying assessment records, found that, although in 24 English councils 'considerable progress' had been made, the number of 'in-depth' or 'core' assessments carried out (9.1 per cent) had not increased with the introduction of assessment records and 'it was of concern that a proportion of cases where the information recorded on the initial assessment record would suggest that the child might have benefited from a core assessment, but did not receive one' (2004: 86).

Concern about the implementation of child welfare legislation in the UK is suggested by the detailed and lengthy regulations and guidance accompanying it. It is therefore not surprising that instances of such gaps were identified in the Home Supervision research. One of these was the non-completion of written care plans by social workers during the supervision of looked-after children. Care plans provide an excellent instance of government regulations and guidance allowing, at least ostensibly, for very limited professional discretion in implementation. Not only is the centrality of the care plans in supervision emphasised in the regulations and guidance, but their completion is mandatory:

> All children who are looked after by local authorities are *required* under the Arrangements to Look After Children (Scotland) Regulations 1996 to have a care plan in place which is reviewed at regular intervals. Children on home supervision *must* have a plan covering those matters laid out in regulation 6 and Part 1 of Schedule 2 of the Regulations. (Scottish Office, 1997: 40, emphasis added)

Regulation 6 and Part 1 of Schedule 2 include the local authority's immediate and long-term plans for the child, as well as the mechanisms for achieving these, and the services to be provided to meet the care, education and health needs of the child and the respective responsibilities of the local authority and family. Agreement to the care plans is to be sought from parents, or disagreement noted. They are to be signatories, as are children of 'sufficient age and understanding', and a copy of the written care plan is to be made available to both. Annex 1 contains a list of progress indicators for reviewing home supervision (including the absence of harm, school attendance, cessation of offending and the physical and emotional development attained by the child) and states that the care plan 'should be a document that is monitored, reviewed and updated so that it remains relevant' (Scottish Office, 1997: 5).

Reflecting these numerous requirements of a care plan itemised in the Regulations and Guidance, 54 items in the social work case file data collection proforma used in the research study were devoted to this topic. However, it emerged that a prior and key question was whether or not a care plan had been completed at all (Figure 1), rather than attending to detailed recording of different dimensions of the plan.

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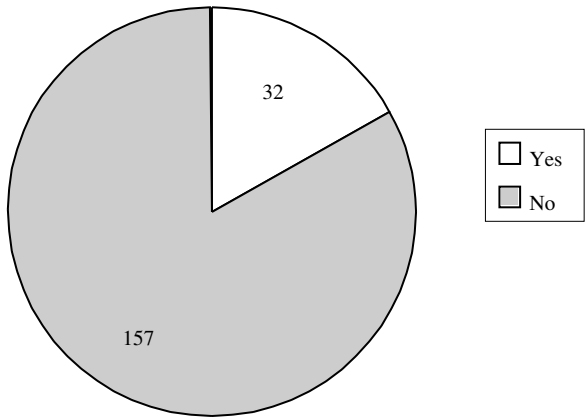


Figure 1. Whether care plans were completed in respect of 189 children on home supervision.

As Figure 1 indicates, social workers had completed care plans in respect of only 32 (17 per cent) of 189 children on home supervision, whereas no care plans had been completed in respect of the majority (83 per cent). Front-line social work staff, asked by the researchers about the 'missing' care plans (in case they had been completed but not put in the case files), informed the researchers that they did not complete them for children looked after at home, only for those looked after away from home. This was confirmed by the fact that in the files of children who had been looked after away from home (with foster carers or in a residential unit, for example) prior to being on home supervision, care plans had been completed which related specifically to this away-from-home period. The higher completion rate of care plans for children looked after away from home was also confirmed by prior research. For example, Gilbertson and Barber, in a study of children in foster care, found completion rates of 58 per cent (2004: 38), while Ward and Skuse, who analysed two databases of children looked after away from home across six local authorities, found average completion rates of 68.5 per cent (2000: 8). The minimal completion of care plans for children on home supervision compared with the higher completion for children looked after away from home suggests that the two groups were being differently categorised by social workers.

Client categorisation: an indication of front-line workers' non-compliance?

That professionals, including social workers, differentiate in their dealings with clients and according to a range of dimensions, such as gender, moral character or class, is well established. A classic illustration of this is Dingwall *et al.*'s finding that front-line workers deployed the 'rule of optimism' in favour of 'respectable

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working class parents', whereas the 'rough indigenous working class' were more likely to be subject to compulsory measures for alleged child abuse or neglect (1983: 101). The concept of categorisation is particularly useful for understanding the delineation between children looked after at home and those looked after away from home. Allen *et al.*, in the context of resource allocation by health professionals in stroke rehabilitation, described 'patient categorisation' as 'a highly visible way in which an individual can be ruled in or ruled out of access to a particular good or service' (2004: 413). Similarly, social workers in the Home Supervision study were able to ignore the mandatory regulation to produce care plans because children at home were not categorised by them as looked-after children in the full sense. It is interesting to turn now to the question of whether this signified front-line workers' non-compliance with managerial expectations.

The most influential challenge to the top–down approach by Lipsky (1980) shifted the gaze from higher-level policy makers, who had until then dominated the literature, to the lower-level officials, such as social workers, referred to as 'street-level bureaucrats'. Lipsky contended that the practices of street-level bureaucrats effectively became policy and that they, rather than high-level policy makers and the documents they produce, should be the focus of policy analysis:

> The decisions of street-level bureaucrats, the routines they establish, and the devices they invent to cope with uncertainties and work pressures, effectively *become* the policies they carry out. I argue that public policy is not best understood as made in legislatures or top-floor suites of high ranking administrators, because in important ways it is actually made in the crowded offices and daily encounters of street-level workers. (1980: xii)

Lipsky further argued that, while managers attempted to restrict workers' discretion in order to secure certain results, street-level bureaucrats often regarded such efforts as illegitimate and therefore resisted them, so 'street-level bureaucrats conspicuously create capacities to act with discretion and hang on to discretionary capacities they have enjoyed in the past' (Lipsky, 1980: 19) and these 'capacities' include a range of subversive tactics. Lipsky's legacy is evident in subsequent studies on implementation and street-level bureaucrats across a range of contexts, which have continued to emphasise the dissonance between front-line workers and their managers. For example, Anagnostopoulos reported efforts by school principals to control course failure rates in the face of teachers' lack of compliance and the extensive use by teachers of strategies of resistance (2003: 303). Interestingly, in the Home Supervision study, a picture emerged which challenged this notion of conflict. Rather, there was evidence that managers *shared* the 'assumptive worlds' of their front-line workers, combining together to subvert the intent of policy makers as specified in primary and secondary legislation.

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Shared assumptive worlds of managers and front-line workers

Young (1977) was one of the first to apply the concept of 'assumptive worlds' to the policy process, while others, such as Janoff-Bulman and Frieze (1983) used it to explore the cognitive worlds of individuals. It has subsequently been utilised by researchers across a range of social settings, for example professional cultures (Gohard-Radenkovic, 2002) and in respect of a range of social issues, for example race (Best, 2003; Holdaway, 1995). Marshall and Mitchell described the 'assumptive worlds' of fledgling administrators as 'a perceptual screen that guides behaviour' (1991: 397). The assumptive worlds of social workers and their managers are explored here in relation to children looked after at home and their implicit assumptions are inferred from documentary evidence.

Two findings from the Home Supervision study suggest that not only front-line workers but also senior managers differentiated between children looked after at home and children looked after away from home. The first finding emanated from the analysis of documentation in the form of 32 Children's Services Plans, which local authorities were, from 1998 onwards, required by law to produce (s19 Children (Scotland) Act 1995). As part of the study, the Children's Services Plans were obtained from all 32 local authority and island councils. Most covered the period 1998–2001, although some local authorities additionally provided copies of one or more subsequent annual reviews. Children's Services Plans, which can be taken to represent the views of the local authority at fairly senior policy levels, were scrutinised for information about home supervision. Despite being the most frequently used type of supervision requirement, it was striking how limited was the attention paid in the Plans to children supervised at home relative to children who were looked after away from home. In almost a third of Children's Services Plans no separate mention of the term 'home supervision' was found at all. In the majority, home supervision was mentioned, but usually only briefly. Far more attention in respect of children on supervision requirements was paid in most Children's Services Plans to children looked after away from home, usually in residential units or with foster carers.

The second finding from the Home Supervision study, relevant to children at home compared with those looked after away from home, pointed to a shortfall in the allocation of workers to children on home supervision. Both from access meetings with managers in local authorities and from the survey of 31 key informants (of a total of 32 authorities) with responsibility for child and family social work services at a policy level, it emerged that in some regions recruitment of social workers was problematic, a finding subsequently reiterated by Audit Scotland (2003: 3). One organisational response to this was for prioritisation systems to be put in place to aid decisions about which cases to allocate. Home supervision was a clear casualty, despite the fact that the children were subject to legally mandated compulsory state intervention. In the Home Supervision study, based on a period of 12 months prior to each child's review hearing, it

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was found that 42 (22 per cent) of the 189 cases had no social worker attached to the family for a period of between four months to just under a year. These are colloquially known as 'unallocated cases'. Many of the families interviewed gave unsolicited comments on the limited social work input they had received during the supervision period. For example, asked in interview about their expectations of home supervision, one parent responded:

> I wasn't really sure what it meant actually. I thought maybe it was going to be like somebody out here, like checking him every day or something like that. I thought they were going to come and explain it to me and all that, but nobody ever came near.

A young person with a similar experience stated:

> Well, they said to me, it's a social worker comes up and sees you now and again and all that, but that doesn't happen . . . I saw her once, when was that? [turns to parent]

The irony of the expectation of over-surveillance and the reality experienced by some families was noted by one parent:

> It's not helped at all because the social worker's never been up. With my other boy the social worker came regularly. With this one they haven't done anything. It was noted at the last panel that social work have not been coming at all . . . My husband says social workers intrude. They don't intrude because they're never here!

This is an interesting finding in the context of an influential academic discourse and long-standing radical critique of state intervention highlighting the surveillance and social control exerted over poor disadvantaged parents and their children (Donzelot, 1980; Bailey and Brake, 1975), and such concerns have not abated (Garrett, 2004; Howe, 1992). This has some resonance also in popular culture in the tales of over-intrusive social workers, who are thought to intervene too readily in the lives of children.

The low profile of home supervision in the Children's Services Plans documentation and the non-allocation by managers of home supervision cases is consonant with front-line workers' practice of rarely providing care plans for children on home supervision. Far from the subversive practices of Lipsky's street-level bureaucrats, in the Home Supervision study front-line workers and managers appear to share assumptive worlds: namely, that children on supervision at home are not considered in the same category of 'looked-after children' as are those looked after away from home.

This client categorisation and its impact on service provision can be understood at one level, since the responsibilities of the local authority for a child removed from their parents and accommodated in a residential unit or placed in foster care may seem greater than where a child remains at home, with primary responsibility for their daily care resting with their parents. At another level, however, a child on home supervision can be seen as particularly vulnerable, since the protection and the degree of surveillance which are (or

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should be) associated with a placement in a residential unit or in foster care are not necessarily available to those living at home. Harwin *et al.* (2003: 390), in a study of 100 children on care orders in England, found that welfare outcomes at 21 months for children placed at home, despite having few initial difficulties, were no better than those placed in foster care, who had multiple, severe and long-standing difficulties. At the extreme end of the continuum, it is notable that many of the UK child care inquiries into child deaths were conducted in relation to children who had been supervised at home:

> [T]hirty-five inquiries had all been concerned with the deaths of children at the hands of their parents or caretakers. Many of the children had been in the care of the local authority but 'returned home on trial' or were under the legal supervision of social workers. (Otway, 1996: 157)

So, while the priority given to children looked after away from home is understandable, the vulnerability of children at home, especially those referred because of concerns about abuse and neglect, makes this a high-risk approach.

Involuntary clients at the point of service delivery: shaped by or shaping policy?

As with the assumption of dissonance between front-line workers and managers, the representation of clients of welfare services as passive is arguably another legacy of Lipsky, who considered that involuntary clients had limited capacity to avoid or withdraw from encounters with workers and that:

> client strategies include passivity and acquiescence, expressions of empathy with workers' problems, and humble acceptance of their own responsibility for their situation . . . avoid offending the workers or providing negative evidence about their character. In some circumstances clients can effectively express anger or demand their rights, but these strategies appear useful only in certain circumstances and not for very long. (1980: 59)

Lipsky's view of clients was inextricably linked to the status he accorded street-level bureaucrats, whom he saw as supplying 'essential services which citizens cannot obtain elsewhere' (1980: 54) and determining 'the allocation of particular goods and services in the society' (1980: 84). He asserted that as demand outweighs supply for services, any clients who are disaffected will have their place taken by others who are willing to accept the costs of seeking help. Therefore, clients, anticipating that dissent would not be productive, accept the legitimacy of the street-level bureaucrats' position and decision.

While the bottom–up approach shifted the focus in implementation studies to street-level bureaucrats and their interaction with clients, the key actor in this interaction was assumed to be the official, while clients remained more shadowy figures. More recently, as Hill and Hupe noted, consumers have been conceptualised as co-producers as part of a move towards citizen participation,

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for example, in client councils around municipal social services departments (2002: 135). User input to the policy process is increasingly sought. Likewise, the literature on encounters between social workers and clients has reflected the increased emphasis on them as experts (de Jong and Berg, 2001) and as agentic, as portrayed by Hoggett in a study of the strategies deployed by applicants with officers responsible for housing allocations (2001: 50). Ferguson, challenging the view that the concept of self-reflexivity is of little relevance to marginalised citizens in late modernity, stated that 'welfare is also constructed from below as active citizens help to define needs' (2003: 214). However, the shift in policy, practice and research has not been extended to a consideration of clients as *shaping* policy in the implementation stage. What is explored here is whether the actions of families with children on home supervision in their encounters with front-line workers merit such a re-conceptualisation.

Findings from the Home Supervision study indicated that clients' compliance – or co-operation, the term used by social workers in case records – was notably less uniform than Lipsky's account would imply. On the basis of data extracted from the social work files, families on home supervision were identified as co-operative or unco-operative with supervision. Of 189 case files, 173 yielded such data. Of these 173 families, 102 were depicted as co-operative, 57 as unco-operative and in a further 14 families the degree of co-operation differed between family members. There were two key indicators of co-operation according to social workers. The first was whether families attended appointments or meetings or made themselves available for home visits. Failure to do so was noted, as this extract from a social work case file indicates: 'the greatest difficulty with the family is trying to engage with mother. She has failed to keep numerous appointments.' This led to families being deemed unco-operative. The second indicator of co-operation was the degree to which families accepted or actively engaged with the intervention. More usually it was the former, as these excerpts from case files illustrate: 'the family are accepting of social work department intervention' and 'the mother has made considerable changes in her life and has co-operated with the department and the advice offered, albeit reluctantly'. More rarely, families were described as actively seeking or receiving help as follows:

> the family welcome social work support and are in fact proactive in contacting the social worker where there are difficulties arising. There is a clear relationship of co-operation between mother and the social work department. (extract from case file)

By contrast, unco-operative families were described as not engaging with the social worker, as this worker noted in the case records: 'like his mother, the child sees my role as interfering even when I try to ensure that I'm not'.

It is likely, as Lipsky (1980) asserted, that compliance relates to clients' desire for the services that might be made available to them and this was the case for

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many clients in the Home Supervision study who were keen to receive the services offered, particularly practical help, for example:

> the children get respite every Monday and then on a Sunday I get three hours home support. They take the three older ones and that leaves me with the younger one . . . the week I went into hospital last year they arranged to take them to school and nursery for me. (parent interviewed)

Equally, some families had something to lose (rather than to gain) and for many families what was at stake was their child remaining at home, as one parent intimated:

> every time I see a social worker I think they'll come in here and take my kids off me . . . I tried hard to do everything that they [social workers] want. I did all my house, I've got new blinds, That's what they want, for me to do my house up nice. (parent interviewed)

Another parent explained the perceived need to agree with the social worker in order to keep her child at home:

> I felt she [the social worker] wanted control and all I had to do was to say 'yes, yes, yes' to her and she'd be alright . . . if she thought she was getting somewhere then that was good, but if she didn't then I thought I'd lose my son. (parent interviewed)

If client compliance with social work intervention relates to having something to gain or to lose, it is likely that non-compliance might be associated with having nothing to gain or lose from the intervention. The finding in the Home Supervision study that more families who had been referred because of concerns about abuse or neglect of their children were considered by social workers to be co-operative (64 per cent) compared with those referred for reasons of non-attendance at school (32 per cent) supports this contention. Children referred solely for non-attendance at school are rarely accommodated away from home, whereas this is a real option in respect of abuse and neglect cases. Prior empirical evidence points to a correlation between compliance and loss of custody in child abuse and neglect. Jellinek *et al.* (1992) found that in 97 per cent of the cases in which parents failed to comply with the court's recommendations, compared with 33 per cent of cases in which parents complied, they lost custody of their children. The relationship between maternal non-compliance and permanent loss of custody was corroborated by Atkinson and Butler (1996), who in their study used missed appointments as an indicator of non-compliance.

It is clear from the legislation that compulsory orders, including home supervision, represent state intervention imposed on families in the absence of a voluntary approach being considered to be viable. For the majority of the 189 families in the Home Supervision study there had been social work involvement, usually on a voluntary basis, prior to the supervision requirement. Yet one finding of the Home Supervision study was that for 39 per cent of those families who were deemed by the social worker to be unco-operative, the supervision order

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was ended – or 'terminated' as it is usually referred to – at the annual review. That orders are not complied with in child welfare is not surprising. For example, Harwin *et al*. noted that care orders were 'a rather weak mechanism of control', the terms of which were unlikely to be fulfilled if the young person did not endorse them (2003: 391). However, given that home supervision requirements were instituted primarily as a means of enforcing social work intervention for families who were not co-operative, it is unlikely that it was anticipated that lack of co-operation would result in the termination of the order. Rather, non-compliance might have been expected to lead to children being (eventually) removed from home. Such families, albeit a minority, therefore had a role in shaping policy, since by not complying with a legal and compulsory order they were able to effect its termination.

Conclusion

In the context of challenges to the continuing relevance of implementation studies (Hudson and Lowe, 2004), the implementation research programme, of which Home Supervision was one study, indicates that governments are sufficiently interested to continue into the twenty-first century to fund research into whether policies are put into effect in the ways they intended and, in child welfare, to provide very detailed statutory regulations intended to shape this implementation. As social work has developed into a highly regulated practice (Howe, 1992), the issue of implementation is increasingly pertinent.

As Hudson asserted, 'if we wish to understand policy implementation, we must understand the street level bureaucrat' (1993: 397), and this article has scrutinised the implementation phase of the Home Supervision study, with social workers or street-level bureaucrats as the starting point. It has been suggested that bottom–up approaches have over-emphasised the primacy of front-line workers, and findings from the Home Supervision study have provided evidence for alternative conceptualisations of the relations between them and their managers and clients. Contrary to the view of front-line workers as subversive and in conflict with their managers, findings point to commonalities between them, while clients can be seen to be contributing to policy making.

Unsurprisingly, the Home Supervision research identified implementation deficits in social work organisations. One particular implementation gap, the focus of this article, was the non-completion of care plans by the majority (83 per cent) of social workers in respect of a representative sample of 189 children on home supervision. One way forward in Scotland might be for care plans to become mandatory. In England and Wales, although they had not initially been enshrined in primary legislation in the Children Act 1989, the Adoption and Children Act 2002 (s.118) subsequently stipulated that care orders could only be made by the court if a local authority's care plan had first been considered. Electronic systems

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of collecting and storing information about looked-after children may also change working practices. The integrated children's system recently introduced in the UK, for example, would enable more effective and quicker identification of implementation gaps than is possible with current manual systems.

It has been argued that the disregard for the Regulations and Guidance in relation to care plans was made possible by a strategy employed by social workers of client categorisation, by which children on home supervision were not categorised as looked-after children as were those looked after away from home. However, far from this implementation deficit indicating front-line workers' non-compliance, there was evidence that managers and social workers shared assumptive worlds. The non-completion of care plans for the majority of children on home supervision, the Children's Services Plans (with their greater emphasis on children looked after away from home) and the non-allocation of a substantial minority of home supervision cases by managers are indicative of a shared view within the organisation of children on home supervision as categorised differently from children looked after away from home. There is little doubt that a key reason for prioritising one category of client over another is because of resource constraints. Rationing, which has been a central tenet of implementation studies since Lipsky (1980), continues to be pivotal (Hill, 1997b). At the time of the study, the pressure in social service departments to prioritise was increasing, according to the Audit Scotland, which reported that 'the percentage of vacant posts for qualified social workers in children's services continues to rise sharply – up from 6.6 per cent in 2000 to 14.5 per cent in 2002, equivalent to 247 posts' (2003: 13). However, whether children looked after away from home should be prioritised over those looked after at home is still contentious.

The implications for child welfare of the disjuncture between the formal, legal status of children on home supervision as looked after and the realities of practice have been discussed. It has been suggested that children at home may be more, rather than less, in need of supervision, which accords with the Regulations and Guidance. Given that they lack the infrastructure usually provided to those looked after away from home, to accord them lower priority is a high-risk strategy. In terms of implementation studies, the finding in the Home Supervision study about consonance rather than dissonance between front-line workers and managers points to further exploration of the topic in future research. It also raises questions about over-reliance by top-level policy makers on managers as the guardians of implementation.

Hill concluded that the debates about implementation had usefully focused attention upon 'downstream' events in the policy process (1997a: 375). Yet there remains a reluctance in implementation research to conceptualise the client at the point of service delivery not only as agentic, but as having a capacity for policy making. Using termination of home supervision orders as an exemplar, I have suggested that welfare clients, in this case involuntary clients, are shaping

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policy. It is timely for implementation studies to centre clients and, crucially, to consider their role in policy creation and re-creation.

Notes

1 The 1995 Act stipulates that 'no requirement or order so mentioned shall be made with respect to the child concerned unless the children's hearing consider . . . it would be better for the child that the requirement be made than none should be made at all' (s16).
2 Hereafter referred to as the Regulations and Guidance.
3 SI 1996 No. 3262 (S.252).

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