



**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.

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

As a practitioner predominantly working within adult services, I will focus on children's safeguarding for this task, as this is not my main area of work. Social workers are responsible for their decisions and must justify their processes by referencing relevant legislation. In children's services, the key piece of national legislation is the *Children Act 1989* (CA 1989), which is guided by the principle of promoting "least state intervention," emphasising a child-centred approach and safeguarding children's rights.

The CA 1989 establishes that children have the right to express their views on matters affecting them. This entitlement is reinforced by Article 12 of the United Nations Convention on the Rights of the Child (UNCRC, 1989) and is a crucial component of the "welfare checklist" in Section 1(3) of the CA 1989, particularly in court cases involving potential significant harm.

For practitioners working in Wales, the legislative framework is governed by Part 7 of the Social Services and Well-being (Wales) Act 2014 (SSWBA 2014), particularly s.130, which concerns children at risk. This legislation, in conjunction with the CA 1989, upholds children's rights and voices. Alongside the UNCRC, these statutes empower children to express their views and maintain agency in decisions affecting them. A key challenge is balancing parental

rights with the child's welfare, as family life is generally viewed as beneficial, yet safeguarding the child remains paramount.

Statutory guidance, including *Working Together to Safeguard People: Volume 5 – Handling Individual Cases to Protect Children at Risk* (Welsh Government, 2018), the *Wales Safeguarding Procedures* (Welsh Government, 2019), and the *Practice Guidance Wales: Safeguarding Procedures and Practice Guides* (Welsh Government, 2019), provides essential direction for social workers. Local Safeguarding Children Boards, such as Cysur in South West Wales, play a pivotal role in coordinating multi-agency safeguarding, ensuring that policies are applied consistently, risks are managed effectively, and children's welfare remains central.

Section 47 of the CA 1989 imposes a duty on local authorities to investigate where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Statutory discussions between social services and law enforcement facilitate information sharing, and if concerns meet the necessary threshold, an investigation is initiated collaboratively. The CA 1989 welfare checklist guides practitioners in identifying children at risk of harm, neglect, or abuse. Where immediate safety concerns exist and cannot be resolved through negotiation, local authorities may seek a court order under Section 44(1), after exploring all available alternatives.

High-profile cases, such as 'Baby P,' exposed critical failings in child protection, prompting reforms that prioritise child welfare over parental rights, emphasise multi-agency collaboration, and strengthen risk assessment and information sharing. Consequently, the UK government published *Working Together to Safeguard Children* (HM Government, 2023), reinforcing the need for coordinated approaches and collaboration across all agencies involved in child protection.

Collectively, these legislative frameworks, statutory guidance documents, and multi-agency structures equip practitioners in Wales to make informed, rights-based safeguarding decisions while balancing the needs, wishes, and protection of children.

Word count 493

Question b:

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

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

There are several key differences between adult and child safeguarding, shaped by distinct legislative frameworks and underpinning principles. In children's services, statutory guidance sets out clear legal timeframes for interventions—such as initial assessments and strategy discussions—to ensure prompt protection (HM Government, 2018). In contrast, adult safeguarding is guided by broader principles, with no fixed timescales, and places greater emphasis on autonomy and informed choice. Adults who have capacity hold the legal right to make decisions about their own lives, even when those decisions may be considered unwise (Department for Constitutional Affairs, 2007). Children, however, are deemed to require a more protective approach, where safety takes precedence over choice.

Nonetheless, the child's views remain central to safeguarding practice. Listening to the child's voice is embedded in both law and policy, even when their wishes may conflict with the need for protection. Social workers must therefore exercise professional judgement, drawing on legal frameworks, ethics, and risk assessment to balance competing priorities. Under the Social Services and Well-being (Wales) Act 2014 s.20, local authorities have a duty to intervene where an adult is at risk of abuse or neglect, even without consent, if statutory criteria are met (Welsh Government, 2014, s.126). Where an adult lacks capacity, the Mental Capacity Act 2005 (MCA 2005) provides the framework for acting in their best interests. The Act sets out key principles, including the presumption of capacity and the duty to support individuals to make their own decisions wherever possible (Department for Constitutional Affairs, 2007).

A further challenge arises when working with young people aged 16 and 17. Although the MCA 2005 applies from age 16, the Children Act 1989 (CA 1989) defines a child as anyone under 18. This overlap creates complexity, particularly when a competent young person makes a decision that professionals consider unsafe. Where safeguarding concerns exist,

the CA 1989 takes precedence, allowing protective action even against the young person's wishes.

The landmark case of *Gillick v West Norfolk and Wisbech Area Health Authority* [1986] AC 112 (HL) further clarifies that a child under 16 can consent to medical treatment if they demonstrate sufficient understanding and intelligence to comprehend the decision. This principle—known as Gillick competence—continues to guide professionals working with adolescents on the boundary between childhood and adulthood.

Practitioners must therefore consider both legal frameworks when supporting young people, balancing respect for autonomy with the need to safeguard their welfare.

Word Count 401