



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

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Task 3

Safeguarding and working in complex situations – Case Study

Guidance;

Please ensure that you meet the National Occupational Standards and assigned Learning Outcomes for this task (see appendix 5 and 6 of the handbook).

Question:

Complete a critically reflective case study based on an assessment that you have undertaken with others, in your own area of work, concerning the safeguarding of either an adult or a child. You must demonstrate how the case relates to or could relate to safeguarding legislation, policies, strategies and procedures (including demonstrating an understanding of the interface between social services provision in Wales with the United Kingdom, the European Union (EU) and outside the EU). You must demonstrate your understanding of the integration of analysis in assessment, collaborative working and professional judgements in increasingly complex situations and the use of social work theories. You must refer to the specific dimensions of working in Wales.

This assignment will critically reflect on a specific piece of work I have undertaken recently, using Gibbs Reflective Cycle (1988). The case I am going to discuss is with regard to the ongoing safeguarding of three children. I will demonstrate my understanding of the relevant legislation that underpins this work, and evidence my knowledge of the relevant processes. This assignment will also consider the need for effective multi-agency working, thorough analysis and making professional judgements, using evidence-based practice. I will also consider the Welsh Context in further depth, and how the use of different social work theories and models assist in the process of decision making and analysis. I will use Gibbs Reflective Cycle (1988) in order to critically reflect on my own practice during this intervention.

Since qualifying as a social worker, I have worked within an assessment team based in children's services. The team is the 'front door' for children's care and support needs assessments in the county and the social workers within the team are responsible for carrying out robust assessments on children and their families in order to determine the level of support they require. This varies from voluntary care and support, to child protection and in some cases, entering the PLO (Public Law Outline) process in order to ensure children are kept safe from harm. The Public Law Outline (PLO) is the Ministry of Justice legal framework for children's care and supervision proceedings (2014). There are a variety of legislative frameworks which are operational in Wales, both from a local and national level. The Social Services and Wellbeing Wales Act (SSWBWA) 2014 provides the legislative framework in which we operate. It places a focus on working in co-production with children and their families in order to achieve positive outcomes. The other overarching legislative framework are the Children Act (CA) (1989) and subsequent Children Act (CA) (2004), the fundamental principle being that the '*welfare of the child is paramount*'. In 2004, the Welsh Government formally adopted the United Nation Convention on the Rights of the Child (UNCRC, 1989) as the basis

of policy making relating to children and young people. Children's rights in Wales are enshrined in Welsh law under the Right's of Children and Young Persons (Wales) Measure 2011. As I practice in a fairly rural area of Wales, other policies I need to consider are the Welsh Language Measure (2011) which states that the '*Welsh language should be treated no less favourably than the English Language*'. Practitioners must always ensure that an individual should be given the option to have an assessment carried out in their preferred language (Welsh Government, 2015). This is known as the '*active offer*'.

Wales has a devolved government which means that the overarching government in Westminster transfer their powers from central government to the Welsh Government for certain areas which include health and social care. Wales Government therefore is responsible for the distribution of funds into health and social care services in the country, and is able to distribute funds in accordance with the needs of service users in Wales. At present, social work in Wales is under significant pressure with budget cuts placing a further strain on an already stretched public sector. The Rapid Review of Child Protection Arrangements was published in September 2023 which highlights the significant pressures the social care sector is facing in providing care and support for children in Wales. The review cites the increasing complexities of the needs of families, limited resources and fragility across the workforce as just some of the challenges that the sector faces at this time. The county in which I am based is also extremely rural, with limited services and resources which only adds to the present challenges.

In addition to the legislation applicable to the UK and Wales, another key piece of legislation that underpins social work is the Human Rights Act (1998). This is considered an important piece of legislation because it provides people with a set of specific rights which are underpinned by law. Section 6 of the HRA requires all Local Authorities to act in accordance with the European Convention on Human Rights (1950). Article 8 of the HRA 1998 is the "*Right to respect for private and family life*", therefore any intervention that is undertaken by the Local Authority must be justified and lawful, the threshold for 'significant harm' must be met, in accordance with the CA. One of the difficulties that practitioners often face is working to the letter of the law, whilst also trying to work in partnership with service users because very often it is conflicting trying to maintain their rights with managing your responsibilities as a social worker, and this will be evidenced later in this study.

This case study will discuss Family 1. Family 1 consists of parent 1, and child's 1 (aged 14), 2 (aged 8) and 3 (aged 9). The family have been known to the Local Authority on and off for a number of years but have never progressed any further than a comprehensive assessment, under Section 21 of the SSWBWA. A referral was received from Probation services raising concerns that parent 1 is in a new relationship with a male known to be a high-risk perpetrator of domestic abuse. Under the Wales Safeguarding Procedures (2019) a strategy discussion was held and it was agreed that a disclosure should be provided to parent 1, in order for her to make an informed decision about their relationship and to ensure the children were fully safeguarded. Prior to this disclosure being made, I reviewed the prior involvement the Local Authority had with this family to ensure I had an idea of the family's history with regard to involvement with services. A Child Protection disclosure was carried out with a Police Officer under Section 47 of the CA (1989) during which parent 1 denied being in a relationship and

consequently was not given the full disclosure. Section 47 places a duty on Local Authorities to make enquiries to determine if a child has suffered, or is at risk of significant harm. Whilst in this case, there was no evidence to suggest the children were at risk, there were other factors at play which triggered an assessment to be carried out, under Section 21 (1) of the SSWBWA. These factors included poor home conditions, the mental and physical ill health of parent 1, and lack of engagement with education.

During the assessment process, one of the theories I found helpful was the ecological perspective (Bronfenbrenner, 1979). This approach examines the relationship between humans and their social and natural environments, and suggests that human development is a combination of characteristics with a wide range of family, community and wider societal influences. This perspective links with systems theory (Payne, 2005) which implores social workers to not just consider the child in it's immediate network, but also to consider the family in a wider perspective. The use of these two theories combined enabled me to consider all aspects of the children's lives, including their education, health, community, and explore the wider family network in order to ensure the assessment completed was thorough and provided a good level of evidence and understanding as to the child's circumstances. The Code of Professional Practice (CoPP) places a duty on practitioners to respect individual's culture, language and promote active participation ensuring actions promote equality (Social Care Wales, 2017), and these are all factors that should be considered within the assessment process. Bessell (2017) carried out a study with a group of Australian children in 2014, which describes a community as a puzzle with 4 main themes identified - relationships, safety, places and resources. These elements are usually accessed through a variety of local services, schools, playgrounds and social connections to name but a few and so it can be argued that in order to ensure that an assessment is robust, holistic and thorough, a practitioner should consider wider networks.

Part of this process required me to make links with relevant services including education and health. Section 43 of the Part 3 Code of Practice (issued under Section 145 of the SSWBWA) states that the Local Authority should involve relevant professionals in order to establish a full picture of the child's needs. The process of involving other professionals and developing effective collaborative working relationships can also aid the assessment process and can ensure that children and families are fully supported. The other benefit of good collaborative working is that everyone involved is clear on what they are required to do, which will undoubtedly benefit the children and young people they are working with. Walker (2017) states that to achieve positive outcomes, the child must be placed at the centre of a strong and committed team of professionals from a variety of backgrounds. Walker also notes that good communication is a key skill practitioners need when working with others. In addition, Thomson (2011) talks about communication being used in an effective way and not just the process of passing information from one person to another. Therefore it seems fair to suggest that working together can only serve to aid the process and the sharing of information can make all the difference when safeguarding children.

Section 34 of the Part 3 Code of Practice gives practitioners 42 days to complete a comprehensive assessment. During this process further referrals were received about Parent 1's possible drug use, and frequent visitors to the property. When this was explored, Parent

1 confessed to lying about being in a relationship with the male we were originally concerned about. This admission, coupled with the other findings of the assessment resulted in a decision under the Wales Safeguarding Procedures (2019) to progress to an Initial Child Protection Conference (ICPC), in order for a multiagency decision to be made to ensure the ongoing safety of the children.

It is worth noting that parent 1 has a long history of entering into relationships with high risk perpetrators of domestic abuse, all of which have resulted in safeguarding referrals being made to the team. This gives some indication as to the possible lived experiences of the children. Then NSPCC (2011) published a study which states that around 1 in 5 children have been exposed to domestic abuse. Living in a home where there is domestic abuse can have a serious impact on the wellbeing and development of children and young people, which can continue long after the relationship has ended. For these children, they have been exposed to long and constant periods of domestic violence, and so it seems fair to suggest that this will undoubtedly had a negative impact on their health and development, which may last well into their adulthood. We will consider the impact of ACE's (Adverse Childhood Experiences) later in the case study.

One of the tasks I had as part of the ICPC process was to ensure the chronology of the family was up to date in order to ensure that the involved professionals had a full overview of the Local Authority's involvement to date. It was during this process that I was able to fully analyse the LA's involvement, and during this process I realised that the LA had more involvement with the family than originally thought. This was due to an error in our database which meant that different referrals were recorded on the different children's files and not collectively on all three. My findings were presented to the Manager of the team who decided that a Legal Planning Meeting (LPM) should be held. It was the decision of the LA during this meeting that an Interim Care Order should be sought for the children, and for them to be placed away from the family home.

The Public Law Outline was implemented in 2008 (Care Inspectorate Wales, 2008) in order to provide guidance on the effective management of care and supervision order proceedings under Section 31 of the CA. This is a step-by-step process which ensures that practitioners can work with families to explore all realistic and achievable possible outcomes for the child. The PLO also recognises that care proceedings have not always been completed in a timely manner, and so this process provides a clear time frame for practitioners to work within, in order to ensure timely outcomes for children and families. This is usually 26 weeks or less. This process also includes the requirement for practitioners to explore and consider if there are any family members that would be able to care for the child, in order to prevent them having to be accommodated by LA's, thus removing at least some of the probability for negative outcomes that will be discussed further later in this case study.

Section 81 (6) of the SSWBWA places a requirement on Local Authorities to consider whether a placement for the children can be identified with a relative, friend or other person connected with him or her. Part 6 of the SSWBA highlights some of the benefits of a child remaining in the care of their family members. Some of these benefits include continuity for the child and

can help them to preserve their own identity and belonging to the wider family network or community.

As the allocated social worker, I had to explain this process to parent 1. Understandably, she was extremely upset and felt that the LA was interfering in the lives of her family. Section 4 of The Code of Professional Practice (Social Care Wales, 2017) states that practitioners should respect the rights of individuals whilst seeking to ensure that their behaviour does not harm themselves or other people. The difficulty I had was that parent 1 did not see an issue with her parenting and therefore could not understand the level of concern the LA had for the children. One of the core principles highlighted in the CoPP is that of empowerment, and practitioners should work collaboratively with individuals in order to ensure that they are able to articulate their thoughts and feelings. I would argue that it was at this point that our working relationship started to become fractured. Parent 1 no longer viewed me as a social worker who was trying to help, but as a social worker trying to separate her children from her.

During this process I also had to inform the children of what was happening, in an age appropriate way. Historically, there has been an emphasis on children being 'seen and not heard'. However, in recent years, the shift has changed significantly - children are now fully encouraged to be involved and have a say in decisions that influence their lives. Legislation that supports this includes The UNCRC (1989), The Children Act (1989) and in Wales, the Social Services and Wellbeing (Wales) Act (SSWBWA 2014). All of these pieces of legislation highlight the importance of children and young people having a say about any decisions that affect them. In today's society, children are recognised as active stakeholders and are encouraged to participate in all aspects of their communities. One of the difficulties I had was when speaking to the children, like their parent they did not fully understand why the LA were seeking a care order. For these children, it was clear that their lives had always been this way, and what they considered to be normal. There are times where child protection procedures conflict with the rights of children. As practitioners, we are taught that the 'voice of the child' should be fully considered, and whilst I feel I did consider their views, in this instance the voice of the child was, for safeguarding reasons overruled. Section 1 of the CA states that '*the welfare of the child is paramount*' and child 1 in particular felt strongly that his welfare would be compromised if he was made to live away from his family. But as a practitioner, I felt that his welfare would be compromised if he remained where he was.

Longfield (2016) argues that the early experiences of children can shape and define their outcomes later on in life, both as adolescents and into adulthood. Article 9 of the United Nations Convention on the Rights of a Child (1989) gives children the right to live with a family who can care for them, unless it is unsafe for them to do so. Public Health Wales carried out a study in 2015 on the prevalence of Adverse Childhood Experiences. This report states that children who experience ACE's are more likely to experience poor mental health, substance misuse, they are more likely to achieve less than average educational qualifications, or enter the criminal justice system. With this in mind, I had to consider what options there were to keep the children within their family unit.

I also needed to consider whether removal from their immediate family would be in their best interests. The NSPCC (2021) published a report about the increase in children being

accommodated by Local Authorities in the UK. The report also highlighted that children in the care system are likely to achieve below average education and health outcomes, and are more likely to struggle to form positive and secure relationships. In addition, the care system is not equipped to respond to these negative factors in an effective way. (Bazalgette, Rahilly and Trevelyan, 2015). If we fully consider the possible consequences for children, it seems reasonable to conclude that in these cases wherever possible, children should remain in the care of their families, providing it is safe for them to do so.

As the children's allocated social worker, I would and did argue that with intensive support for this family, they could have remained in the care of parent 1. However this decision was taken out of my hands by senior managers, which I found quite difficult to understand. I felt quite strongly that parent 1 had not been given any opportunity to work with the LA on a Child Protection plan. I argued that that plan, coupled with intensive support may have given parent 1 the support she needed to keep the children in her care. However, managers concluded that the present risks were too high and there was no option to monitor progress on a CP plan.

In addition to the PLO and CP processes mentioned above, a CP plan was implemented which set out key changes the family needed to make in order to ensure that safeguarding was addressed. The Home Office published a Tackling Violence against Women and Girls strategy in 2021 which highlights the Government response to supporting domestic abuse survivors. This includes more access to preventative services for both survivors and their children, raising awareness of harmful traditions such as honour based violence, and increased punishments for perpetrators. It was clear that in order to achieve sustainable change, intensive work needed to be carried out with parent 1.

This process, from the beginning of my involvement at the referral and allocation stage, to the end of my involvement at the first court hearing provided the opportunity for me to critically reflect on the whole experience. I would strongly argue that there have definitely been failings from the LA for this family, which I believe have had a direct impact on the outcome this family are now facing. I would argue that this family have had involvement from the LA on and off for a significant amount of time, yet the fact that they have never progressed past the assessment stage yet now find themselves in the PLO process suggests that there have been many missed opportunities to intervene sooner. Section 15 of the SSWBWA places a duty on LA's to provide a range of preventative services to service users, to promote the upbringing of children with their families, yet no previous assessment carried out signposted the family to these services. There was also a clear lack of multi-agency working and information sharing, which I believe again, was also a contributing factor for this family. Not only that, but I believe in addition to opportunities being missed to intervene in order to achieve a positive outcome, there were also missed opportunities and lack of information sharing which could be argued, did not safeguard the children. If we consider the inquiry into the death of Victoria Climbié (Laming, 2003) as an example, failure to communicate between agencies was a key issue raised and highlighted the need for more effective collaborative working in order to ensure that interventions can happen in a timely manner thus in some cases would prevent the need for escalation and removal of children from their families. The ability to work together and

share information effectively allows for transparency and accountability and would potentially avoid catastrophic failings such as that of Victoria Climbié.

Following on from the initial court hearing, the family were then transferred to a new social worker in the longer-term case management team. I would argue there are positives and negatives to this. I would argue that by the time the initial court hearing was reached, my relationship with parent 1 had been fractured. It was hoped that a new social worker being allocated would provide a fresh perspective and parent 1 would not associate her directly with the disharmony she was facing. That said, I would say I had a better understanding of the family dynamic and understood parent 1 more, as I had spent a great deal of time with her during the course of the assessment process.

To sum up, this case study has explored the case of a family I have worked with, from the starting point of assessment right through to the Public Law Outline process, which remains ongoing. This case study has considered the relevant legislation applicable to Wales, as well as some of the overarching legislative frameworks. It has considered some of the different codes of practice which provides detailed guidance for practitioners, and some local policies and procedures that underpin the social care process. I have considered the specific dimensions of working in Wales, and have considered the use of some social work theories and how these apply in terms of analysis and collaborative working and service delivery. I have critically reflected on my own practice throughout the case study and have identified some key lessons for future practice. Finally, I have demonstrated the importance of effective analysis and making professional judgements in complex situations.

Word Count: 3730

4000 words (+/- 10%: include your actual word count at the end of each section).