
WELSH STATUTORY INSTRUMENTS

2019 No. 291

**The Local Authority Adoption
Services (Wales) Regulations 2019**

PART 5

Requirements on service providers – safeguarding

Safeguarding - overarching requirement

18. The service provider must provide the service in a way which ensures that individuals are safe and are protected from abuse, neglect and improper treatment.

Safeguarding policies and procedures

19.—(1) The service provider must have policies and procedures in place—

- (a) for the prevention of abuse, neglect and improper treatment, and
- (b) for responding to any allegation or evidence of abuse, neglect or improper treatment.

(2) In this regulation, such policies and procedures are referred to as safeguarding policies and procedures.

(3) The service provider must ensure that their safeguarding policies and procedures are operated effectively.

(4) In particular, where there is an allegation or evidence of abuse, neglect or improper treatment, the service provider must—

- (a) act in accordance with their safeguarding policies and procedures,
- (b) take immediate action to ensure the safety of all individuals for whom support is provided,
- (c) make appropriate referrals to other agencies, and
- (d) keep a record of any evidence or the substance of any allegation, any action taken and any referrals made.

Interpretation of Part 5

20. In this Part—

“abuse” (*“camdriniaeth”*) means physical, sexual, psychological, emotional or financial abuse and, in relation to a child, any other harm.

For the purposes of this definition—

(a) “financial abuse” (*“camdriniaeth ariannol”*) includes—

- (i) having money or other property stolen;
- (ii) being defrauded;
- (iii) being put under pressure in relation to money or other property;

- (iv) having money or other property misused;
- (b) “harm” (“*niwed*”) has the same meaning as in section 197(1) of the 2014 Act⁽¹⁾;
“improper treatment” (“*triniaeth amhriodol*”) includes discrimination or unlawful restraint, including inappropriate deprivation of liberty under the terms of the Mental Capacity Act 2005⁽²⁾;
“neglect” (“*esgeulustod*”) has the same meaning as in section 197(1) of the 2014 Act.

(1) “The 2014 Act” is defined in section 2(5) of the Act as the [Social Services and Well-being \(Wales\) Act 2014](#) (anaw 4).
(2) [2005 c. 9](#).