



Ein cyf/Our ref VG/05494/19

David John Rowlands AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
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1 March 2019

Dear David,

Thank you for your letter of 8 February regarding Petition P-05-859 requesting additional information about current measures in place for the safeguarding of children reporting and needing protection from sexual abuse.

The Social Services and Well-being (Wales) Act 2014 and supporting guidance provides for a strengthened safeguarding framework to ensure that children are protected about sexual exploitation and sexual abuse.

<https://gov.wales/topics/health/socialcare/act/code-of-practice/?lang=en>

The Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 aims to improve the public sector response in Wales to such abuse and violence. The Act improves arrangements to promote awareness of, and prevent gender-based violence, domestic abuse and sexual violence; and to protect and support victims and survivors. It introduced a needs-based approach to developing strategies which will ensure strong strategic direction and strengthened accountability. The appointment of a National Adviser to advise Welsh Ministers will ensure strategic ownership.

The attached link provides an overview of the purposes of the Act and key documents to take forward this work.

<https://gov.wales/topics/people-and-communities/safety/domesticabuse/?lang=en>

Under the Act, Health Boards and local authorities are required to publish joint local strategies for tackling violence against women, domestic abuse and sexual violence. The Welsh Government has published statutory guidance to support them to discharge this duty. A [National Strategy](#) on Violence against Women, Domestic Abuse and Sexual Violence Cross Government Delivery Framework 2018-2021 sets out the overarching objectives that the Welsh Government will deliver in partnership with stakeholders to progress the purpose of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

We have consulted on guidance on regional commissioning of needs-led services for violence against women, domestic abuse and sexual violence. This has been laid before the Assembly and subject to negative resolution will become statutory in April 2019. The guidance will improve joint working amongst agencies across this sector, support improvements in consistency and, quality and join-up of service provision across Wales.

The Welsh Government issued [statutory guidance](#) on safeguarding children from sexual exploitation in 2011 and this is currently being updated and will be issued in Autumn 2019.

A [National Action Plan on Tackling Child Sexual Exploitation \(Wales\)](#) was issued by the Welsh Government in 2016 and the six regional Safeguarding Children Boards in Wales and their statutory partners report against the plan. This is being updated and will be issued by the Welsh Government as a National Action Plan on Preventing and Responding to Child Sexual Abuse (including Child Sexual Exploitation and Harmful Sexual Behaviour) by the Summer of 2019.

The Social Services and Well-being (Wales) Act 2014 strengthened and built on existing safeguarding practice in Wales to ensure that people are able to live their lives to the full. The Act has an overarching duty to promote the well-being of people who need care and support. In the Act well-being is defined with eight common aspects, one of which is protection from abuse and neglect. In relation to a child, well-being also includes their physical, intellectual, emotional, social and behavioural development; and their welfare (ensuring they are kept safe from harm).

[Working Together to Safeguard People: Volume 1- Introduction and Overview](#) sets out the duties and roles of statutory partners in safeguarding children.

Any agency involved with the child has a Duty to Report Children at Risk (Section 130) under [Part 7](#) of the Social Services and Well-being (Wales) Act. Section 130(4) defines a “child at risk” as a child who:

- a) is experiencing or is at risk of abuse, neglect or other kinds of harm; and
- b) has needs for care and support (whether or not the Local authority is meeting any of those needs).

This duty applies in relation to where there are grounds to believe a child is at risk of child sexual abuse or child sexual exploitation. When a child has been reported under section 130, the local authority must consider whether there are grounds for carrying out an investigation under section 47 of the Children Act 1989.

[Working Together to Safeguard People- Volume 5- Handling Individual Cases of Children at Risk](#) sets out the duties owed towards children at risk and the procedures for protecting children from abuse.


Cardiff and the Vale Safeguarding Boards are currently developing updated multi agency Wales Safeguarding Procedures for children (up to the age of 18) and adults at risk on behalf of regional Safeguarding Boards in Wales.

[Part 6](#) of the Social Services and Well-being (Wales) Act provides for looked after and accommodated children and care leavers. When a child who is the subject of a child protection plan (following a section 47) investigation under the Children Act 1989) becomes a looked after child, it will usually no longer be necessary to maintain the child protection plan for that child. However, in some cases there will continue to be safeguarding issues and the looked after child will also need to have a child protection plan.

The NHS is currently leading work, in partnership with the police, safeguarding and the third sector to improve and to develop a sustainable model of sexual assault services in Wales.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail on the 'g'.

Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services