



**GRADUATE CERTIFICATE in Consolidation
of Social Work Practice
LEVEL 6 - 60 Credits
BMPF6044**

**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 social worker within the Childcare Assessment Team, it is crucial for me to have an understanding of the legislative and organisational policies and procedures pertaining to adults safeguarding, in order to accurately assess the risks and support needs for the families I work with.

Social workers in Wales adhere to the Social Services and Wellbeing Act (SSWBA) (2014), which places an emphasis upon collaborative working, prevention, and promoting personal choice. Whilst the act applies to children and adults in Wales, it handles both groups separately. Section 126 of the SSWBA defines an adult at risk as an adult who has care and support needs, and as a result of those needs is unable to protect themselves against abuse, neglect, or the risk of it. It states that the Local Authority has a duty to make whatever enquiries it deems necessary to decide if action should be taken, if they determine that an adult is at risk.

The SSWBA (2014) is supplemented by the Wales Safeguarding Procedures (2019) which provides specific instructions about reporting adults at risk, responding to reports, and intervening with at risk adults. In addition to this, the Working Together to Safeguard People guideline (2022) is a code of safeguarding practice which outlines the Welsh Government's expectations in relation to safeguarding arrangements on individuals, groups and organisations offering activities. It encourages those running activities to consider risk and safeguarding for both children and adults, and outlines what to do if they are concerned that an adult is at risk.

Social workers in Wales are also expected to adopt the More Than Words initiative (2015); a government strategy aimed at improving services for Welsh speakers, particularly in health and social care. Under this, professionals are required to make an 'Active Offer' of providing services in the Welsh language in the first instance, without service users having to ask for it.

The Active Offer aims to eliminate discrimination and ensure that services are accessible and readily available, in order to preserve self-respect and autonomy- a crucial element of social work with adults.

Another piece of legislation which informs safeguarding adults is the Mental Capacity Act (MCA) (2005). This act applies to all those who are 16 and over, in both England and Wales. Its purpose is to provide a legal framework for decision-making where those aged 16 and over have been assessed to lack the capacity to make decisions for themselves (MCA, 2005). The MCA is supplemented by the Deprivation of Liberty Safeguards which provides guidance about depriving the liberty of those who lack capacity to consent to treatment or care, to ensure that their human rights are protected in addition to legal protection for care providers.

All public bodies within the United Kingdom are also required to adhere to the Human Rights Act (1998) in the exercising of adult's safeguarding procedures. This Act ensures that the fundamental rights and freedoms of individuals are respected within safeguarding procedures and practices, and that individual's dignity and self-determination is upheld.

Word count: 500

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).

Whilst the Social Services and Wellbeing Act for Wales (2014) aims to promote the wellbeing of children and adults alike, there are key differences between safeguarding in adult's and children's social work. It is vital to be conscious of these discrepancies in order to effectively safeguard whilst maintaining a respect for individual agency and human rights.

The primary differences between safeguarding with adults and children pertain to capacity and consent. Article 8 of the Human Rights Act protects the right to a private personal and family life, without interference from the government. This means that a large portion of the involvement that social services have with both children and adults hinges upon consent. However, if the Local Authority deems a child to be at significant risk of harm, Section 47 of the Children Act (CA) 1989 places a duty upon them to carry out enquiries to investigate and to safeguard, and this can be done without parental consent. Equally, if a social worker believes that determination 3 has been met, meaning that concerns have been substantiated and the child is judged to be experiencing or at risk of significant harm or neglect, a child protection conference will be held (CA, 1989). If the children's names are placed on the Child Protection Register, they will be subject to statutory involvement, meaning that parental consent is no longer needed for involvement and information sharing.

In contrast, adults have the right to self-determination, and therefore can decline assessments if they so choose, unless they are assessed to lack capacity under the Mental Capacity Act (2005). Competency to make decisions can be assessed by the Gillick Competency model and the Fraser Guidelines, which came into play in the 1980s. The MCA (2005) states that adults should be presumed to have the capacity to make decisions pertaining to their own lives. However it is important to avoid assuming an adult lacks capacity just because they make an unwise decision, as Principle 4 of the MCA (2005) gives adults the right to place themselves in risky situations. If an adult is not deemed to have the capacity to make their own decisions, and is believed to be experiencing harm or neglect, they are defined as an 'adult at risk', and the Local Authority has a duty to act to safeguard and reduce harm or risk of harm (SSWBA 2014). In some instances, it may be necessary to for Deprivation of Liberty Safeguards to be sought (MCA, 2005) if restrictions used to keep an individual safe deprive them of their liberty.

Word count: 424