

## **The Mental Capacity Act Call to Action: Online Development of Critical Rights Based Social Work**

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## **Abstract**

This paper outlines the approach taken and findings from a national social work practice development event, the MCA Call to Action. In March 2016, the adult social work Principal Social Worker Network ran the first Call to Action in support of the Ministry of Justice Mental Capacity Action Day. The MCA Call to Action was conceived and designed as a critical and creative way to conduct practice-led research into the integration into social work values of the statutory principles within the MCA 2005. The approach made use of the open social media platform, twitter. Thematic analysis was undertaken of the content generated during the Call to Action. Secondary social network analysis was undertaken to map the relationships and exchanges which took place during the MCA Call to Action. The findings were that 269 unique users participated in the MCA Call to Action, two thirds of which self-identified as being social workers during the MCA Call to action. There were 244 media tweets posted during the Call to Action showing an image of an *unwise decision*, 80% of these were posted by social workers. The role of Principal Social Workers and the implications for social work practice leadership are discussed.

## **Introduction**

Adult social work in the UK has traditionally been perceived as a 'Cinderella service', poorly resourced and staffed in the main by unqualified social care workers performing transactional care brokerage roles (Dominelli 2009). Publication of *The Future of Social Work in Adult Services in England* (DH 2010) by the English social work employers' organisation, the Association of Directors of Adult Social Services, marked the emergence of a counter narrative reframing adult social work as a distinctive profession with a focus on ensuring that "*services are personalised and that human rights are safeguarded*". The College of Social Work discussion paper, *The Business Case for Social Work with*

*Adults* (TCSW 2012) further contributed to the intra-professional discourse reframing adult social workers as being focused on human rights, arguing that social workers needed to be “*freed from the shackles of care management*” to focus on upholding rights to independence, choice and control. Two year later, at the International Schools of Social Work General Assembly, The International Federation of Social Workers and British Association of Social Workers adopted a definition of social work which emphasised the professions commitment to upholding human rights.

*“Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing.”* (BASW 2014)

Werkmeister Rozas & Garran (2016) argue that if social work is to fully adopt the global rights based perspective and principles, social work practice leaders need to make explicit the profession’s commitment to human rights. They propose that social work leadership is uniquely placed to influence and shape a continuous professional development offer to social workers, which makes explicit the connection between human rights principles, social justice and front line social work practice.

Human rights are enshrined in UK law dating back to the Magna Carta 1215, which established the principles of due process and equality which form the cornerstones of modern, rights based adult social work practice (BASW 2012). The European Convention on Human Rights (ECHR), provides for a set of procedural safeguards which public authorities have a positive obligation to uphold (Council of Europe 2014). These safeguards ensure people’s right to liberty and protection against arbitrary and

unexplained detention by the State. The safeguards within UK law are the Human Rights Act 1998, Equality Act 2010, Mental Health Act 1983 and Mental Capacity Act 2005. With the passing into UK law of the Care Act 2014 the general principle was established of the role of adult social workers being to promote wellbeing within a human rights based framework.

The Care Act 2014 also established the role of Principal Social Worker within adult social work. Guidance to the Act proposes that the purpose of the Principal Social Worker role is to provide practice leadership for adult social workers, focusing on their practice ethos, professional standards and performance. Local Authorities are advised to ensure that the Principal Social Worker role is positioned to be able to exercise “*credibility, authority and capacity*” (S1.28) when overseeing and challenging adult social workers individual practice and case-based decision making. The guidance to the Care Act proposed that the Principal Social Worker role in adult social work should be “*located where it can have the most impact and profile*”, able to influence vertically from senior leadership to front line social work practitioners. Should the ambitions for the role be realised, the role of Principal Social Worker could significantly influence the ethos, standards and principles of adult social work practice.

Understanding on the part of individual social workers of human rights principles and law remains, however, insufficiently attended to within adult social work professional practice development (Murrell & McCalla 2016). Murrell & McCalla observed that when social workers considered issues of risk within a case review, principles and criteria for assessing capacity and upholding of human rights issues were subject to variation both on the part of the individual practitioner and in terms of the outcomes secured for the individual. They propose that continuous professional development of social workers could be influential in shaping practice, making the case for practice leadership to focus on the plurality of perceptions surrounding risk and capacity which impact on case-based decision making.

## The MCA Call to Action

The Chief Social Worker for adults in England has supported the development of a national network of Principal Social Workers (PSWs) based in Local Authorities. In March 2016, the adult Principal Social Worker Network determined to lead a continuous professional development event which sought to engage social work students, social workers, social work employers and social work educators in a national collective effort. This event was the first national PSW Network Call to Action, arranged in support of the Ministry of Justice Mental Capacity Action Day (MCA 2005). The MCA Call to Action set out to explore whether and how social workers would engage with the social media platform twitter, and to explore radical, critical human rights approaches (Briskman 2013) as applied in social workers understanding of and assumptions about mental capacity. The Call to Action specifically focused on how social workers in practice make sense of statutory principle 3 of the MCA 2005, '*A person is not to be treated as unable to make a decision merely because he makes an unwise decision.*' (Section 1(4)). The conceptual framework framing the Call to Action asked the questions, do social workers make decisions which they would classify as being 'unwise', if yes, what sort of decisions do social workers deem to be 'unwise'?

The Call for Action was conceived both as an innovation in methods for social work continual professional development practice and as an opportunity to provide for a critical and creative way (Greenhalgh & Wieringa 2011) to undertake research into social work practice leadership dimensions (Kemmis 2008, Shaw, Lunt & Mitchell 2014). Influenced by both the work of Edgar Schein (2004), who has written extensively on aspects of organisational culture, and the vast body of work produced by Moriarty and Manthorpe (2016), the MCA Call to Action was conceived as an online continuous professional development event, designed to examine the integration of the statutory principles underpinning the MCA 2005 into social work values. The design approach was influenced by Ferguson's (2016) argument that more creative

approaches are needed to move research into social work closer to practice to enable ethically important explorations to take place, such as those which involve the power dynamics between the social worker as a decision maker and the person who the decision relates to.

The objectives for the MCA Call to Action were to move beyond instrumental knowledge utilisation about the Human Rights Act and Mental Capacity Act as legal instruments and frameworks towards conceptual application (Gray 2015) of the relational ethics which influence specific decision making on the part of individual social work practitioners. The multi-dimensional complicated nature of social work decision making is observed by Sheppard & Charles (2015) who conclude that practitioners experience a fundamental tension between the intellectual nature of social work and their interpersonal capacities when faced with decision making in relation to the individual presenting case. Sheppard & Charles propose that a greater focus within social work research and continuing education on the processes underpinning social worker's reasoning could be of significant benefit to the rigour with which practice is framed and conducted. Stevens & Hassett (2012) present a compelling argument that where social workers had applied case-based reasoning which was reliant on 'false premises' of procedural approaches towards managing risk that ultimately contributed towards the death of children in their care, their practice was by nature antithetical. They propose that the dominance within social work discourse of ideas of risk and risk management should be challenged and reframed by practice leaders, who they argue should apply an interdisciplinary lens when considering aspects of complexity within how social work decision making takes place in relation to balance between risk and rights.

### **Procedure/Method**

The increasing use of technology to improve information flows and distribution is resulting in the emergence of '*online communities of practice*' (Greenhalgh & Wieringa 2011) which can be observed between social work professionals within the UK nations and on an international basis (Rautenbach & Black-Hughes 2012). The emerging online continuous professional development environment provides for new opportunities for practice leaders to shape

research which explores '*collective conversations*' (Greenhalgh & Wieringa 2011) and reasoning processes taking place between practitioners about the nature of their practice. Wolf & Goldkind (2016) argue that integration of technology into social work provides the opportunity to develop a more socially just mode of practice which challenges traditional power distributions. Technology enables unmediated access to websites and open access communities which has the potential to change the way that people relate to social work practitioners (Wolf & Goldkind 2016). However, as a profession, social work profession remains "*cautiously optimistic and careful*" about participating in online communities of practice due to concerns about ethical, privacy, and liability issues (Christson Adedoyin 2016). As recommended by Sitter & Curnew (2016) in their research into the role of social media platform in supporting a social work human rights advocacy campaign, careful consideration was given to selection of the online platform. For pragmatic reasons the social media platform Twitter was selected as the space within which the MCA Call to Action would take place. Twitter functionality supports real time, open access, unmediated text exchanges of up to 140 characters in length, media content and capturing of content generated during the Call to Action using the Twitter API.

Details of the Call to Action were distributed through the Principal Social Worker Adults Network to front line social workers, social work students and social work practice educators. A further invitation to twitter users to participate in the MCA Call to Action was issued through the Principal Social Worker Adults Network twitter account. Social workers, social work employers and social work high education departments with twitter accounts were invited to join in with the MCA Call to Action by posting text or images with the hashtag #unwisecision on the 15<sup>th</sup> March 2016. The objective was to explore social worker's knowledge and understanding of statutory principal 3 of the MCA 2005, which states that "*a person is not to be treated as unable to make a decision merely because he makes an unwise decision*" (MCA CoP 2.9-2.11). As clarified in the statutory guidance to the MCA 2005, a person making an unwise decision should not in itself be taken as an indication that they lack mental capacity. Recent Court of Protection rulings, however, indicate that there remains significant variation in

how individual practitioners apply statutory principle 3 within their specific case-based decision reasoning.

As twitter is an open platform, the MCA Call to Action was an open event which other twitter users could observe and contribute to through by forwarded the content feed or by contributing a unique tweet. The ethical and moral issues associated with a study and investigation process using twitter to generate content were considered at all stages of the design process as required by the Joint University Council Social Work Education Committee (JUC 2016). All participant literature describing the invitation to join the Call to Action explicitly stated that participation was voluntary. Consideration was also given to the rigour with which the analysis process was designed, recognising the methodological limitations which are inherent within the assumption that user-generated digital social data provides access and insight into social workers assumptions underpinning their practice (Olteanu et al 2016).

### **Analysis of the #unwisedecision hashtag**

Tweets were captured using the twitter API between 0:00 hours and 23.59 hours on 15<sup>th</sup> March which was the published date of the MCA Call to Action. Seven hundred and eighty-three tweets were generated from 269 unique user twitter accounts during the time series. These tweets were identified by inclusion of the hashtag #unwisedecision. The tweets were reviewed by two team members who conducted manual validation and cleansing before being categorised by content as either text (533) or media (244) tweets. Inclusion criteria was applied for a more detailed screening of the tweets which resulted in 376 tweets being taken forward for final thematic content analysis.

Nearly half (49%) of the tweets included for final analysis were media tweets. The media tweets contained a photograph showing the twitter user holding a photo of themselves hold a card with a text statement recording their #unwisedecision. The photographs posted in the media tweets were transcribed to aid content analysis. Both the transcribed text and the text tweets were imported into NVivo-11 to aid analysis of the content for themes using a guided thematic content analysis process. Three members of the

research team reviewed and coded the media tweets.

Secondary analysis was undertaken on the online network which was observed to have formed from the twitter exchanges generated during the MCA Call to Action using social network analysis. Social network analysis is an important tool in sociological studies (Fortunato 2010), which has potential for positively impact on research into the relational aspects of social work practice (Gillieat et al 2015). Network analysis was undertaken using the NodeXL plugin and Gephi 0.9.1 software (Bastian, Heymann & Jacomy 2009). NodeXL was developed as an open source template within Excel by the social media research foundation to enable access to social media network data streams using APIs, analysis of network metrics, and to support text and sentiment analysis within the data. Gephi uses XML-based syntax to enable a common format for graph structure exchanges of graph element, and unordered sequences of vertices and edge elements such as those which are generated from importing data from social media sites including Twitter. Gephi uses the Louvain method of community detection within networks that rely on a heuristic for maximizing the modularity (Blondel et al 2008).

## **Findings**

Analysis of the 269 unique user twitter accounts which posted a tweet using the #unwisedecision hashtag during the MCA Call to Action found that two thirds belonged to an individual, 41% were female and 24% were male. The remainder were user accounts belonging to organisations which were used on the day of the Call to Action by a staff representative from that organisation. Forty-five percent of the unique user accounts were social workers or social work students (27%), 14% of accounts were owned by social work employer organisations and 4% of accounts were owned by social work departments in higher education institutions. Advocates, self-advocates and carers accounted for 14 (5%) of unique user accounts.

## **Table 1 about here**

Eighty percent of the media tweets which contained individual's responses to

the question “*what’s your unwise decision?*” were posted from social work related user accounts: 58%, were from individual social worker’s twitter accounts; and 22% were posted from the accounts of social work employers.

For the social network analysis (Fortunato 2010) the 269 unique users formed the vertices which were joined together by 376 integer-weighted edges, reflecting the number of times unique twitter users interacted with each other. A network was generated with a graph diameter of 10 and an average path length of 4 (Weisstein 2016). Two characteristics were observed with the network structure which are common features in network analysis findings (Fortunato 2010). The network contained a displayed modularity (Kashtan & Alon 2005) with observable sub-networks which appeared denser than the graph density of the network. Secondly, the sub-networks and looser edge connections were organised around a small number of unique users, which appeared to form identifiable communities (Fortunato 2010).

### **Figure 1 about here**

To quantify network modularity, the force atlas layout was selected (Jacomy et al 2014, Noack 2009) and the Gephi Modularity Class Louvain algorithm was (Blondel et al 2008). Seventeen distinctive ‘hubs’ were detected within the network, each accounting for >1% of the total network traffic (Csermely 2008). The 3 largest of the hubs was connected to 14% of all unique users and accounted for nearly a third (31.93%) of all network activity during the MCA Call to Action. The vertices connected to these hubs formed sub-network clusters, with information exchange taking place mainly between other users within the same community of interest, as can be seen in Figure 1. These hubs may have provided for control and stability within the network through the Call to Action event (Fortunato 2010). Analysis of the user accounts for these influential vertices identified that 57% of the sub-network structure was clustered around the twitter user accounts of Principal Social Workers. Nearly half (44%) of the tweets shared by social workers within these clusters related to health promotion issues including poor diet (16%), alcohol consumption (12%) and smoking (5%). The social workers also related ideas of “unwise decision

making” to their experiences in driving too quickly and travelling with strangers (15%) or to extravagant spending decisions (18%). To further analyse these vertices, their centrality to the network as a whole was calculated.

There are several measures for calculating centrality of a given vertex to a network, careful selection is required to select a method which is appropriate to the context of the data collected. Weighted degree centrality is calculated by summing of the weights of the incident edges. For the network generated during the MCA Call to Action, weighted degree measured the number of interactions between each participant. Betweenness centrality (Freeman 1977) was also calculated. Betweenness centrality analyses how frequently a given vertex lies on short paths between other pairs of vertices, which indicates the potential for a given vertex to transfer information across the wider network. The significance of the betweenness centrality measure is that a vertex which appears on multiple short paths potentially could act as a broker within the network, ensuring efficient information flows between diverse parts of the network. The measure does not confirm that this transfer of information takes places however, rather centrally placed vertices detected with this measure have the *potential* to be highly influential within networked communities. For both centrality measures the same six vertices were identified as being the highest ranked for the network. Four of these centrally located vertices were user accounts were operated by Principal Social Workers.

## **Discussion**

The MCA Call to Action was conceived and designed by Principal Social Workers as an opportunity online practice development activity using the social media platform twitter. The Call to Action was framed in relation to critical social work traditions of human rights (Briskman 2013) by focusing on statutory principal 3 of the Mental Capacity Act 2005. As the first Call to Action devised by the national Principal Social Worker Network, it also provided the opportunity to examine the potential for twitter as a social medial platform to support Principal Social Workers in their practice leadership role. The finding from the social network analysis that Principal Social Workers acted as central vertices

during the MCA Call to Action was on reflection likely to have been predictable, given that this was an initiative designed and developed by the Principal Social Worker Network. However, the finding indicates that Principal Social Workers may be uniquely positioned to be 'active centre figures' (Gladwell 2000) influencing social work practice through their role in mediating relationships and creatively impacting on sense making processes across the wider network (Csermely 2008). The dominant social work discourse within the network clusters strongly connected to the Principal Social Workers suggested their reasoning associated unwise decisions resulting in exposure to damaging health and potential increases in levels of vulnerability. The potential implications for practice are that social workers who are prepared to positively and openly engage in a practice discussion about the nature of their reasoning in relation to the Mental Capacity Act 2005 frame their reasoning about statutory principle 3 with negative associations. This is an area which would benefit from further research to more fully understand the implications for practice and social work professional practice development.

The modular structure of the network indicates that a more accurate description of the phenomena may be that the MCA Call to Action generated the formation of several weakly connected online communities of interest, which stabilised the formation of the wider network structure (Csermely 2008). The collective interest within the weakly connected communities of interest was through the participants shared interest in the overarching theme of exploring ideas about rights based social work, the Mental Capacity Act 2005 and capacious, so called 'unwise', decision making. The open nature of the network structure and twitter, an open access platform, provided the opportunity to integrate voices from outside of the social work profession. Indeed, over a quarter (27%) of participants in the MCA Call to Action were found to be from other backgrounds, which included academics, parents and self-advocates. Analysis of the content of the tweets from people from backgrounds other than social work were more critical, in particular parents and self-advocates questioned the legitimacy of social workers to equate their "unwise" actions with the daily lived lives of people who experience the impact of social work decision making. Whilst these tweets were weak signals within the total content generated, they were

impactful in that the Principal Social Workers were connected into the tweets and responded to them. The implications that people who experience social work were unable to recognise social workers reflecting and challenging their values base would benefit from further analysis.

Kashtan & Alon (2005) argue that network structures which contain the degree of modularity observed within the network structure generated by the MCA Call to Action provide for an adaptive system which is able to respond and evolve to changing environmental contexts. They propose that modular network structures create the conditions for the development of network motifs, in particular multilayered feed-forward patterns (Cybenko 1989) which are transmitted across networks. Within a network, individuals who mediate and broker the flow of information exchanges between different sub-network communities may potentially act as 'creative elements' (Csermely 2008) mediating relationships, providing critical commentary and amplifying weak signals which provide for new insights. The very nature of weak links connecting creative elements within each sub-network may be the essential ingredient which enables the cultural adaptation and evolution which is observed in organisations and professions which survive rapidly changing environmental contexts (Schein 2004). The

## **Limitations**

Whilst efforts were made to distribute across the MCA Call to Action across the Adult PSW Network in England, the participants were a self-selecting group who were in the arguably privileged position of being aware of the existence of the PSW Network and having access to the technology (Manovich 2001) required to facilitate access to the Twitter social media platform. Caution must be exercised in extrapolating any wider implications from the MCA Call to Action as a social event and the findings from this analysis.

The social network analysis considered just one axis, tweet contributions to the MCA Call to Action, which will by nature have simplified sense of spatial distance between participants. Further, Gephi is not designed as an environment within which analysis of the complexity of multi-modal networks

can be undertaken. However, given the context of the MCA Call to Action, where a more complex humanistic analysis was not required, Gephi provided for a cost effective and sufficient solution. Further limitations with Gephi are that it uses the Louvain algorithm to detect modularity class within networks. There are limitations to detecting community structures with the Louvain algorithm, however Blondel (2008) argues these are consistent across all modularity optimization algorithms.

## **Conclusion and Implications for Practice**

Social Work as a profession has aims and ambition on an international scale (BASW 2014). The professional practice continuous professional learning environment is expanding at pace, facilitated by emerging new technologies and inexpensive-social media (Rautenbach & Black- Hughes 2012). The emerging environment presents social work practice leaders with a potential opportunity to shape and influence vertically and beyond making use of new forms of networked communities of practice. Through use of open access social media platforms, social work practitioners could potentially be linked into 'truly global' opportunities to exchange tacit and explicit knowledge and insight into innovations in practice (Rautenbach & Black- Hughes 2012).

Given the more complex multi-dimensional aspects of social work decision making and the inherent power asymmetries within case work social workers may benefit from developing networked communities of practice which incorporate voices from outside the profession to critically reflect on practice and decision making. Principal Social Workers, as professional practice leaders, have a significant role in supporting front line social workers and social work students to 'find their voice' (Briskman 2013) within such networked structures. The MCA Call to Action generated creative media content from front line social workers and social work students in the UK which suggests that that social media, in this instance Twitter, may provide platforms from which practice leaders could engage and amplify the voice of front line social work practitioners, and crucially others who have an interest in the outcomes from social work interventions. The findings support that further research is needed to examine how social media distribution channels may contribute to social work

professional practice development. The findings also suggest that social work leadership may benefit from an examination of the interactive nature of online communities of practice and how this might enable people who experience social work interventions to participate and engage in debate about the future direction of social work practice.

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**Table 1: Typology of Twitter user account from the Call to Action**

Type of Twitter User	N	%
Social Worker (including Principal Social Workers)	65	24%
Health and Social Care Professional	39	14%
Social Work Employers	56	21%
Higher Education Institution – Social Work Educator	12	4%
Other Individual	72	27%
Other Organisation	21	8%
Unknown	4	1%

**Figure 1: Network generated from the MCA Call to Action showing eight detected sub-network communities**

