



**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).

Guidance on adult safeguarding was issued within 'Safe Hands' in Wales (National Assembly for Wales, 2000) and 'No Secrets in England (Department of Health, 2000) under section 7 of the local authority (Social Services) Act 1970. Since implementation of the National Assistance Act 1948, the United Kingdom (UK) have observed over seventy years of changes to legislation and policy in providing adults with care, support and protection from abuse, thus providing complex a framework for adult social care (DHSC & Lamb, 2014). In the UK, official recognition around adult protection arose in 1993 with the Department of Health guidelines. Whilst the sexual abuse of adults with learning difficulties became a particular focus of attention, it appeared that there was little recognition of other forms of abuse until the mid-1990s (Scragg & Mantell, 2011).

North Wales Local Authority County Council's, set out clear guidance and policies for Adults at risk and what Practitioners and individuals should do in order to keep adults safe from harm or abuse, whether that is how to 'Report' it or how to 'Support' it. The North Wales Adult Safeguarding Board works in partnership with all other agencies such as, North Wales Police and Social Services, to ensure that any reports of vulnerable adult abuse are taken seriously

and are investigated by the right people (Social Care Wales, 2022). Safeguarding adults is increasingly acknowledged as a critical issue for society, with continuing revelations of abuse and oppressive regimes and practices which challenge social care services and practitioners who work with adults deemed as at risk (Scragg & Mantell, 2011). This is reflected within Part 7 section 126(1) SSWBA 2014 using the definition of '*adult at risk*', which moves away from the term '*vulnerable adult*', following critique from the Association of Directors of Social Services who state the term is "*Contentious*" as it "*seems to locate the cause of abuse with the victim, rather than placing responsibility with the actions of others*" (ADSS, 2005, p.4). The SSWBA 2014 issued statutory guidance, specifically the Working Together to Safeguard People: Volumes 1,3,4 and 6, providing a thorough framework in exercising functions under the Act. The Social Service and Well-being (Wales) Act 2014 (SSWBA, 2014) removes section 47 of the National Assistance Act (NAA, 1948), this gave local authorities the right to apply for a court order, "to remove people in need of care and attention from their homes to hospitals and other places" (NAA, 1948). Instead, Part 7 (s.127) SSWBA (2014), allows an adult protection and support order to be applied for an appointed person to gain access to the house to assess if that person is at risk, whilst allowing an adult to express their views independently and without coercion.

The Mental Capacity Act (MCA) 2005, was implemented in October 2007 with the view to ensure that the rights of disabled people were safeguarded, that those who are incapacitated are protected and to provide better protection to those who provide care (Scragg & Mantell, 2011). The MCA 2005 and Mental Capacity (Amendment) Act 2019 are significant legislation to think about when safeguarding adults in supporting the right to make their own decisions alongside consideration of capacity. This legislation in addition to the SSWBA 2014, preserves the regard to be given to the European Convention on Human Rights (ECHR), ensuring everyone is treated equally, fairly and with respect (HRA, 1998).

Word count - 534

**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).*

Safeguarding children has been a dominant feature of social work practice for much longer than safeguarding adults, with developments in policy and practice arising largely as a result of tragedies and subsequent inquiries (DoH, 1995). For example, the Law made changes to 'Child protection' after the death of Victoria Climbié, in September 2003, the government published *Every Child Matters* Green paper, which proposed changes in policy and legislation in England to maximise opportunities and minimise risk to children and young people (Scragg & Mantell, 2011). Following this the government introduced The Children Act 2004, which placed duty upon children's services to ensure that every child, whatever their background or circumstances, has the support they need and the right to stay safe. However up until the Care Act 2014 and SSWBA 2014, there had been no statutory legislation or duty upon local authorities to investigate reports of an adult at risk of abuse, in stark contrast to the statutory duty to investigate similar concerns in relation to a child. (s.47, CA 1989) (Brammer, 2007).

The SSWBA 2014 has implemented policies and procedures within part 7 to safeguard adults and children, which aims to help people and practitioners to what they MUST do if they believe an adult or child is at risk. The Act places not only emphasis, but duty on relevant agencies to have accountability in reporting adults and children suspected to risk of abuse (s.128 and s.130, SSWBA 2014). Although the SSWBA 2014 implemented new powers placing duty upon Local Authorities to make enquiries following a report of an adult or child at risk, an adult has autonomy in their decision to receive intervention unless considered otherwise under the MCA 2005. Therefore, Adults can refuse no matter how risky this may be, posing significant ethical conflict for social workers under the dissension of "*protection versus autonomy*" (Brammer, 2007, p. 524) alongside supporting the European Convention on Human Rights Act 1998.

In comparison to the fundamental principles of SSWBA, a child has the right to their voice, and this is at the heart of social work practice when assessing risk of a child, however their parents have the legal right and parental responsibility to make decisions for their child (SCW, 2017). However, the UNCRC 1989 states that this can be overruled as the child's welfare remains paramount within all decision making.

In conclusion to the differences between Children and Adult safeguarding it is evident that adults are seen to have the rights to make unwise choices and decisions all though it may be seen as 'risky, but do have the right for interventions, on the other hand children's safety, welfare and well-being is paramount and it is the responsibility of local authorities to intervene under legislation in order to protect a child removing their rights, over safety.

Word count 469