

nawra

national association of
welfare rights advisers

Professionalising Welfare Rights

Notes from NAWRA workshops • Durham 11 June 2010

Workshop description and introduction

An examination of the issues surrounding Welfare Rights in relation to becoming a recognised profession. The main focus will be on the potential advantages and disadvantages of professionalisation to clients and workers. As part of the debate that will follow from exploring this issue, practical difficulties will also be examined such as the agreement and formation of professional standards, deriving theoretical principles from actual practice, the route to creating a professional qualification, and the role of a professional body.

In the allotted time, we could only touch on some of the many thorny issues in this subject, but we did lay down some markers for further discussion. A few key issues were raised and attendees' responses to these were collated. These are presented below in the appropriate sections underneath the issues as they were presented. Not all of the planned material was covered; that which was not will be used in further pieces of work arising from this workshop.

At the outset of the workshop attendees were asked to complete a questionnaire examining their opinions on, and attitudes to, a number of issues. These have been collated and are presented at appendix 1 with comments.

Why are we considering the issue of 'professionalism'?

Presumably, the audience is considering it. So it would be appropriate for this question to be put to you and for you to answer it. I can start off by giving one example situation that might illuminate one advantage of professionalisation:

There's a person in the next town across calling themselves a 'welfare rights adviser'. They have no training, limited experience, no standards of work, and they charge their clients for the advice they give. Are they acting legally? Is there anything to distinguish what they do and how they do it from the work of welfare rights officers employed by the 3rd sector and local authorities? Is there anything to distinguish, for that matter, *any* of people these from each other?

If we apply this scenario to 'unlicensed', untrained people calling themselves psychiatrists, social workers, accountants, or chemists there will be a very different set of answers to those questions. But in our occupation, this is what being a 'welfare rights officer' means to the public in terms of the guarantees it gives, and to other professionals in their dealings with this occupation. Anyone can adopt the mantle and, wearing it, act in any way they see fit.

Of course, there may be other benefits to professionalisation aside from regulation of membership. Status, structured career progression, recognised qualifications, CPD, and the like. There are doubtless several difficulties and drawbacks to being a 'professional', too.

Attendee responses:

Why are you considering this issue - what is its significance to you?

- For self interest and for the interests of my team. Being a profession could help to deflect allegations and it gives service users a guarantee on the quality of advice given.
- Concerned about the effect of public sector cuts and the vulnerability of welfare rights service. Being a profession may enable these concerns to be reduced.
- Quality of advice is inconsistent and very poor in some cases. Professionalising welfare rights would provide standardisation and quality control of the advice given.
- It could raise the profile of welfare rights, give us credibility, and give us something to work to.

- Welfare rights is often something “dropped into by mistake”. Making it a profession would make it a career and develop a path of career progression.
- I don’t agree with professionalising welfare rights. Service users will not see a difference and they do not need to see yet another person in a suit.
- Qualifications may not be indicative of ability to do the job.
- This issue affects the whole of the advice sector and at present there are very different levels of service and quality of advice given. Standardising through professionalism would help to iron out these problems.
- Presently on the job training and level dictated by colleagues providing that training. There are vast differences in the level of training provided. Local Authorities give full training in some areas of the country and some give none or very little.
- There are vast differences in the level of work and knowledge needed between form filling and complex Upper Tribunal work. Would this be reflected in pay, length of service, or within a career path?

What is a profession?

Trait theorists would define a profession by the number of ticks they bring up on a favoured checklist.

The traditional approach to defining a profession (as opposed to some other occupation) is to list special characteristics that mark it out from other, non-professional, occupations. In 1964 Geoffrey Millerson put forward a model of professionalism that focused on two occupations that have been professions for almost half a millennium: law and medicine. The characteristics he identified were:

1. The use of skills which are based on theoretical knowledge
2. The receipt of education and training in those skills
3. A competence to practise which is accredited by formal examination
4. A code of professional conduct
5. A commitment to the 'public good'

Attendee responses:

How many of these do you think apply to 'welfare rights'? Are there any which clearly do not? If not, why not? Should they?

- Some attendees felt most of these applied and were already in place.
- There is a code of conduct for Local Authority employees, but not one specifically for Welfare Rights Officers.
- Number three (accredited and formal examination) does not apply.
- Could CLS (Community Legal Service) Quality Mark count as a Code of Conduct?
- Finance Officers have a Royal Charter.
- No professional development. Historical background to Welfare Rights as “anti-establishment”, with political motivation and ethical motivation.
- Public can be untrusting of professionals, particularly now – MPs’ expenses, lawyers seen as money grabbing, and so on.

What characteristics would professionalisation bring?

Millerson's model is still referenced in studies of professions and professionalism today. But this approach has been robustly critiqued, most famously by Robert Dingwall: 'the checklists were regularly criticised for their theoretical incoherence, their special pleading, their lack of discrimination and so on but the real blow to this approach was that people began to recognise that it did not matter very much. The really important judgements about the nature and status of occupations were made by governments, employers and clients, not by sociologists'.

Dingwall's approach was, in part, to look at what being a member of a profession meant to its members and their clients to try to derive some meaning from that. He did this initially in a study of health visitors. This threw up some interesting insights into what these 'professionals' thought that professionalism meant. For example, the health visitors felt themselves 'equal' to other professions such as social workers, doctors, nurses, teachers, and others, but had a discrete area of work from the others. They acted towards other health visitors on the assumption that the others shared the same definition of their job. They defined their occupation as one which selects its recruits, has formal qualifications, is self-governing, has its own body of knowledge and history, and has research done on it.

Attendee responses (group work):

How many of these qualities are already present in welfare rights work? Are there any that are missing and, if so, would they bring advantages or disadvantages to staff and to clients?

- Felt they were recognised as a professional when visiting GP practices for surgery sessions, and when visiting other external premises. Respect was granted to other Welfare Rights Officers who were known, but workers who are unknown did not get the respect as the standard of their work and advice was unknown.
- There is an expectation from others as to what a Welfare Rights Officer does. Others recognise our expertise. Qualification does not prove quality of advice or a person's suitability for the job; it proves exams can be passed. It would help though to eliminate rogue practitioners.
- Positives for being a profession were accepted as providing an assurance of quality provision for the public and other parties.

- Accreditation was examined and there were felt to be pros and cons for both theory-based and competence-based accreditation. Formal qualifications may exclude very good workers for a number of reasons.
- Code of Conduct was felt to be a positive move as it provided accountability. There are concerns over rogue advisers and steps taken towards accountability and professionalism would reduce the numbers of their advisers.

Facilitator responses to discussion included the following possible advantages of professionalisation:

- Clients and other professionals would know what a 'welfare rights officer' does and to whom s/he is ultimately professionally accountable wherever s/he works.
- Clients could be more certain of a basic, 'standard' level of service in different teams, organisations, and parts of the country.
- WROs could take part in true Continuing Professional Development.
- Specialisms and different levels of expertise might be more likely to be acknowledged and encouraged.

Where are we now with professionalising?

Just about any study of professions, from any perspective, acknowledges that certain key characteristics must exist for an occupation to be professional. There must be:

- A governing body which regulates membership
- Professional qualifications
- Professional standards and competencies
- A licence to practise granted to members on a renewable basis

Here the issue of existing standards and qualifications must be raised. There are already occupational standards for those in the legal advice sector. They are not, however, specific to welfare rights officers (even though two units are dedicated to them). These qualifications are not necessary in order to be appointed into a WRO post: or, at least, not in every sector or team. There is also the question of whether these two units are sufficient to cover the knowledge and skills needed in the breadth of what constitutes 'welfare rights work' (for example, how do you carry out a benefit calculation x or y?; is LA50 enough to equip a WRO adequately to represent at an oral hearing?; is there a policy, research, or training aspect of welfare rights work and, if so, are these areas of the field covered by the NOS standards at all?).

Qualifications aside, there is in every profession some mechanism to measure ongoing technical competency and professional development, and well as adherence to a code of professional ethics. These give rise to a licence to practise. To have any meaning, these must be administered by a professional body. It is the granting of a charter or other form of franchise to such a body that gives it authority to govern the profession. And it is through this body that practice is scrutinised and developed, that the profession speaks to the public and to government, and so on. Obviously, NAWRA is the nearest body to that, but it undoubtedly isn't the same thing at all at present. Do its members want it to be?

A further section touching on the economic, political and social aspects of professionalising was omitted from the workshops due to lack of time; this included a case study outlining the circumstances in which one typical profession came into being. At the plenary session, it was proposed that the issue of professionalisation be placed on the agenda for a future NAWRA meeting and further work done to advance the issue. It is hoped that the omitted section, as well as other issues, will be examined in these future pieces of work.

Appendix 1: Attendee questionnaire and responses

32 delegates attended the two workshops and completed questionnaires at the beginning of the sessions. The statements touch on a variety of issues thought likely to be relevant to issues of professionalism: occupational standards, qualifications, public and professional attitudes to welfare rights practitioners. The terminology used is loose (e.g. because the questionnaire was written by local authority-based advisers the term 'welfare rights officer' was used, which may here be substituted with 'welfare rights adviser'), and the responses graded on a simple Likert scale. Rather than attempt to give any scientific measurement of the attitudes of NAWRA members to the issues covered, the questionnaire was simply intended to provide stimulus for discussion of some of the issues covered in the workshops.

Responses to the statements were graded as follows:

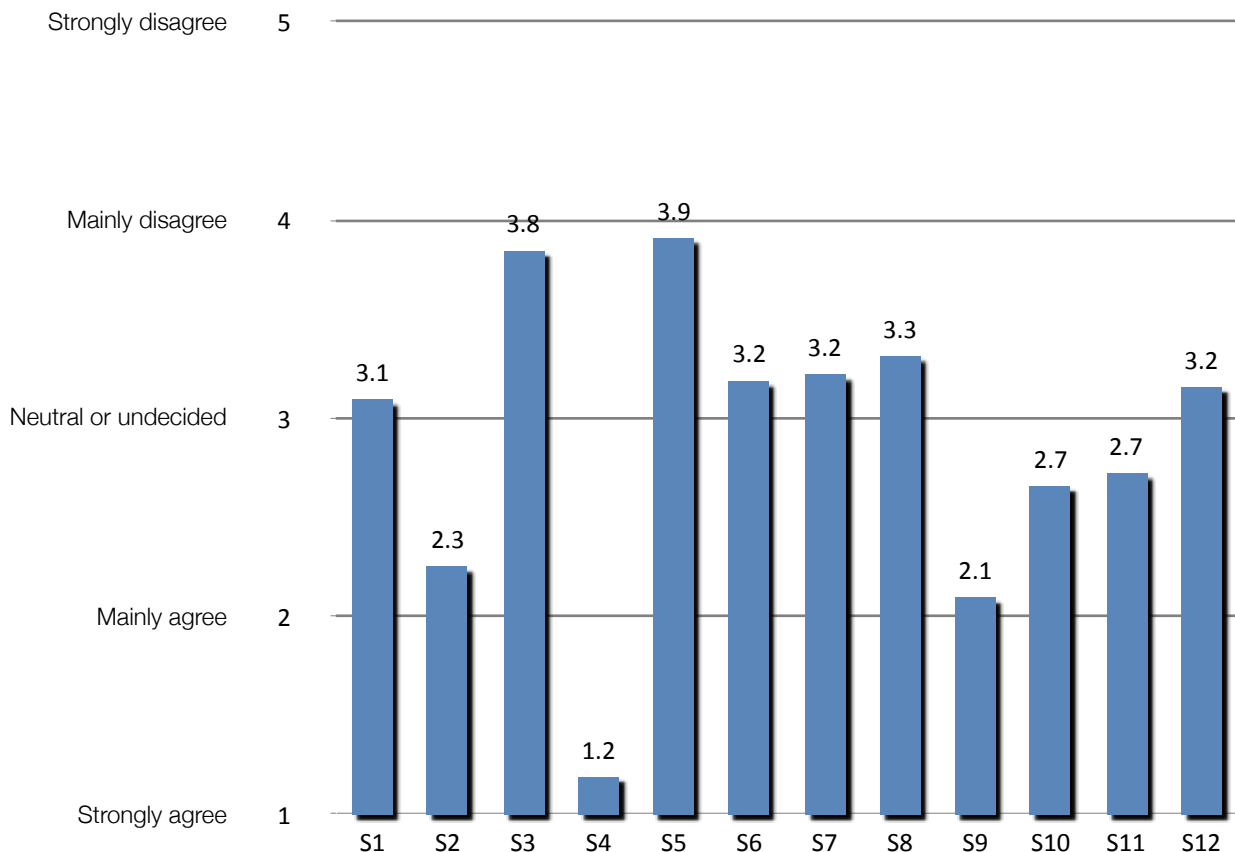
1. Strongly agree
2. Mainly agree
3. Neutral or undecided
4. Mainly disagree
5. Strongly disagree

Responses from both workshops have been aggregated and the mean scores from all 32 responses presented in a chart on the numerical scale above. Due to the length of the statements, they are reproduced in full before the chart with a numbered key rather than in full in the chart itself. I have also commented on some of the results where I think them significant.

Statements

- S1. Training in welfare rights is thorough at every level of practice.
- S2. It would be easier to judge the competency of job candidates if there were specific qualifications in welfare rights or social security law.
- S3. Specific qualifications already exist in welfare rights and we use them as part of our recruitment and selection process.
- S4. Clients should expect the same basic level of competence from a 'welfare rights officer' wherever they are based and whoever employs them.

- S5. Professional bodies are for lawyers, doctors and finance officers, but not needed for welfare rights officers.
- S6. The National Occupational Standards units for welfare rights legal advice (LA49 and LA50) are adequate to cover all the knowledge and competencies required to represent a client at an oral hearing at the Upper Tier.
- S7. The National Occupational Standards units for welfare rights legal advice (LA49 and LA50) are adequate to cover all the knowledge and competencies required to carry out tax credits calculations.
- S8. The National Occupational Standards units for welfare rights legal advice (LA49 and LA50) are applied to my or my staff's daily work and it is assessed against them.
- S9. I have no idea what the National Occupational Standards units for welfare rights legal advice (LA49 and LA50) are.
- S10. Welfare rights officers are respected by other professionals.
- S11. No-one seems to know what 'welfare rights' means apart from other welfare rights officers.
- S12. Welfare rights officers don't seem able to agree what 'welfare rights' means.



Comments

- Taking the mean of responses, the 32 delegates from member organisations mainly agreed that it would be easier to judge the competency of job candidates if there were specific qualifications in social security law (S2), and delegates (in the main) had no idea what the NOS units for welfare rights legal advice are (S9).
- The mean of responses showed a disagreement in the main that specific welfare rights qualifications are used in recruitment and selection (S3). Taking the questionnaire responses in tandem with discussion in the workshops it is evident that in many organisations NOS standards (and qualifications that stem from them) do not provide the desired fit with welfare rights posts, and in many organisations they are not adopted or, if they are, they are not understood. (Responses to the other questions on NOS are broadly neutral or undecided, but in view of the agreement given to S9 this is likely due to there being no familiarity with what the NOS units are.)
- Delegates mainly disagreed with the statement 'professional bodies are for lawyers, doctors and finance officers, but not needed for welfare rights officers' (S5). Taken alongside the discussions the number of delegates believing that there should be a professional body for welfare rights advisers was significant.
- There was strong agreement across the board that clients should expect the same basic level of competence from a 'welfare rights officer' wherever they are based and whoever employs them (S4).
- Although the mean of responses to the statement 'training in welfare rights is thorough at every level of practice' (S1) was neutral or undecided - and therefore not a strong response - it might be thought significant that delegates of member organisations could not agree even in the main that training for practitioners in this area is thorough. Similarly, there was ambivalence on the issues of whether people other than 'welfare rights officers' understood what 'welfare rights' means, and on the respect of other professionals for practitioners in the field.

Contact

Phillip Allen, Durham County Council Welfare Rights Service
phillip.allen@durham.gov.uk