



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

**LEARNER PORTFOLIO
(PORTH AGORED and UNIVERSITY OF WALES
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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.

This section will be looking at safeguarding children and the procedures. A key legislation in safeguarding children is the Social Services and Wellbeing (Wales) Act (2014) (SSWBA) and s130 (4) of the SSWBA (2014) defines what a child at risk is and whether further investigation is needed. The Children Act (1989, 2004) (CA) is another legislation that underpins children safeguarding, although the SSWBA (2014) has taken over some parts of the CA there are still aspects of the CA practitioners need to follow. The introduction of the Wales Safeguarding Procedure (2019) (WSP) instructs practitioners of the process to follow including the SSWBA and the CA but focuses on the child being central to safeguarding concerns and that and preventing harm in key. XXX Safeguarding board main objectives when safeguarding children is to 'Protect' and 'Prevent' risk of harm and to make 'Safeguarding everybody's business.

Under part 7 of the SSWBA relevant partners have a duty to report a child at risk of harm, abuse, neglect or other harm to the local authority and if they feel that there is a significant risk then they have to act on the information and arrange a strategy meeting. Local Authority will have to do some investigation on every referral even if it doesn't end in statutory investigation (Brammer, 2015) If there are concerns and evidence of a child suffering then a decision will be made to complete an s47 under the CA (1989) to investigate any potential suffering or potential of significant harm and if the child has any care and support needs. Underpinning the two Acts stated above is the Wales is Working Together to Safeguard People – Volume 5: Handling individual cases to protect children at risk (Gov.wales, 2017), as it gives the details of what guidance practitioners must follow.

The local authority take the lead on an s47 CA investigation other agencies such as police, health and education also have a duty to support with information sharing and working collaboratively to safeguard the child. Depending on the outcome of the assessment it could mean a further assessment of the child's needs in line with SSWBA but a child can decline an assessment as stated in s23 of SSWBA. If the professional felt as though the child was in immediate danger they could apply to the court for child to be removed for Emergency

Protection Order s44 CA 1989, and then look for suitable accommodation under s76 SSWBA.

The United Nations Conventions on The Rights of the Child (1989) UNCRC underpins the SSWBA (2014) and is imbedded in the act under s7 and also gives a definition of a child. There are 54 articles in the UNCRC with different points about the child's rights with article 13 specifically stating about a child right to be safe from any violence.

In 2022 The Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020 came into force. The purpose of this act is to protect children's rights and prohibit physical punishment and if caught could result in a criminal investigation against the parent. (gov.wales, 2023)

Word Count: 511

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

Adult and children safeguarding are both underpinned by the Social Services and Wellbeing (Wales) Act (SSWBA) 2014 and the Wales Safeguarding Procedure (WSP) 2019 and are very similar in their frameworks but there are some differences. There are different legislations that need to be taken into account for both adults and children. The XXX Safeguarding Board (2020) states that it is everybody's business and the categories of abuse for children and adults are very similar.

A big difference between adults and children safeguarding is that an adult is able to make an unwise decision if they want to and can refuse a safeguarding report. If they don't want the safeguarding procedure to continue they can ignore all advice given and continue to make unwise decisions (xxx Safeguarding board 2020). There has to be consideration about an individual's Mental Capacity which applies to anyone 16 year old and over and a professional has to always assume capacity unless there is reasonable doubt about their capacity in line with The Mental Capacity Act (MCA) (2005). If there is doubt about an adult's capacity and there is an impairment of the mind or brain a mental capacity assessment will be undertaken ensuring that the adult has every opportunity to understand and engage in the process. Depending on the outcome of the capacity assessment if they don't have

capacity the local authority will arrange a best interest meeting with all the relevant professionals and people involved.

In the case of a child under 16 years old the law doesn't presume that they have capacity but professionals have to gain their thoughts, views and feelings on their situation in a person centred way (Trust, 2020). Professionals have to be satisfied that the child is able to make an informed decision and the parents have capacity and there is no risk of harm or neglect to the child. The local authority has a duty to protect a child who is suspected to be in danger of harm or neglect under the CA 1989. Article 12 of the UNCRC clearly states the right of the child to be free from violence and that the local authority has a duty to protect them. There are some differences between children and adult safeguarding processes; the key similarity is that both their voice are important in any decisions being made. In adults consent is important in most safeguarding investigation cases but with children investigation is key with duty to protect.

Word Count: 410

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