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# The legitimacy and implications of inspection in social services organisations in Sweden

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## ABSTRACT

The use of inspection for the governance of human service organisations has increased. However, this type of organisations are hard to control since the tasks they have to perform are often complex and the results are hard to predict. This can be expected to have negative implications for the legitimacy and impact of inspection. The aim of this study is to contribute to an increased knowledge and understanding as to what legitimacy inspection has in social service organisations. In this case study the legitimacy of and adaption to the inspectorate's demands in two types of inspected social service organisations are investigated: organisations where individuals' needs for and rights to personal social services are investigated, assessed and decided (IAD), and organisations where treatment interventions are provided (TI). Altogether, 24 politicians, managers and social workers are interviewed. The study shows that the propriety of the inspectors' descriptions and judgements about the inspected service are questioned less in the IAD than the TI-organisations. Despite this, the results suggest that the social workers in the IAD-organisations are less involved in the development and implementation of the action plans intended to come to terms with the deficiencies identified than do their colleagues in the TI-organisations. The social workers and managers in the IAD-organisations also have less faith in the plans to solve the causes of the deficiencies identified and their mode of adaption is more ritualistic.

**Abbreviation** PSS: Personal social services, IAD: Investigation, assesment and decision making, TI: Treatment interventions, SSA: Social Services Act, NBHW: the National Board of Health and Welfare

## KEYWORDS

Social service; inspection; legitimacy; impact

## Introduction

Inspection is a policy instrument used by governments to check public services (Hood, James, and Scott 2000). Significant for the inspection is that services are checked and evaluated in relation to legal standards and rules (Bengtsson and Ek 2013). Also significant is that binding authority demands are used to enforce the actions of service providers should standards not be met or rules not be followed (Tillsynsutredningen 2004). Studies show that state use of inspection and similar control-based policy instruments for the governance of human service organisations has considerably increased (Hood, James, and Scott 2000; Ehren et al. 2013; Pålsson 2016; Hämborg, 2017). However, studies indicate that human service organisations including social services organisations are hard to control since the tasks they have to perform are often complex and their outcomes are often dependent on the unique relation between the professional and the individual (Greene 1999; Munro 2004).

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If an authority is regarded as legitimate, people will normally voluntarily comply with its demands (cf. Tyler 2001; Zelditch 2004; May 2004; Murphy, Tyler, and Curtis 2009). The impact from inspection can therefore be expected to be dependent on the legitimacy of inspection among actors within the inspected organisations. Despite that increased resources are being spent on the inspection of human service organisations, few studies can be found in which the challenges of the legitimacy of inspections of social services organisations has been given focus. This means that little is known about what legitimacy inspections have in these organisations or what implications inspections have in terms of how actors at different levels adapt to the inspectorate's demands. The studies that have been found show that managers and social workers in Western countries have mixed feelings about inspections and different modes of adaptation to the inspectorate's demands (Braithwaite et al. 1994; Furness 2009; Pålsson 2016). They find inspections to be threatening but also helpful in the sense that they get feedback and guidance from the inspectors. The studies also show that inspection has led to an increased amount of documentation and less time for personal interaction with the service users.

In this study, the legitimacy and impact of social services inspection in Swedish municipalities providing personal social services (PSS) are investigated. The municipality's responsibility to provide PSS includes an obligation for investigating, assessing, and making decisions about the legal rights of individuals in terms of PSS (hereafter referred to as IAD) and an obligation to provide treatment intervention for children, families, and adults facing different kinds of social problems (hereafter referred to as TI). IAD and TI are also two types of services where large resources are spent on inspections (Utredningen om tillsynen inom socialtjänsten 2007)

However, IAD and TI differs in regards of what type of tasks are to be solved and what types of service technologies are being used (Hasenfeld 1983). The IAD tasks are less complex in the sense that the results from the technologies being used in these services are more predictable and less dependent on the relationship between the service user and the social worker, than compared to TI services (Dornbusch and Scott 1975). The differences in complexity and predictability creates different conditions for control, and subsequently, for inspection. Within organisations dominated by less complex tasks and more predictable results predefined standards are more useful tools for inspection, compared to organisations where the solutions must be adjusted unique circumstances in each case (cf. Brante 2014).

How actors at different levels experience the inspection process and how they respond to the inspectorate's demands can be expected to be significant not only for the legitimacy of inspections, but also for how the organisations adapt to the inspectorate's demands and, subsequently, for the impact of the inspection. The overall aim of this study is therefore to contribute to increased knowledge and understanding as to what legitimacy inspection has in social services organisations, and what implications the complexity of the inspected service has for the legitimacy and the impact of inspection. The study poses four research questions:

- (1) What legitimacy does social services inspection have among politicians, managers, and social workers in organisations providing personal social services?
- (2) How do these organisations adapt to the demands of the inspectorate?
- (3) Can a impact on how the personal social services are provided be discerned from the inspection?
- (4) What implications does the complexity of the provided service have for how the social service organisations adapt to the inspectorate's demands?

The remaining sections of the paper begins with a description of the theoretical framework of the study. It is followed by a section where the organisation of the social services and the social services inspection in a Swedish context are described. In the subsequent section, the study design, methods, and material are presented. The paper concludes with a presentation of the results followed by a section where the conclusions of the study are discussed.

## Legitimacy and modes of adaption

To better understand why and how actors at different levels within social services organisations adapt to the inspectorate's demands in the way they do, theories about legitimacy processes and theories about modes of adaptations are used as a theoretical basis.

Theories on legitimacy processes explain how the legitimacy of authorities is constructed in hierarchical organisations. Legitimacy is a word which originates from the Latin meaning "accord with a rule" (Zelditch 2001). For research purposes, the concept was originally used to explain how people's willingness to voluntarily obey authorities creates political stability. Nowadays, the concept is used to explain how social order and stability are formed by the way in which people adapt to authorities in a broader sense (Zelditch 2001; Hegtvedt and Johnson 2009). Tyler (2001) defines legitimacy as being "the degree that people feel a personal obligation to follow social rules and to obey social authorities" (419).

Theories about legitimacy processes state that the legitimacy of a normative order is based on two dimensions: 1) the individual's view on the propriety of the order as such and 2) the individual's perception of whether the order is valid to others (Dornbusch and Scott 1975; Zelditch and Walker 2003; Walker 2004; Zelditch 2004). An order is viewed as being proper if it is accepted, supported, and regarded as desirable by the individual. How judgements are made is one aspect of particular importance to an individual's perception of an authority's propriety (Tyler 1997, 2001; Taylor 2003). An order is perceived as valid by the individual if the individual perceives the order to be accepted and followed by others. This means the order has to be both authorised and endorsed by other members of the organisation (Walker 2004). The order is authorised if "high-status actors attribute propriety to it or are otherwise perceived to support its provision" (Walker 2004, 246). Correspondingly, the order is endorsed if "lower-status actors attribute propriety to it or are otherwise perceived to support its provision" (Walker 2004, delite 246). One particular way of authorisation in the case of inspection is how the results from the inspection are used by high-status actors in an organisation to hold lower-status actors to account for the deficiencies identified (Day and Klein 1987).

Studies about how people adapt to normative orders show that the pattern of adaption is a rather contextual, complex, and diversified one (Merton 1968; Braithwaite 2003; Braithwaite, Makkai, and Braithwaite 2007). In studies of how managers at care homes in Western countries adapt to inspections, five motivational postures of the managers are identified (Braithwaite et al. 1994; Braithwaite, Makkai, and Braithwaite 2007). *Managerial accommodation* is a posture where the managers develop plans, accept responsibility for the implementation of the plans, and cooperate. *Capture* represents a posture where the managers are cooperative but unable to see any conflicting interests between themselves and the regulators. The *disengaged* postures are represented by managers expressing a mistrustful attitude towards the inspection. Here, the directors avoid their responsibility and offer the inspector minimal cooperation. The *resistant* managers also mistrust inspection, but in this case the managers have a confrontational approach. Finally, *ritualism* is, as a posture, where the managers take actions so as to avoid further involvement from the inspectorate rather than make real changes in the organisation (Braithwaite, Makkai, and Braithwaite 2007).

## Social services and social services inspection in a Swedish context

The responsibility of Swedish municipalities to provide social services to its citizens is regulated in the Social Services Act (SSA). Although social services are subject to government regulation, Swedish municipalities have a certain independence with regards to deciding how the social services shall be provided (Bergmark and Minas 2007; Strandberg 2003). The municipality's overall responsibility for the provision of social services lies with a political board in charge.

The chairman and the other members of the board are normally politicians in their spare time. Their responsibility includes making decisions about goals and funding for the social services.

The number of managers and social workers providing different types of PSS varies from municipality to municipality as a result of a number of factors, including the number of inhabitants within the municipality. The delivery of IAD services is mainly a daytime occupation, where social workers are responsible for working on a varying number of cases. Social workers in IAD units normally hold a university degree as professional social workers. However, staff turnover in these units is high (Tham 2008). The TI services are provided in either daycare units or institutions. In these institutions, social workers work around the clock. Compared to the IAD units, the level of education among social workers in institutional settings is lower (IVO 2013). The staff turnover in TI units is also lower.

The responsibility for the inspection of social services in Sweden has been reorganised a number of times. During the period of investigation in this study, the National Board of Health and Welfare (NBHW) was in charge of social services inspection. The inspection was organised into six regional departments. Inspections of IAD services are normally initiated as a result of complaints from service users. These inspections are mainly made by the inspectors applying for and inspecting the documentation in the municipality's case files. TI inspections are normally initiated by the inspectorate. In these inspections, site visits are mainly compulsory. In both types of inspections, the information gathered about the inspected services is compiled in an inspection report. The inspectorate's report is addressed directly to the board. If deficiencies are found during an inspection, the subsequent report includes a list of demands or measures that have to be taken. The board has an overall responsibility for the actions that are to be taken, whereas the responsibility for dealing with the operational matters are delegated to the professionals (cf. SKL 2012).

## Study design, methods, and material

This study was designed as a comparative case study (cf. Eisenhardt 1989). The strength of this design lies in that it makes it possible to identify casual chains explaining how common patterns can emerge in different cases (Patton 2002). This comparative case study was based on five inspection cases completed by the NBHW between 01/01/2012 and 23/10/2012. The cases were selected out of a total of 189 cases representing all inspection cases where deficiencies were identified and demands for action were made in municipality-run IADs or institutionally provided TIs. The selection of the cases was made for the purpose of maximising the differences (Patton 2002; Yin 2007; Larsson 2009). Within each category, the selection of cases was guided by finding inspections of services that were: 1) for different target groups, 2) handled by different inspectors in, if possible, different departments, and 3) run by different types of municipalities. Table 1 below summarises the five sampled cases.

The data material consisted of the NBHW's inspection reports, the municipalities' action plans, and altogether 24 interviews conducted with politicians, managers, and social workers involved in the five inspections. The inspection reports included the following: a description of the inspected service findings, the inspectorate's judgement on the inspected service, and demands with regards to actions to be taken. The municipalities' action plans contained declarations about what actions would be taken as a result of the NBHW's demands. The interviews were semi-structured (Kvale and Brinkman 2009) and followed a manual covering five themes: (1) previous experiences with inspections, (2) character of the inspected service, (3) the inspection process, (4) actions taken after the inspection, and (5) accountability and sanctions. Each interview lasted one to 2½ hours. The interviews were taped and typed up verbatim.

The interview material was analysed using qualitative content analysis where the contextual meaning of the text was the focus (Hsieh and Shannon 2005). In the analysis, statements relating to the concepts 'legitimacy' and 'actions taken' were highlighted. The concept legitimacy was

**Table 1.** The five selected cases.

Type of service and case	The service's target group	The NBHW department	Type of municipality	Type and number of informants
IAD Case A	Adolescents' needs and rights: social services	Dep. 1	About 14 000 inhabitants	1 politician 2 managers 1 social worker
IAD Case B	Adults' needs and rights: drug addiction treatment	Dep. 2	More than one million inhabitants	1 politician 2 managers 2 social workers
TI Case C	Adults with drug addiction	Dep. 3	About 25 000 inhabitants	1 politician 1 manager 3 social workers
TI Case D	Adolescents with early drug addiction or criminality	Dep. 3	About 32 000 inhabitants	1 politician 2 managers 2 social workers
TI Case E	Neglected children and their parents	Dep. 4	About 37 000 inhabitants	1 politician 2 managers 2 social workers

Note: Investigation, assessment, and decision-making (IAD), Treatment intervention (TI)

operationalised and coded in relation to the two theoretical categories 'propriety' and 'validity'. The analysis of all material was conducted at two levels. One analysis was made at the hierarchical level of the social services organisation, The other analysis was conducted at the level of type of inspected service.

## Results

In this chapter, the NBHW's demands for action and the municipalities' actions to be taken in the five cases are presented. This is followed by a presentation of the informants' perception of the propriety and the validity of inspection, completed by a description of the informant's experiences of the actions taken and summarised in terms of the organisations' modes of adaption.

### *The NBHW's demands and the municipalities' action plans*

The NBHW's reports in the five sampled cases include explicit demands with regards to actions to be taken. In each case the municipalities respond to the NBHW's reports by making declarations about what actions will be taken as a result of the inspection. In Table 2 below, the NBHW's demands for action and the municipalities' planned actions in the five sampled cases are summarised.

Table 2 shows that most of the NBHW's demands concern the way in which the work is documented. Most of the municipalities' planned actions concern the development of new or revision of existing practices, and the provision of information to or education for the social workers.

### *The propriety of inspection*

The results from the study show that the informant's opinions of the propriety of inspection are based on their perception of the propriety of inspection as a policy instrument in general and their perception of the propriety of the inspection process.

### *The perception of the propriety of inspection as a policy instrument*

All informants in the study regard inspection as a natural part of the democratic process and perceive inspection as a policy instrument aimed at ensuring that the national laws and regulations are implemented.

**Table 2.** The NBHW's demands for action and the municipalities' actions to be taken in the five cases.

	Case A	Case B	Case C	Case D	Case E
The NBHW's demands for action	<p>The board shall insure that: <i>reports, investigations and the processing of the social services case is made in accordance with legislative rules</i></p> <p>the social workers are informed about their responsibility to report deficiencies in the social services</p>	<p>the social services cases are <i>documented and dealt with in accordance with legislative rules</i></p>	<p>the social services cases are <i>documented and dealt with in accordance with legislative rules</i></p> <p>Practices related to how to prevent and discover deficiencies in social services are improved</p>	<p>urine and exhalation tests are not forced upon adolescents</p> <p>the inspected service is staffed around the clock</p>	<p>the parents' acceptance of the <i>treatment plan is documented in accordance with legislative rules</i></p>
The municipalities' planned actions	<p><i>New practices will be developed</i></p> <p><i>Checks will be made to see that the new practices are followed</i></p> <p>The social workers will be <i>informed and educated</i></p>	<p><i>Supervision of the social workers will be increased</i></p> <p>Increase in <i>checks of how existing practices are followed</i></p> <p>The social workers will be <i>informed and educated</i></p>	<p><i>New practices will be developed</i></p> <p><i>Existing practices and manuals will be revised</i></p> <p>The social workers will be <i>informed and educated</i></p> <p>A software documentation program will be purchased and implemented</p>	<p><i>Existing policy documents will be revised</i></p> <p>Compulsory exhalation tests will not be used</p> <p>The social workers will be <i>informed and educated</i></p> <p>The inspected institution will be staffed around the clock</p>	<p><i>Existing practices will be revised</i></p>



I think it is reasonable that a controlling body of the municipal function exists. Definitely. Its management should [...] be at a state level. (IAD- manager 1, case A)

Informants at all three levels accept an obligation to meet with the inspectorate's demands.

There was never any discussion about disagreeing with the NBHW. [...] I do respect it, even though I might not like it. (Politician, case D)

Although all the politicians interviewed accept inspection as being part of the democratic process, some of them criticise the government for using inspections to force the municipalities into taking costly actions. The managers and social workers do not regard this as a problem. On the contrary, they perceive inspections as being a potential protection against the far-reaching cuts made by local politicians'.

In difficult times, when there is a lack of funding, perhaps [the municipality] could have reduced spending even more without management. (IAD-manager 2, case A)

However, the actors at all three levels agree that inspection has become too control-oriented and a repressive policy instrument. Inspection has mainly become a matter of 'finding deficiencies [and not a matter of] providing knowledge and help, and giving good advice' (TI- manager 1, case C). The perception that inspections are repressive is confirmed by the results showing that there is a fear of the inspectorate's sanctions in the investigated organisations.

You hear about [TI:s] being closed down. I did not expect that to happen, but I thought, how on earth do I solve the problem? (TI -manager 1, case D).

However, there is less fear of the sanctions in the IAD organisations.

I don't think the threats [about penalty fees] make any difference. I do not even believe that there is any thought given to them (IAD-manager 2, case B).

### ***The propriety of the inspection process***

Although there is an agreement between the informants that inspection is a natural part of the democratic process, there are different opinions about the relevance and the propriety of the inspection process among the investigated IAD and TI organisations.

***IAD organisations.*** In the IAD organisations, the inspectors' descriptions and judgements about the inspected service are mainly regarded as being accurate.

Overall it was an accurate [description]. (IAD-social worker 1, case E)

The aspects that are given focus in the reports are also regarded as being of significance for the quality of the inspected service. However, according to the managers and social workers in both IAD organisations, a shortage in staff and a high staff turnover are regarded as the main reasons for why the deficiencies identified occurred. This information was also given to the inspectors by the informants.

I think I mentioned [the workload] three or four times and said that there were problems in this area. My impression was that they were not interested in what I had to say. (IAD-social worker 1, case B)

Although the inspectors are informed about these problems, issues concerning staffing are not discussed to any extent in either of the inspection reports in the two investigated IAD cases. Nor are any specific demands concerning staffing formulated.

***TI organisations.*** In the investigated TI organisations, the propriety of the descriptions and judgements made by the inspectors, as well as the relevance of the focused aspects, is questioned more openly by the managers and social workers interviewed. However, this questioning does not concern how the treatment work is documented. These descriptions and judgements are regarded



as proper. The questioning of the propriety mainly concerns the descriptions of and judgements about how the provision of treatment is provided. Here, several managers criticise the inspection reports for containing too little and poorly detailed information. One explanation given by the informants for this lack of information is that the inspectors do not have the necessary knowledge for gathering relevant information about and making judgements on this aspect.

I think this [lack of interest] is due to the fact that [the inspectors] themselves have never spent one second in this area. [...] How do you uphold continuity in the delivery of treatment? What happens when treatment is interrupted? (TI-manager 1, case C)

The propriety of the inspection process is most clearly questioned in case D, where TI for adolescents with drug addiction or criminality is provided. The inspectors' description and judgements in this case relate mainly to two rather specific questions, namely: 1) under what circumstances are social workers permitted to test an adolescent for using drugs?; and 2) under what circumstances are the social workers permitted to enter the room of an adolescent? In this case, informants at all three levels agree that the inspectors' descriptions of and judgements on the TI in the report are inaccurate. In this case, the inspectors are criticised for not providing a fair description of the inspected service and for making biased judgements.

We didn't believe what they had written was accurate. It had become a negative interpretation of our comments. (TI-manager 2, case D).

The inspectors are also criticised for not making balanced judgement in relation to contradictory legal demands made on the social services organisations, those being that the organisations have an obligation both to prevent adolescents from using drugs as well as to ensure that their human rights are not violated.

We must look after them. Just think if somebody were to die while lying there sleeping after taking something [...] There's a lot of responsibility involved when it comes to the health of adolescents. (TI-manager 1, case D)

In this case, it is the opinion of the informants that the inspectors' judgements are too focused on their responsibility to protect human rights at the cost of their responsibility to protect adolescents' health. A similar conflict between child protection and the civil rights of parents is apparent in case E.

### ***The validation of the inspection process***

The study shows that the informants contribute validity to the inspection process in the way they are involved in the analysis of the inspection report, and in the development, the decision-making, and the implementation of the municipality's action plan.

### ***The politicians***

The interviewed politicians' contribution to the validity of the inspection process is mainly related to their taking part in the decision-making about the action plan. Normally, the draft of the action plan is presented to the politicians by the managers at the board meeting. At the meeting, the politicians decide whether the plan can be approved or not. During this meeting, the politicians can ask the managers about the content of the inspection report and the action plan. However, the plans seldom give rise to any detailed questions or discussion on the board. The plans are normally approved without any adjustments. One explanation as to why detailed discussions about the report and action plans are seldom held is that the politicians do not consider themselves to have the necessary knowledge.

They [the managers] are professionals. [...]. I mean, we are only politicians in our spare time. [...] It is completely impossible for us to be involved in all the details (Politician, case A).

Apart from them attributing propriety to the inspection process through their decision-making, politicians, as well as managers, can attribute propriety to inspection by holding individuals at lower hierarchal levels to account for the deficiencies identified. However, the results from the study show that the idea of holding others to account for deficiencies identified in the reports is remote to both the politicians and the managers interviewed in both types of organisations. One explanation as to why the inspection results are not used by politicians for requiring political accountability is that the aspects being checked in organisations providing PSS are not seen to be political matters.

[The inspection] concerns individuals. We avoid involving politics. I think that's why the inspection results are not seen to be political matters. (Politician, case B)

### *The managers and social workers*

The results from the study show that managers and social workers contribute to the validity of the inspection process through their involvement in the analysis of the inspection report and through participation in the development and the implementation of the action plan.

*The IAD organisations.* Although the relevance and propriety of the inspection process are less questioned by informants in the IAD organisations, the managers and the social workers in the IAD organisations are less involved in the development and implementation of the action plans compared to the managers and the social workers in the TI organisations. This difference is most apparent in case A, where IAD services about an adolescent's right to social services are inspected. In this case, neither the manager nor the social workers in the inspected unit knew that the inspection had taken place until they were contacted by the researcher in this study. In this case, a manager of another unit received the inspection report, and developed and presented the municipality's action plan to the board. Common to the managers interviewed in both IAD organisations is the fact that they express doubts about the actions presented in the action plans: the development of practices, increased checks, information to, and training of the social workers will resolve the identified deficiencies. The main reason for this is that they do not think the identified deficiencies are caused by a failure in practices or inadequate knowledge on the part of the social workers. Their explanation is that the deficiencies are mainly caused by low staffing and high staff turnover. The explanation as to why the managers develop plans that do not include activities addressing the staffing problems is that they do not believe such plans will be accepted by the managers at higher levels or by the politicians. Plans, including such activities, will simply be too costly.

Somewhere, there is a budget that we must work within. [...] We receive poor funding, but still we are expected to pretend that we can make ends meet. (IAD-manager 2, case B)

The social workers interviewed in the IAD organisations are also aware of the budget restrictions and the managers' lack of confidence in the effectiveness of the action plans. They also have the impression that the NBHW's demands are not always taken seriously by their superiors.

I took the failings seriously. My boss and I were not completely in agreement on one point. She felt that I should have fewer demands. (IAD-social worker, case A)

*The TI organisations.* Although the relevance and the propriety of the inspectors' descriptions and judgements are questioned more in the TI organisations, the managers in these organisations to a larger extent involve the social workers in the analysis of the report and in the development and the implementation of the action plan. "The entire staff is involved [...] we create drafts and make suggestions (TI-manager 2, case C). By involving the social workers in both the analysis of the report as well as the development and implementation of the action plan, the social workers gained a greater understanding of the inspectorates' demands and planned actions. One reason as

to why the managers involve the social workers is because in that way, the treatment provided in the unit includes the social workers as a collective.

We realised we had to change the way we worked and discussed how we could handle the situation differently (TI-manager 1, case D).

### ***Actions taken and the organisations' modes of adaption***

As well as the differences in how the inspection reports are handled between the investigated IAD and TI organisations, the study reveals a difference between two types of organisations in terms of how they adapt to the demands made by the inspectorate.

#### ***The IAD organisations***

The managers and social workers in the IAD organisations who were interviewed find it difficult to discern any actions that result from the inspectorate's demands 'To be honest, I cannot see any changes that resulted from the inspection' (IAD-social worker 1, case A). The managers have a slightly more positive view on this matter. Although they also have difficulties identifying actions taken as a result of the inspection, they believe that the inspection will have a conducive effect on the social workers' awareness of the law and rules, and the way in which they have to be followed. "The social workers know they have to follow the rules, otherwise the NBHW will turn up" (IAD manager 2, case B). However, the informants' limited involvement in the handling of the inspection report, their lack of confidence in the action plans, and the difficulties they have discerning any impact from the inspection indicate a rather *ritualistic* mode of adaption in terms of the inspection in the investigated IAD cases.

#### ***The TI organisations***

In the investigated TI organisations, the inspection is felt to have both a positive and negative impact on the service. In case C, where treatment for adults with drug addiction is provided, the TI has become more individualised. The development of new routines also might have contributed to a greater awareness of the situation for female inmates.

Perhaps you act differently when it comes to women. It is a case of zero tolerance. No men are allowed [in the women's unit]. (TI-social worker 4, case C)

In case D, where TI for adolescents is provided and in case E, where treatment for neglected children and their parents is provided, the inspections have contributed to an increased awareness of conflicting regulatory demands on the organisation. Both the managers and the social workers in these two cases feel that the inspectors put more focus on respect for the individual's civil rights than they do on child protection. This is particularly apparent in case D. Here the managers and the social workers adjusted the provision of the treatment intervention in accordance with the inspectorate's demands, although their experience is that these changes have limited their ability to protect the adolescents from using drugs. In case E, the manager made the decision that families under no circumstances can be admitted to the institution until a treatment plan is signed by the legal guardian. Measures to check that this decision is followed are also enforced. Altogether, the managers' and the social workers' greater involvement in the handling of the inspection reports, their trust in the action plans and the fact that changes will actually be made that will affect the provision of services indicate that there is a more *accommodative* mode of adaption in terms of inspection in the investigated TI organisations. In terms of case D, the willingness to comply with the inspectorate's demands also leads to what can be described as a submissive mode of adaption. In this case changes are made that both the managers and the social workers feel have negative effects on their ability to protect and help the adolescents.

## Conclusions

The overall aim of this study was to increase knowledge and understanding as to what legitimacy inspection has in social services organisations, and as to what implications the complexity of the inspected service has for the legitimacy and the impact of inspection. In the study, the legitimacy processes, modes of adaption, and impact of inspection in two types of organisations were studied: organisations that investigate, assess, and make decisions about the needs and rights of the individual in terms of social services (IAD) and organisations providing treatment intervention (TI).

The results from the study show that the interviewed politicians, managers, and social workers accept inspection in general. Despite this, the study shows that they are also critical of inspection for being a policy instrument that is too control-oriented and repressive. The results also show that the managers and the social workers have better insight into the inspection process itself and are therefore more able to judge its propriety than the politicians are able to do. The study reveals that the propriety of the inspectors' descriptions and judgements is rarely questioned by the managers and social workers in the investigated IAD organisations. However, in the TI organisations, the propriety of the inspectors' descriptions and judgements about how the provision of treatment is actually organised is more commonly questioned, whereas judgements about the documentation are not questioned. This indicates that the questioning of the propriety in the investigated TI organisations mainly concerns descriptions and judgements about less concrete and more complex aspects of the social work.

The results also show that there are a number of ways in which inspections are validated by the social services organisations. One kind of validation is the politicians' involvement in decision-making related to the plans. However, the politicians' authorisation of the inspection process is partly undermined by the fact that their insight into and knowledge about the inspected service are rather limited. The politicians' authorisation in terms of inspection can therefore be described as ceremonial rather than substantial.

The managers authorise the inspection by involving the social workers in the development and implementation of the action plan. The social workers on the other hand endorse the inspection through their participation in this process. Despite the TI managers' greater questioning of the relevance and propriety of the judgements in the reports, the results suggest that these managers involve the social workers in the development and implementation of the action plans to a higher extent than do the managers in the IAD organisations. One possible explanation as to why social workers in the IAD organisation become less involved is that the managers in the IAD organisations face contradictory demands. The inspectors' demand that the rules be followed and the politicians demand that the budget be kept to. This places the managers in a position in which they have to make a choice: either they develop plans that include activities that will raise costs in order, for example, to increase the number of staff, or they develop plans that have limited effects on the costs but that are also less effective when it comes to the cause of the deficiencies. However, the action plans in the investigated IAD organisations include only less expensive measures. This indicates that the politicians' demands outweigh the managers' opinions about what actions are needed to address the identified deficiencies. In this situation, there is no real point for the managers to involve already overloaded social workers in the development and implementation of plans that they do not believe will solve the basic causes of the identified deficiencies. The result of the managers' compliance to the politicians' demands in terms of keeping within budget leads to a mainly ritualistic mode of adaption to the inspectorate's demands in the IAD organisations. However, the ritualistic mode is not only restricted to the IAD organisations; rather, it is also noticeable in the inspectorate, where the inspectors accept plans that they have good reason to believe will not actually serve to address the deficiencies identified.

In the TI organisations, it is more apparent that the managers authorise the inspection by involving social workers in the development and implementation of the action plans. This is also

the case with the social workers' endorsement of the process itself. However, the criticism of the propriety of the inspectors' judgements in one of the investigated TI organisations undermined the validity and subsequently the legitimacy of the inspection in that particular case. The overall impression from the interviews, however, is that the managers and the social workers in the TI organisations have faith in the action plan to solve the basic causes of the identified deficiencies to a larger extent than do their colleagues in the IAD organisations.

The differing modes of adaption that characterise the IAD and TI organisations have implications for the impact of inspection. In the investigated IAD organisations, the impact of inspection on how the social workers solve their tasks is rather limited, whereas the impact is more pronounced in the TI organisations. According to the managers and social workers, the impact on the TI organisations is both positive and negative. A positive impact of an inspection on the investigated cases is that the managers and social workers become more knowledgeable about regulations. A negative impact of inspections is that the social workers feel that the NBHW's prohibition in terms of the use of compulsory drug tests in the inspected service limits their ability to support and protect the youths.

What implications does the complexity of the inspected service have for the legitimacy and the impact of inspection? This study suggests that the complexity of the tasks has implications for how the managers and social workers perceive the propriety of the inspection process. The propriety of the inspectorate's descriptions and judgements about concrete and observable aspects in IAD organisations and TI organisations is seldom questioned. However, the relevance and propriety of the inspectorate's descriptions of and judgements about more complex aspects, such as how the provision of treatment should be organised, is questioned to a much greater extent.

Despite the fact that the propriety of the inspection process is questioned more in the TI organisations, the inspection process is to a larger extent validated in these organisations. This indicates that there are other factors than the complexity of the inspected service and the propriety of the inspectors' judgements that affect the validity of inspection. In the IAD organisations, contradictory demands from local politicians seem to have a negative effect on validation of the inspection process, on the mode of adaption of the social services organisations, and – in the longer term – on the impact of inspection. In the TI organisations, there seem to be other factors that have a positive impact on the validation of the inspection process, the modes of adaption, and the impact of inspection. One factor that could have a positive impact on the validation relates to the organisation of the social work. The work duties in TI organisations are mainly performed by the social workers as a collective, whereas the work duties in the IAD organisations are mainly performed by one single social worker who is responsible for a specific case. The collective form of the work duties also stresses the fact that the inspection report is a collective matter. Another factor that also seems to have a positive effect on the validity of the inspections is that the managers and social workers in the TI organisations tend to have a greater fear of the inspectorate's sanctions than do those in the IAD organisations. This fear has the effect of increasing motivation on the part of the managers and the social workers when it comes to meeting with the inspectorate's demands, even in situations when they severely question the propriety of the inspectors' judgements. This is illustrated by case D in this study: here, the managers' and social workers' mode of adaption goes beyond being accommodative towards becoming submissive in the sense that they comply to demands they consider to be inaccurate and inappropriate.

Altogether the results from the study indicate that the complexity of the inspected social service is a factor that has implications for how the propriety of the inspection process is perceived. Yet the complexity seems to be of less importance for how the inspection process is validated. The study suggests that there are other factors such as financial demands and fear of sanctions that hold greater importance in terms of validity. As expected, the results indicate that the legitimacy of the inspection process is important to how social services adapt to the demands of the inspectorate and subsequently the impact that the inspection has. By investigating the propriety and validity of the inspection process separately, this study shows that the balance between these

two dimensions of legitimacy is a factor that most likely has implications as to which mode the organisation applies. However, to confirm this finding and to further explore the suggested relationship, there is a need for further research on this issue.

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