

# An Evidence Review on Social Services Workforce Decision-Making Processes

## Denmark

January 2024



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COPENHAGEN **KP**

An Evidence Review on Social Workforce Decision-Making Processes. Denmark.

This report was commissioned by SOS Children's Villages International as part of a four-country study on the decision-making process for placing children in alternative care.

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## 1. Background

We believe gatekeeping and the decision to place a child in alternative care are significantly influenced by two factors: the circumstances the child is living in, and the ability, training, understanding, knowledge, and experience of those entrusted with responsibility to make safeguarding decisions. The latter is highly dependent on the child protection system in which social service providers work, and their personal attributes, training, understanding, knowledge, and skills.

International guidance relating to decision making and 'gatekeeping' (for further explanation of the term 'gatekeeping' see: Csaky & Gale, 2015) are outlined in several international documents, including the UN Guidelines for the Alternative Care (United Nations General Assembly, 2009) and its accompanying Handbook (Cantwell et al., 2012). This guidance includes the undertaking of rigorous multi-sectoral and participatory assessments upon which careful and well-considered decisions can be taken by well trained professionals. Such decisions should invariably prioritize the best interests of the child. The prevention of a child's separation from their parents must be considered as the first option whenever possible with placement in care as an action of last resort.

Child protection social workers and other decision-makers confront difficult decisions within complex and emotional situations. This may be influenced by such factors as limited knowledge and training, constrained capacity, time constraints, and lack of resources to undertake responsibilities (Whittaker, 2018). Furthermore, the strength and efficacy of the national child protection system they work in, along with the statutory and other guidance they receive, exerts an impact. While decision-making ideally adheres to some level of neutrality or objectivity, it may also be subjective, with personal social and cultural beliefs becoming influencing factors. Authors have noted gaps in terms of social work practices insufficiently attuned to local cultural contexts, along with a lack of available services that could be utilized to help mitigate the challenging circumstances families are facing. In addition, concerns persist regarding the training and education of the social workforce (Twikirize & Spitzer 2019). These constraints can come at a high cost, and errors in judgment may have a lasting negative impact on children's lives when they are unjustifiably removed from parents and placed in alternative care. While scholars and practitioners alike have identified some of the challenges in relation to decision-making, we believe much of this research has mainly taken place in high-income contexts, thus leaving a gap in our knowledge of decision-making practices in low- and middle-income countries (Munro 1999, Przeperski & Taylor 2020, Turney et al 2012).

SOS Children's Villages has initiated a research series that focuses on the drivers of child-parent separation, the situation of children affected by it, and gaps in the responses related to this issue in different regions of the world. Knowledge about the situation of children placed in alternative care is of crucial importance to social service providers, such as SOS Children's Villages. Such evidence will inform a range of responses that can be tailored to accurately identified and specific needs of children and their families in different contexts. This evidence will not only provide an understanding of the environment and context in which children and families are living but also assess the efficacy of decision-making by professional stakeholders responsible for child protection alternative care. The current research series is focussing on both the socio-economic environment in which children are at risk of losing parental care, as well as the child protection system and decision-making processes that are being applied.

To address the identified gaps in knowledge, a brief study of decision-making in relation to placement of children in alternative care has been undertaken in four countries, El Salvador, Denmark, Kenya, and Lebanon. Below are the findings from Denmark. These findings will contribute to a consolidated report that will provide the combined evidence from all four countries.

## 2. The research questions

The aim of our research was to investigate the following research questions:

- What does the literature say about the efficacy, subjectivity and objectivity of decision-making undertaken by the social services workforce working within the functioning of the national child protection system, and in particular, decisions to remove a child from parental care and place them in alternative care in Denmark?
- What are the factors that influence social services workforce decision-making in Denmark?

## 3. Research Methodology

### **Desk Review**

A systematic desk review of literature related to the efficacy, objectivity, and subjectivity of decision-making by the social workforce has been undertaken in Denmark. The review briefly considers the functioning of the national child protection system, including legislation, policy, and statutory guidance, as well as the quality of social work education and its impacts on decision-making.

Decision-making in Danish social work with children and families has been well studied. The literature encompasses the assessment of referrals, risk assessment, as well as the final decision-making process. As decisions to remove a child from parental care always begin with referrals, include thorough risk assessments, and involve a bureaucratic decision-making process, we include the full process in this review.

We conducted a systematic search for books and articles on 'child protection' and 'decision-making' in Denmark published between 2013 and 2023 in , in the Danish databases "Danmarks Forskningsportal" and Soc-Index. The following hits were found:

SocIndex	41
Danmarks Forskningsportal Danish search terms	83
Danmarks Forskningsportal English search terms	69

After eliminating redundant material and non-child protection-related literature, we were left with 58 book chapters or articles, 40 of which were chosen because they were pertinent to the subject of this research.

### **Semi-structured interviews**

To ensure international comparability and prevent bias in research methodology, the Lead Research gathered the international group of researchers to support the development of a common semi-structured interview-guide and common principles for the selection of informants.

### **Purposive sampling**

A purposive sampling approach has been applied to the selection of professionals identified as key decision-makers regarding the placement of children in alternative care in Denmark. Purposive sampling is a methodology widely used in qualitative research and was utilized as it allows for intentional selection of knowledgeable participants that will generate theory and understanding of a specific social process and context (Arber 2006; Ritchie et al. 2006; Robson 2002). Interviewees have been selected based on the researcher's knowledge of key professional stakeholders and on the backdrop of discussions in the research group about how to prevent or deal with respondent bias.

In Denmark, this resulted in a series of 10 semi-structured interviews conducted with members of the social authorities who serves as decision-makers in relation to child protection and alternative care placements, including seven social workers, one judge, one manager and one coordinator.

### **Analysis**

Verbatim transcriptions of all recorded interviews have been coded in NVIVO and undergone a thematic analysis guided by the research focus i.e. the impact of the child protection system on decision-making, decision efficacy, objectivity, subjectivity, and factors influencing decision making. Furthermore, data has been translated and sent to the International Lead Research who has similarly analyzed the transcriptions thus allowing comparability of evidence gathered across the four participating countries.

### **Ethics**

All elements of the research process have been designed and conducted in a manner guided by professional standards and ethical principles. All efforts have been made to ensure participation in the research does not lead to harm, stigma, re- victimization, or discrimination. All researchers have upheld the principles of impartiality and guard against bias and distortion in reporting the views and opinions of participants.

### **Informed consent**

Informed consent has been sought from all research participants. All participants were informed of the context and purpose of the research, as well as issues related to confidentiality and the use of information they provide. It was made clear to all participants that their participation in the research is voluntary, and they could withdraw from the process. Participants have the opportunity to correct, change, and retract their input up until final reports are published. To this end, Information Sheets and Consent Forms were provided.

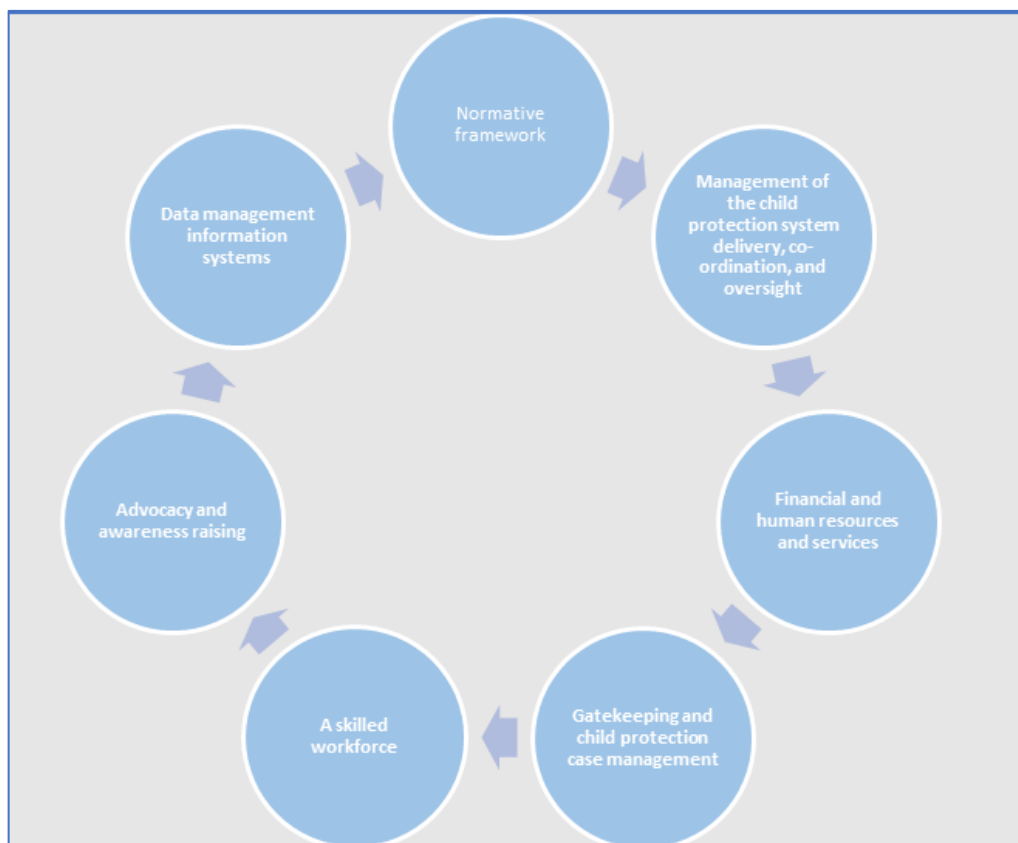
## **4. The Research Framework**

Our research framework was developed in a manner that allowed exploration of decision-making in the context of children's placement in alternative care. The framework was based on a child rights approach and international standards for the protection and alternative care of children.

We believe the decision to place a child in alternative care is particularly influenced by two factors: the circumstances they are living in and the decision-making of those with responsibility for child safeguarding judgements. In this respect, our research framework particularly focussed on the factors influencing such decision making. Especially we considered decision making within the context of the national child protection system.

A well-functioning child protection system requires a coordinated and holistic approach to investing in, developing, and sustaining all the necessary components, as illustrated in Figure 1. This includes a suitable normative framework and programs built on rigorous data collection and analysis, as well as suitable structures for the delivery of services that protect children and help mitigate the multi-sectoral factors placing children at risk. It requires a well-resourced and skilled work force and coordinated, inter-sectoral partnership working between the State, families, communities, NGOs, and the private sector to build a protective environment for children.

Figure 1. Components of a national child protection system





## 5. Research findings from Denmark

### **A brief outline of the national child protection system in Denmark and how this impacts decision-making.**

Social services in Denmark can be characterized as a family service-oriented system. This means that the system provides family interventions that seek to bolster family cohesion and prevent out-of-home care. Consequently, there are few removals of infants and young children, and a higher proportion of adolescents being placed in care (Hestbæk et al., 2020). Decisions about placements must be based on the extensive Danish legislation, which entails both substantive and procedural requirements. From January 2024, it consists of the Consolidation Act on Social Services and the Child's Act, which particularly relates to children at risk or in alternative care. The legislation is not content-specific and, as such, it allows for a margin of discretion. The European Human Rights Convention, The UN Children's Convention, and the UN Convention on Disability are also important international conventions to which Denmark is subject (Svendsen, 2017a). A substantive requirement for decisions about child-parent separation is a term called 'legal criteria for placement in care' (anbringelsesgrundlag). A legal criterion will be some kind of documentation that a child's legal rights to development and safety are violated. Several procedural rules related to the assessment ensure timeliness and routine follow-up. In this regulated process, placement considerations are continuously subject to revision (Svendsen & Nielsen, 2017).

The Consolidation Act on Social Services states that placements should only be implemented when placement is the intervention that best meets the needs of the child. The assessment of the child's needs must include the following six factors 1) development and behaviour, 2) family conditions, 3) school conditions, 4) health conditions, 5) leisure relationships and friendships, and 6) other relevant relationships.

Social services are organized at the municipal level, with a special unit under the Child and Family Department in charge of authoritative social work (hereafter referred to as the social authorities), including decision-making regarding preventive family interventions as well as placements of children in alternative care.

Trained social workers from these units' screen and act upon referrals about concerns for a child. Such referrals may come from teachers, nurses, neighbours, or (more seldomly) parents or children themselves. Referrals are screened within 24 hours.

In cases of violence or sexual abuse, the social workers immediately contact the child, the police, and after having brought the case to their manager, they remove the child to a temporary safe place of alternative care while the police investigate the case. This all happens immediately. Depending on the result of the police investigation, the child may be directly placed in more permanent alternative care, or an ordinary social assessment of child and family may be initiated.

When a referral fosters suspicion of maltreatment or hindrances for a child to develop, social workers initiate a structured assessment of child and family (*undersøgelse*) using structured assessment tools. This process involves a range of informants, including not only the child and the family but also teachers, health visitors, and the psychiatry if the child or parents are in treatment. As explained by a social worker:

*" We shed light on the case, all the way round involving all those who know something about the child, and then, of course, we compare that information with what we know from research in relation to children and their well-being".*

In special cases, a psychologist will be contracted to conduct a psychological assessment of parental competencies. However, in most cases, the assessment of parental competencies rest on the professional judgement of social workers, as the psychological assessments are expensive and time-consuming. When a psychological assessment of parental competencies is conducted, the results weigh quite heavily according to the interviewed for this research.

An assessment is supposed to take no longer than 4 months. However, they are often delayed (Ankestyrelsen, 2022).

In many cases, the removal of a child occurs after a longer period with family support and preventive interventions. Preventive measures range from brief consultations with parents and the child to extensive family support 2-3 times a week. Preventive measures may also include arrangements of alternative care during weekdays or weekends only. Children with disabilities may be removed after years of collaboration between families and the social authorities. In these cases, the challenge may not be parental competence per se, but the special needs of the child that may not be adequately met in the home with the available social support.

To put it briefly, placements in alternative care may occur suddenly in cases of violence and sexual abuse. When parents clearly exhibit lack parental competences and show no sign of improvement, it may result in child-family separation within months. Before a placement in alternative care is finally implemented, social workers may suggest months or years of preventive interventions if they believe that there is still hope for improvement in parental competences. Finally, decisions to place a child in alternative care may take years to make if the child is challenged by disabilities or disorders.

The needs of a child for certain kinds of support may be obvious without a thorough assessment of the child and family as the one described above. In such cases, municipalities may conduct a shorter assessment (*afdækning*). However, decisions about placements in alternative care are always taken on the backdrop of the long and thorough assessments.

Most often, municipalities are organized with a visitation committee, which makes the final decision regarding interventions for children and families including decisions about alternative care. These visitation committees include managers, team leaders, and often lawyers. Social workers submit their assessment of the child and family to one or more managers who may either make a decision or bring the assessment to the visitation committee (if the municipality has one) (Sørensen, 2016b). The social workers describe the process in the visitation committee as an exam. They have written their assessments in reports, perhaps 5-20 pages long, and are required to make an oral presentation on top.

In case that parents (or the child) do not agree upon the plan for child-parent separation, the case may be brought to a Children and Youth Committee, in which appointed local politicians, a judge, and one or more psychologists evaluate the case and decide whether the decision should be enforced despite parents' or children's disapproval. In these processes the child and the parents will each be granted a lawyer who will help them speak their case. Hence, this process requires a significant number of resources and sufficient evidence that the child is struggling.

The social workers from the local authority must conduct at least one interview with parents and with the child as part of the assessment (this can be omitted in case the child lack maturity or if the nature of the case speaks against it) and collaborate with relevant professionals (Sørensen, 2022). Children above the age of nine will, from January 2024, be consulted as parties in line with their parents. This enforces the common practice of letting children give their opinion when a recommendation for child-parent separation is made. Like their parents, they will also be invited to partake when the

Children and Youth Committee decides upon a forced removal. Children below the age of ten are invited to a separate meeting with the Children and Youth Committee before the large meeting, in which they can express their views.

### **Decision efficacy, objectivity and subjectivity in decision making in Denmark**

Even though the Danish child protection system is well regulated, established and resourced compared to other countries in the world, it still holds risks of inadequate decision efficacy. Although steps have been taken to reduce human bias in decision-making, some of these steps have unintended side effects, so they have not eliminated it. This chapter presents results from the literature from the desk review and the interviews regarding:

1. Decision efficacy
2. The relation between Decision efficacy and training of the social work force
3. Factors influencing subjectivity and objectivity and how they are dealt with in Danish child protection

### **Efficacy of decision-making**

Decision efficacy relates to the belief that a decision made was the right one. Decision efficacy in child protection has been described as a delicate matter since decisions have important consequences for parents and children, while at the same time, they are often based on little knowledge and high degrees of uncertainty (Wilkins, 2015). This is also the case in Denmark, despite attempts to support decision-making with thorough assessments that seek to balance risks and protective factors and include a holistic perspective of the child and family (Villumsen & Søjberg, 2023).

The uncertainty relates to the lack of evidence for positive long-term effects of out-of-home care, but long-term collaboration with parents is a key stake in Denmark. A decision to remove a child without parents' consent to secure its immediate safety may seem right in the short run, but it risks being a challenge in the long run if it fosters hostility between parents and social workers and thereby hinders the needed long-term collaboration about changes in the life circumstances for the child (Villumsen & Søjberg, 2023). As out-of-home placements are temporary according to Danish Law, collaboration with parents all along the way is a key asset in child protection.

Several cases in which municipalities did not take adequate action and removed children despite numerous referrals and awareness of risk have, over recent years, changed the processes of decision-making in Denmark (Lyneborg & Damgaard, 2019). The response to these cases has been

an introduction of systems of control to ensure compliance with the law, increased monitoring of casework, stronger procedural elements, and intensified managerial supervision. As such, social workers' responsibility for timeliness and adequate information is monitored and automated while the responsibility for decision-making is pushed upwards to the managerial level. Whether this leads to higher levels of decision efficacy has not been researched (Lyneborg & Damgaard, 2019).

This increased bureaucratization is accompanied by standardization, automation, and digitation (Petersen et al., 2020). To ensure that children's needs are identified even if they do not fit the boxes, social workers keep using informal rationales in social work risk assessments aside from the standard procedural requirements (Villumsen & Søbjerg, 2023).

In 2024, the Child's Act, a new law pertaining to children in placement, goes into effect. The new law's political goal is, among other things, to de-bureaucratize; yet, given that it contains more than 200 paragraphs, it is unlikely that this will translate into less bureaucratization.

The interviews conducted for this report also demonstrate that social workers in Denmark do not equate bureaucratization with decision efficacy. Instead, social workers describe bureaucratization as a safeguarding of themselves as professionals. When the decision is taken at managerial levels, they do not stand as sole responsible part in the eyes of the families.

Most interviewed describe a high degree of decision efficacy in relation to decisions they are personally involved in, but also relate it to the fact that;

- 1) they are experienced
- 2) they have further education on top of their bachelor's degree in social work and continuous training at the workplace in e.g., the new Child's Act, how to conduct difficult child interviews or other methods
- 3) They are well oriented in research and reports from the National Board of Social Services and applied research institutions
- 4) Some have worked preventively with families for some time and know them well, and that matters for the decision efficacy
- 5) They are working in units with a highly skilled manager that supervise their work
- 6) They evaluate their assessments while conducting them with colleagues and their manager
- 7) They base their assessment on perspectives from multiple informants.

In contrast, they describe uncertainty amongst newly educated and young colleagues with only a BA degree and no experience yet, and they regret the high case load in some units that may lead to less

well-documented assessment reports and less adequate work with the family during assessment (a high case load in a Danish child protection context will be above 30 cases). Moreover, they argue that decision efficacy comes with experience and the awareness that one's own norms and values are not relevant measures when evaluating a child's needs.

### **Decision efficacy and social work training**

Training in practice is deemed highly important for the interviewed social workers, coordinator, and manager. They all answer with a solid 'no', when asked if the education in social work in Denmark is sufficient to create a decent level of decision efficacy. Social workers in Denmark have a bachelor's degree consisting of three years at the school bench and one semester in an internship. The interviewed social workers argue that the schooling is general, covering a broad range of social work and the part on child protection is too short to prepare students adequately for the difficult assessments and decisions they are to make (one obligatory semester on child and family social work and an elective 10 week-course). The interviewees express a desire for more internships and more mentoring at the workplace for newly graduated colleagues. A social worker describes the uncertainty of newly educated social workers and the importance of both life experience and practice experience for decision efficacy the following way:

*"When you arrive as a new graduate, your alarm system is probably activated more quickly, and that is why you need colleagues and a manager to discuss your concerns with, so we do not make a decision that is not the right one. Well, I was in my mid-30s when I graduated as a social worker and had some life experience and some earlier work experience. So, I think I was actually relatively well equipped when I started. And yet, I read through my first case load, and I thought, okay now they can't get any worse. Then came the next case, and I thought, okay, they actually can. Pretty quickly I became very aware that it's not what I think is right. You can be a family in many ways, so it shouldn't be based on what I think is the right set of values that I recommend a certain intervention... [Over time] you get a sharpened awareness in a different way. And that's what we must be extremely aware of with our very young colleagues. Because they don't have any life experience to draw upon".*

Mirroring this citation, other social workers describe how decision efficacy is a result of the kind of professional proficiency that comes from mentoring, being in a workplace that stimulates professional discussions about case analyses, practical experience, and life experiences. All off them

combine these skills with the importance of having a profound knowledge base rooted in research and continued further training to stand upon as they conduct their analyses, assessments, and approach children and families. This supports them as they present their reasoning for a placement to the visitation committee, but also as they explain reasons for placements in alternative care to parents. As a social worker says while explaining how she uses the evidence for the risk related to parents' alcohol abuse: *"I think it is important and relevant to include. Also, parents should know that it is not just because I think that Peter should not live at home, there are actually some good arguments for that."*

Consequently, social workers promote the idea that social workers working in the social authorities should have further education in child protection or related fields, or the education should be prolonged with another year.

As regards the lawyers involved in child protection, it should be mentioned that it does not require any special education to become a Children and Youth Committee judge. To the interviewed judge, this does not pose a real problem since judges do not ask the children questions. That is the task of the psychologists. Moreover, albeit the judge will be the chairperson in cases about enforced placements, the vote of the judge does not count any more than does the vote of the other members of the committee. According to the interviewed judge, their role as lawyers is purely to ensure that the decision is made in accordance with the law.

### **Dealing with subjectivity and objectivity in Danish child protection**

Interlinked with the processes described above, questions of subjectivity in Danish child protection have been dealt with in two ways: Firstly, organizational means to avoid human bias have been implemented. Secondly, structured decision support tools to avoid human bias have been developed and tested. Yet, discretion continues to be an unavoidable part of the assessment process, when designing the best intervention for children and families in need (Monrad et al., 2022).

### **Organizational means to avoid subjectivity and human bias**

A decision about what information to include whose perspective to give weight, and an analysis of the various pieces of information are all part of the assessment of the child and family. That will be handled by a single social worker, but many municipalities have teams where social workers present and discuss their preliminary assessment with other members of the team (Schrøder et al., 2020).

The social workers interviewed for the current study value the group discussions in which colleagues might ask questions or challenge cases, and in which the level of concern is measured collectively. They emphasize how these group discussions turn cases into joint cases and joint decisions, while they also admit that these group processes may prolong the assessment.

A Danish study shows that these group decisions are characterized by confirmation bias and anchoring bias. Confirmation bias occurs when the social workers endorse decisions that confirms their initial assessment. Anchoring bias becomes apparent as decisions are determined by a certain condition, such as a diagnosis (Schrøder et al., 2020). Additional heuristic rules are present in decision-making processes. Ebsen and colleagues (2023) identified three overarching heuristics in all investigated cases. These were: (i) Form and maintain the first impression. (ii) When in doubt or disagreement, wait. (iii) Avoid parents. These heuristics help social workers and managers in either ignoring or emphasizing specific information (Ebsen et al., 2023). They serve to simplify decision-making processes in the midst of high complexity in the legislation of child protection (Svendsen, 2017b) and a similar high complexity in the organization of social work with children and families (Ebsen et al., 2023). As such, group discussions as organizational means to avoid human bias may have changed and collectivized decision-making practices in Denmark but have not omitted human bias.

### **Decision support tools to avoid human bias**

Denmark has witnessed an increased interest in statistical support for risk assessment and decision-making in social work. Such support holds the promise of reducing variability and human bias. As statistics samples previous experience from a large number of cases, it broadens and collectivises the pool of experience that social workers can draw upon when conducting risk assessments and engaging in decision-making (Søbjerg et al., 2021). However, a recent pilot study testing a statistical predictive risk model in two municipalities found that presenting a statistical risk score to social workers only marginally changes their initial assessment of a referral (Søbjerg, 2022). Further development, testing, and implementation of such AI-generated decision support tools in social work with children and families are temporarily blocked in Denmark due to risk of bias (installed by the algorithm) and to legal considerations (i.e., it is stated by law that social workers are not to collect more information than what is needed for their decision-making, and AI runs counter to this principle), (Ratner & Schrøder, 2023).



The literature shows that risk assessment models are widely used – also in a Danish context. Most of the municipalities use the assessment model Integrated Children’s System (ICS – equivalent to the Assessment Framework in the UK), which, from a systemic perspective, focuses on the child and the surrounding environment. This model corresponds to national intentions to balance the focus on risk and protective factors from a holistic perspective when assessing children at risk (Sørensen, 2018). Some municipalities apply the Signs of Safety (SoS) model either on its own or together with the ICS model. A study examining the weighting of risk and protective factors in the risk assessment in Danish municipalities shows that the SoS model pushes the social workers towards a more protective-oriented assessment compared to using the ICS. When looking at the weighting of protective factors, the study shows that both the ICS and SoS are more child-centred compared to earlier assessment models in Denmark. Despite these decision support tools being used routinely in Denmark, the aforementioned study reveals that approximately one-third of the social workers do not find the tools helpful in ensuring a holistic view of the child (Sørensen, 2018). Instead, they experience that the tools compel them to document the sources of all information and break it down into boxes – a process facilitated by the It-platform housing the tools (Sørensen, 2016a). It has been argued that the ICS forms have established a new norm for assessing the child and the family (Høybye-Mortensen, 2015). Similarly, it has been argued that the forms structure and steer the case process (Sørensen, 2016a). Whether the use of these decision support tools results in a reduction of human bias has not been explicitly investigated.

All social workers interviewed for this study use ICS, and most also use SoS, they find the latter particularly helpful when conducting network meetings. ICS is employed by individual social workers as they collect information. It provides a framework for questions directed to teachers, parents and other adults in the child’s life. Moreover, it may serve as a framework for group discussions about the level of concern for a child. According to the interviewed manager, ICS supports them in highlighting issues related to parenting skills.

Some describe how they complement these tools with specific approaches, such as a Solution-Focused Approach or more research driven approaches to resilience, or the inclusion of children’s perspectives.

## **Factors impacting decision-making in relation to placement of children in alternative care in Denmark**

Factors influencing decision-making within social services in Denmark include legislation, economic bias, the focus on children's development and parental competencies and involvement of children and parents, with the last topic being the most investigated in former research and the topic that appeared most important for the decision-makers interviewed for this study. In addition, the interviewees pointed out the stepped model for interventions and the availability of relevant placement as factors impacting decision-making in relation to placement of children in alternative care.

### *Legislation*

According to the interviewees in this study, legislation is a cornerstone of all child protection cases. It is also central and explicit in the dialogue with parents. As a social worker describes his meetings with parents after an assessment has been made, recommending an acute placement in alternative care:

*"I speak very slowly and clearly and make a point of telling them what I'm thinking. I also talk about the UN Convention on the Rights of the Child, which states that children have the right to a good childhood. I explain where in the legislation I find the assessments that are decisive for me to assess as I do, and I simply read them out to the parents. I inform them before the meeting about the agenda, if I can, but I inform them about their right to a counsellor and if I have spoken to their child without their consent, which I do in cases of suspected violence and abuse, I also tell them that the child has had a counsellor and who the counsellor has been".*

According to Svendsen and Nielsen, social workers include several factors in their assessment of whether there are legal criteria for placement in care or not. For instance, parental competence is a significant factor. The term parental competence is not explained by the practitioners but is linked to other assessment factors, such as the child's age, as the caretaker tasks for young and older children differ. Another factor that influences the decision about placement is network and resources (Svendsen & Nielsen, 2017).

The legal criteria for placement in care must be made explicit in assessments and backed by evidence. When this is not the case, the Visitation Committee or Children and Youth Committee will not approve a recommendation to place a child in alternative care. The social workers who were interviewed claimed that this influenced early decision-making in that, if they felt that a placement

would be in the child's best interest but the evidence supporting the legal requirements for placement was insufficient, they would not present the case to the visitation committee instead choosing to look for suitable preventive measures in the interim.

At the other end of the process, the interviewed judge mentions that in the Children and Youth Committee, they may sometimes think:

*'Why didn't we have this case six months ago, but it is because social workers are always thinking 'no, but maybe family treatment could work or maybe this and this could work' (Judge)*

#### *Parental competence and child development*

According to the interviewees, a prime concern when assessing the legal criteria for placement in care is the child's development and parental competence to support that development. This is also a difficult assessment. As one social worker explains:

*"Sometimes you can't put your finger on what it is about because the family is very closed, or the child does not really dare to tell, and it may take some time before you figure out, what is really at stake here. In other cases, it is clear as day. Already during pregnancy there may have been some conditions that make you think that they will not be able to take on the parental role. i.e., cases with drug abuse or violent relationships"*

Parental competences weigh high also in the sense that social workers need to provide evidence that efforts have been taken to improve parents' competencies if that was an option. As a social worker puts it:

*"Parental competencies ...is a history that is really important – what we have tried and what we haven't tried and if it has had an effect".*

Some parents are in preventive interventions due to low levels of parental competencies. A social worker describes one such family:

*"They find it really hard to understand the general level of concern because they may mentally be only 15 years old. ... And well, sometimes you see that the child is actually in decent well-being and development, but you are trying to prevent the child from being in this lack of care*

*for too long and starting to develop distress, right? In these cases, it often ends up in forced placements”.*

Parental skills are not well defined, but they include things like a parent's ability to set up routines and provide some level of relevant support for their child in the home. Social workers also assess the quality of the relationship between the child and parent as well as the ability of parents to guide and stimulate their offspring.

### *Economic bias*

Economic considerations are multiple in child protection due to strict regulations by the government to reduce budget overruns by local authorities. In a social work perspective, this can create an experience of conflicting requirements as a strict budget focus will be the amount of money spent on interventions and this may be in contrast with a focus on how to improve children's well-being. The link between municipal budget requirements and placing children in out-of-home care is shown in a Danish study, which concludes that *municipalities that have used more than 60 percent of their budget halfway through the calendar year reduce the number of placed children by 1.2 percentage* (Calvaca et al, 2022).

The above research finding is backed by a social worker in this study who states that economics play a big role, especially if *“it is the end of the year, so we cannot afford to place”*. Budgets run yearly. Social workers in this study ask for longer budget periods to mitigate this unfortunate tendency for short term economic considerations to influence decision-making in child protection.

All interviewed social workers state that economic considerations are becoming still more influential in child protection. As a social worker explains: *“It seems as if the more expensive an intervention, the more managers must be involved in the decision-making”*. Another describes how she is no longer allowed to complete her assessment and write a clear recommendation before she present the assessment to the visitation committee. Nowadays, she must complete the assessment only after the decision has been made. In that manner, economic considerations gain more influence as managers must consider financial strains. These processes are time consuming and adds more bureaucratic procedures to the decision-making process as well.

*“I still feel that we clearly put the child first”*, says one social worker, while she reflects upon the decisions made about where to place the child: Is the emphasis on kinship care and foster care mainly

due to statistical evidence indicating better long-term outcomes for individuals who have experienced such alternative care? Or is this priority a reflection of economic considerations?

Likewise, the interviewed manager tells:

*"I don't think that finances are very much in control for us in relation to placements. But of course, as head of department, it's also my job to ensure that we help as many children as possible [within the budget]. And it's also part of my job to say, okay, where should we spend the money? And yes, when you ask like that, I can see that I have sometimes thought, hmm, was that the right place to spend the money? Would it have been better to have done something else? And maybe cheaper, right? And we might have gotten just as much out of it, or better."*

#### *The availability of relevant placement*

In relation to economic considerations, some municipalities have begun to exclusively utilize institutional care within their own municipality as it is the cheaper option. To social workers, this is a restriction that matters to their recommendations. Although they may be aware of an institution that would suit the needs of a child, recommending it becomes impractical if the institution is in another municipality and therefore unavailable in reality.

#### *The stepped model for interventions*

Danish child protection interventions are to a varying degree guided by a so-called stepped model that invites decision-makers to test the effectiveness of less intensive and cheaper preventive interventions as a first step. From there, they can gradually increase the intensity of preventive measures if it proves necessary. According to the social workers interviewed for this study, this practice has become a factor that impact decision- making about placements.

Social workers explain that this model may prolong the time it takes before a child is placed. It may take many years with insufficient preventive measures. In the meanwhile, it stresses families who are already burdened, making it even more difficult for them to make the changes necessary for their child's development and well-being. As such, parents' burden grows, as do their problems and the intensity of the preventive measure may keep lacking behind this development. When the child is finally placed in alternative care after years of failed preventive interventions, the troubles of the family has become the trauma of the child, according to some interviewed social workers.

These critiques of the stepped model are accompanied by an uncertainty about the effects of preventive measures and personal opinions of what may be best for a child. As an interviewed manager states:

*"Well, it also has something to do with the fact that there may be people in this workplace who don't think that children get a better life from being placed in care or something like that. There may also be some people who don't think adoption is a good idea and some who are in favour of it. And there's also the personality aspect of it, right? And values. But of course, you could say that as a department manager and team leader, I'm expected to comply with the political intentions".*

As the quotation illuminates, the value of preventive work as well as alternative care options are up for debate in Denmark, and that creates space for subjectivity in decision-making.

#### *Consent and involvement of parents and children*

In Denmark, most placements are conducted with parental consent. According to social workers, the decision-making process may also be influenced by whether parental consent is obtained for placement, as collaboration with parents is seen as key to a successful placement. Nonetheless, consent should not be a factor in determining whether or not a child needs to be placed in care, according to Danish law (Svendsen & Nielsen, 2017).

According to Danish law, it is imperative to consider both the child's and the parents' viewpoints during the decision-making process. These days, there is a greater emphasis on allowing parents and children to have a greater say in life decisions, which has led to an expansion of their involvement. This puts a great deal of pressure on social workers to interact with parents and children because they must establish trust with each member of the family, even in situations where the rights and interests of the parents and children seem at odds (Villumsen & Berg, 2020).

Despite a common engagement with involvement in social work, several studies have pinpointed that children are not involved to a sufficient extent, just as the quality of involvement is not high enough (Ankestyrelsen, 2011, 2021; Bengtsson & Henze-Pedersen, 2022; Ebsen, 2001; Egelund, 1997; Egelund & Sundell, 2001; Jensen, 2014). Especially, poor well-being coexists with poor involvement (Lausten & Kloppenborg, 2022). Children and young people experience that they navigate an adult-

centred system of assessment and decision-making that limits their ability to influence decisions (Henriksen, 2022).

All social workers in the interviews conducted for this study talk about involvement of children and parents. They consider collaboration with parents as key to a successful preventive intervention or placement in alternative care. They talk about how to become a 'legitimate other person' to interfere in a family's life and make a family find means to do things differently.

Family collaboration takes time and necessitates a low caseload, according to more social workers being interviewed. The more visits you can make to a family, the more you can provide that which is valuable to families, as one social worker explains. The involvement is important during assessment, but also when the right place for the alternative care is to be found. As a social worker describes:

*"You need to involve the family and the child or young person in the whole process of going out and meeting and visiting various places".*

They all concur that older children's opinions matter a great deal when it comes to child involvement, particularly if the child expresses a desire to no longer be at home. It could also be a child in foster care who wishes to go back to their parents. When dealing with younger children, social workers take special note of the child's apparent level of unhappiness as a crucial piece of supplementary information to what the child says.

There is generally an eagerness to involve children more, and this wish corresponds with the new Child's Act.

## 6. Conclusion and Recommendations

To conclude, the findings from this study demonstrate that even in a well-resourced and -regulated child protection system, human bias and inadequate decision efficacy may persist, and hence a continued attention to such is necessary in the further development of child protection systems also in countries like Denmark.

Several actions that could reduce subjectivity in decision-making and boost decision efficacy have been evident in the literature. Among them are:

- High complexity in legislation and organization fosters local techniques to simplify decision making such as heuristics (Svendsen, 2017b). Bearing this in mind, measures to minimize legislative and organizational complexity ought to be considered.
- Child and family participation in decision making about placements is highly valued for ethical reasons, but also because involvement is believed to support the wellbeing of the child on the long run, and stimulate empowerment (Petersen, 2016). However, steps must be taken to ensure that involvement happens to a larger extent in practice than is the case today.
- Studies have indicated that professional discretion in Denmark is a collaborative effort founded on expertise and consultation, whereby subjectivity in decision-making is diminished. In light of this, the creation of child protection services that combine automation and decision support tools with discretion could be proposed (Petersen et al., 2020).
- Finally, the literature recommend that assessments are shared and discussed as routine practice to stimulate common reflection and learning amongst social workers and leaders with the responsibility to make decision with deep impact on children and families (Sørensen, 2016b).

These recommendations are in sync with findings from the interviews for this report. In addition, the interviews lead to recommendations related to further support to enhance child involvement, a more careful balancing of the economic influence on decision-making and improved conditions for the development of expertise. Hence:

- Social workers are highly attentive to new legislation and need support in finding means to fulfil new demands not least those related to child involvement.
- The interviewed raise concerns about how economy influence decision making in child protection, and not least decisions about kinds of alternative care. This should be taken into careful consideration to ensure that the kind of preventive intervention or alternative care that is in the child's best interest will continue to be chosen.
- Finally, Social workers highlight how a combination of personal maturity, practice experience, professional skills, continued training, a working environment that fosters professional reflection and learning and a solid knowledge base grounded in research is necessary prerequisites for their competences to take the right decisions.



The primary reaction to subpar child protection decisions in Denmark thus far has been a rise in bureaucratization within the field. Based on the findings of this report, we advise against taking this course in favour of improved social work training and better conditions for the growth of expertise as a means of achieving higher decision efficacy.

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