



**GRADUATE CERTIFICATE in Consolidation
of Social Work Practice
LEVEL 6 - 60 Credits
BMPPF6044**

**LEARNER PORTFOLIO
(PORTH AGORED and UNIVERSITY OF WALES
TRINITY SAINT DAVID)**

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Task 4

Safeguarding in an area which is not your main area of work

Guidance:

*Social Care Wales require newly qualified social workers to provide evidence of their understanding of safeguarding work with adults and children. The assignment below will enable you to demonstrate this. **N.B.** if your usual area of work is with children please write about adult safeguarding. If you usually work with adults, then write about child safeguarding. Ensure you meet the learning outcomes for this task (see appendix 5 of the handbook).*

Question a:

In an area **that is not your main focus of work** (see guidance above), explain the relevant legislation, and the national, local and organisational policies and procedures for safeguarding.

As a social worker working within children's services, it is crucial for me to have an understanding of the safeguarding procedures and legislation that underpins other areas of social work, in particular, Adult Safeguarding. In order to ascertain the support needs of the families I work with, having that understanding can help me to consider the needs of the whole family, and ensure that the needs of the families are met in accordance with the legal framework in which I operate, namely the Social Services and Wellbeing (Wales) Act 2014. As a practising social worker in Wales, I hold a duty of care to both adults and children and so an understanding of the relevant legislation, national, local and organisational policies and procedures is imperative to ensuring that I can correctly identify and address any arising issues.

The SSWBWA (2014) is the key piece of legislation that underpins social work in Wales and covers both children's and adult services. The Wales Safeguarding Procedures (2019) are what are used for the specific purpose of safeguarding and incorporates both children and adult safeguarding. The Wales Safeguarding Procedures assists practitioners to apply part 7 of the Social Services and Wellbeing (Wales) Act 2014, which specifically covers safeguarding. Social workers should refer to the relevant volumes of the statutory guidance 'Working together to safeguard people' (Welsh Government, 2022). Prior to this, adults and children's safeguarding policies differed in that adult safeguarding followed the Wales Interim Policy & Procedures for the Protection of Vulnerable Adults from Abuse (2013) and the All Wales Child Protection Procedures (2008) were in place to consider the safeguarding of children. The implementation of the WSP (2019) incorporated the two which in turn has given social workers in Wales one point of reference when considering safeguarding.

When considering safeguarding, the Mental Capacity Act (2005) will also need to be considered within a safeguarding context. The Mental Capacity Act applies to individuals who are deemed to lack capacity to make decisions. However, it is important to note that when working within a safeguarding context, whilst a person's mental capacity should be

considered, it should not be assumed that someone lacks capacity if they make decisions others deem to be unwise.

Section 126 of the SSWB(W)A places a duty on Local Authorities to investigate if there is reason to believe an adult is at risk of harm. In some cases, the Local Authority can make an application to the Court for an Adult Protection and Support Order under Section 127 of the SSWBWA. This allows Local Authorities to speak in private with a person suspected of being an adult at risk, and enables the assessment to be carried out to consider whether an adult is making decisions freely and if any action needs to be taken.

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Word Count: 463

500 words (+/- 10%: include your actual word count at the end of each section).

Question b:

Reflect on the difference between safeguarding in adults' and children's work

The key differences between safeguarding in adult services and children's is the issue around consent and capacity. The Social Services and Wellbeing (Wales) Act (2014) is the key piece of legislation that underpins social work in Wales, and places a duty on Local Authorities to investigate all safeguarding concerns, for both adults and children.

Within Children's services, Section 47 of the Children Act (CA, 1989) places a duty on the Local Authority to investigate if there any concerns that a child has suffered, or is at significant risk of suffering harm. The issue around consent and capacity is not considered in these cases. The law states clearly that the LA can take the necessary steps to safeguard children from harm, whereas in adult services, if a person is deemed to have capacity then the Local Authority do not have the same powers to intervene. Adults have the right to decline assessments and refuse to give their consent whereas in Children's services, consent is not required if there are safeguarding concerns. This is supported by the CA 1989 which states the 'welfare of the child is paramount'. Article 3 of the United Nations Convention Rights of the Child, also states the best interests of the child must be the priority to all decisions made that affect the child.

In terms of capacity, it is considered that adults are allowed to make decisions deemed as unwise, as long as it is recognised that they have the capacity to do so. The Mental Capacity Act (2005) is the key piece of legislation that supports this and recognises that as long as adults have mental capacity, they can make decisions for themselves, however risky this may be. If an assessment is carried out and an adult is deemed to lack capacity, then a best

interests decision (MCA 2005) can be made on behalf of the adult. In addition, adults also have the right to self-determination, meaning that they may be identified as being at risk however may choose to remain in the situation and not engage in support.

To summarise, the key differences between safeguarding in adult's and children's services are consent and capacity. Adults are able to make unwise decisions and live their lives as they wish, whilst the Local Authority can make attempts to intervene ultimately adults remain in control of their decisions, unless capacity is in question, in which case a capacity assessment should be undertaken. In children's services, it is imperative they are safeguarded from abuse and in these cases, Local Authorities can make decisions and take action in order to ensure children are safeguarded.

Word Count: 434

400 words (+/- 10%: include your actual word count at the end of each section).