



Gofal Cymdeithasol **Cymru**
Social Care **Wales**

Yr Ymarferydd Gwasanaethau Cymdeithasol

Deall deddfwriaeth yng nghyd-destun rôl
yr Ymarferydd Gwasanaethau
Cymdeithasol

Nod, pwrpas a chymhwysiad Deddf
Cydraddoldeb 2010

Social Services Practitioner

Understanding legislation in the context
of the Social Services Practitioner role

The aim, purpose and application of
the Equality Act 2010



Mae'r adnodd hwn wedi'i ddatblygu mewn partneriaeth â'r Consortiwm Ymarferwyr Gwasanaethau Cymdeithasol (SSP) ar ran Gofal Cymdeithasol Cymru. Mae'r consortiwm yn cynnwys y partneriaid canlynol:

This resource has been developed in partnership by the Social Services Practitioner (SSP) Consortium on behalf of Social Care Wales. The consortium is made up of the following partners:



Gofal Cymdeithasol Cymru a'i gyngorwyr penodedig sy'n berchen ar hawlfraint y deunyddiau hyn. Gall darparwyr dysgu, awdurdodau lleol a darparwyr gwasanaethau gofal yng Nghymru gopïo, atgynhyrchu, dosbarthu neu drefnu bod y Rhaglen Ddysgu Ymarferwyr Gwasanaethau Cymdeithasol (SSP) ar gael fel arall i unrhyw drydydd parti arall ar sail ddielw yn unig. Rhaid i unrhyw bartïon eraill sy'n dymuno copïo, atgynhyrchu, dosbarthu neu fel arall wneud y Rhaglen Ymarferwyr Gwasanaethau Cymdeithasol (SSP) ar gael i unrhyw drydydd parti arall geisio caniatâd ysgrifenedig Gofal Cymdeithasol Cymru ymlaen llaw.

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Sgiliau Astudio / Study Skills



Cyfeirnod / Referencing



Darllen / Reading



Ysgrifenu / Writing



Myfyrdod Beirniadol /
Critical Reflection



Cyfathrebiad /
Communication



Gwaith Grŵp / Group Work



Cyflwyniad / Presentation



Ymchwil / Research



Sgiliau rhyngpersonol /
Interpersonal Skills



Gofal Cymdeithasol Cymru
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Yn ôl ym
Gymdeithasol Cymru
Supported by
Welsh Government

Sgiliau Astudio Cudd / Hidden Study Skills

Peidiwch ag anghofio bod amrywiaeth o sgiliau wedi'u gwreiddio, gan gynnwys...

Trefniadaeth

Cadw amser

Cynllunio

Cymryd nodyn

Cynllunio Traethawd

Gwrandawriad

Datrys problemau

Penderfyniadau

Cwestiynu

Siarad yn effeithiol

Cyfathrebu llafar

Efallai y bydd rhai o'r rhain yn rhan o'ch sgiliau rhyngpersonol hefyd.

Don't forget there are a range of skills embedded including...

Organisation

Time keeping

Planning

Note taking

Essay planning

Listening

Problem solving

Decision making

Questioning

Effective speaking

Verbal communication

Some of these may form part of your Interpersonal Skills too.

Deilliant dysgu

- Nodweddion gwarchoddedig a sut y cânt eu diffinio
- Sut mae'r Ddeddf Cydraddoldeb wedi cael ei defnyddio i hybu datblygiad cydraddoldeb ac ymarfer gwrth-wahaniaethu yn y DU
- Mathau o ymddygiad gwaharddedig a sut y cânt eu diffinio
- Addasiadau rhesymol a sut y dylid eu defnyddio i sicrhau nad yw unigolion anabl dan anfantais
- Dyletswyddau penodol o dan y Ddeddf Cydraddoldeb ar gyfer cyrff y sector cyhoeddus yng Nghymru

Learning outcome

- Protected characteristics and how these are defined
- How the Equality Act has been used to further the development of equality and anti-discriminatory practice in the UK
- Types of prohibited behaviour and how these are defined
- Reasonable adjustments and how these should be used to ensure that disabled individuals are not disadvantaged
- Specific duties under the Equality Act for public sector bodies in Wales

Contract dysgu

- A wnewch chi gadw eich camerâu ymlaen os gwelwch yn dda
- A wnewch chi ddiffodd eich meicroffonau os gwelwch yn dda os oes sŵn cefndir.
- A wnewch chi godi eich llaw os ydych am ofyn cwestiwn
- Cyfrinachedd
- Parch
- Ffonau symudol
- Amser egwyl
- Gwerthusiad

Learning contract

- Can you keep your cameras on please
- Can you turn off your microphones please if there is background noise.
- Can you raise your hand if you want to ask a question
- Confidentiality
- Respect
- Mobile phones
- Breaktime
- Evaluation

Facilitator notes

Welsh

Bydd y cytundeb hwn yn newid os cyflwynir y sesiwn mewn ystafell ddosbarth.

English

This contract will change if the session is delivered in a class room setting.

Deilliant dysgu

- Nodweddion gwarchoddedig a sut y cânt eu diffinio
- Sut mae'r Ddeddf Cydraddoldeb wedi cael ei defnyddio i hybu datblygiad cydraddoldeb ac ymarfer gwrth-wahaniaethu yn y DU
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Facilitator notes

Welsh

Beth ydych chi'n ei wybod am y Ddeddf Cydraddoldeb?
Trafodwch sut rydych chi'n rhoi'r ddeddfwriaeth hon ar waith yn ymarferol.

English

What do you know about the Equality Act?
Discuss ways you implement this legislation in practice.

Deddf Cydraddoldeb 2010

Mae Deddf Cydraddoldeb 2010 yn amddiffyn pobl yn gyfreithiol rhag gwahaniaethu yn y gweithle ac yn y gymdeithas ehangach.



Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

Facilitator notes

Welsh

Disodlodd gyfreithiau gwrthwahaniaethu blaenorol gydag un Ddeddf, gan wneud y gyfraith yn haws i'w deall a chryfhau diogelwch mewn rhai sefyllfaoedd. Mae'n nodi'r gwahanol ffyrdd y mae'n anghyfreithlon trin rhywun Mae naw prif ddarn o ddeddfwriaeth wedi uno.

- Deddf Cydraddoldeb 2010
- Deddf Gwahaniaethu ar sail Rhyw 1975
- Deddf Cysylltiadau Hiliol 1976
- Deddf Gwahaniaethu ar sail Anabledd 1995
- Rheoliadau Cydraddoldeb Cyflogaeth (Crefydd neu Gred) 2003
- Rheoliadau Cydraddoldeb Cyflogaeth (Cyfeiriadedd Rhywiol) 2003
- Rheoliadau Cydraddoldeb Cyflogaeth (Oedran) 2006
- Deddf Cydraddoldeb 2006, Rhan 2
- Rheoliadau Deddf Cydraddoldeb (Cyfeiriadedd Rhywiol) 2007

Os bydd person yn codi trosedd yn erbyn cydraddoldeb a ddigwyddodd cyn 2010, bydd y ddeddfwriaeth wreiddiol yn cael ei defnyddio.

English

It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone

Nine main pieces of legislation have merged.

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act 2006, Part 2
- Equality Act (Sexual Orientation) Regulations 2007

If a person raises an offence against equality that occurred prior to 2010, the original legislation will be used.

Nodweddion gwarchoddedig

Protected characteristics

- Oed
- Anabledd
- Ail-bennu Rhywedd
- Priodas neu bartneriaeth sifil
- Mamolaeth a beichiogrwydd
- Hil
- Crefydd neu gred
- Rhyw
- Cyfeiriadedd rhywiol

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Facilitator notes

Welsh

Oed

Mae pob grŵp oedran yn cael ei warchod o dan y Ddeddf Cydraddoldeb.

Anabledd

O dan y Ddeddf Cydraddoldeb, mae person yn cael ei ystyried yn anabl os yw'n dioddef o unrhyw nam corfforol neu feddyliol sy'n achosi effaith hirdymor a sylweddol ar ei allu i gyflawni gweithgareddau dyddiol arferol.

Ail-bennu Rhywedd

Gan fod ail-bennu rhywedd yn un o'r naw nodwedd warchoddedig, mae pobl drawsrywiol yn cael eu hamddiffyn o dan y Ddeddf. Mae unrhyw berson sy'n bwriadu, yn dechrau neu wedi cwblhau'r broses o newid ei rywedd yn cael ei ddsbarthu fel trawsrywiol.

Priodas neu bartneriaeth sifil

Mae gweithwyr sy'n briod neu mewn partneriaeth sifil yn cael eu hamddiffyn rhag gwahaniaethu o dan y Ddeddf

Mamolaeth a beichiogrwydd

Yn ystod cyfnod beichiogrwydd menyw a'i habsenoldeb mamolaeth statudol, mae'n cael ei hamddiffyn o dan y Ddeddf Cydraddoldeb rhag gwahaniaethu ar sail naill ai beichiogrwydd neu famolaeth.

Mae hyn yn golygu na all cyflogwr gymryd materion yn ymwneud â beichiogrwydd neu famolaeth i ystyriaeth wrth wneud penderfyniadau cyflogaeth megis diswyddiadau, colli swyddi neu ddyrchafiadau.

Mae bwydo ar y fron hefyd bellach yn cael ei warchod yn benodol o dan y Ddeddf Cydraddoldeb.

Hil

O dan y Ddeddf, mae'r term hil yn cynnwys cenedligrwydd, lliw a tharddiad cenedlaethol neu ethnig.

Crefydd neu gred

O dan y Ddeddf Cydraddoldeb, mae pob crefydd yn cael ei hamddiffyn. Felly mae crefyddau amlwg fel Cristnogaeth a Hindŵaeth yn cael eu hamddiffyn yn yr un modd â chrefyddau lleiafrifol. Mae pobl nad oes ganddynt unrhyw grefydd neu nad ydynt yn dilyn unrhyw grŵp crefyddol penodol hefyd yn cael eu hamddiffyn.

Rhyw

Mae gwahaniaethu yn erbyn person ar sail eu rhyw yn anghyfreithlon. Mae'n berthnasol i ddynion a menywod. Mae hyn yn golygu na all cyflogwr dalu mwy yn gyfreithlon dalu mwy i ddyn nac i fenyw am wneud yr un swydd os yw'r ddau yr un mor gymwys a phrofiadol.

Cyfeiriadedd rhywiol

O dan y Ddeddf, mae pob cyfeiriadedd rhywiol yn cael ei amddiffyn yn gyfartal. Felly p'un a ydych yn heterorywiol, hoyw, lesbiaidd neu ddeurywiol, rydych wedi'ch amddiffyn rhag gwahaniaethu ar sail cyfeiriadedd rhywiol o dan y Ddeddf.

English

Age

All age groups are protected under the Equality Act.

Disability

Under the Equality Act, a person is considered disabled if they suffer from any physical or mental impairment that causes a long term and substantial effect on their capacity to perform normal daily activities

Gender reassignment

As gender reassignment is one of the nine protected characteristics, transsexual people are given protection under the Act. Any person who proposes to, begins or has completed the process of changing his or her gender is classed as a transsexual.

Marriage or civil partnership

Employees who are married or in a civil partnership are protected against discrimination under the Act

Pregnancy and maternity

During the period of a woman's pregnancy and her statutory maternity leave, she is protected under the Equality Act against discrimination on the grounds of either pregnancy or maternity.

This means that an employer cannot take pregnancy or maternity related issues into account when making employment decisions such as dismissals, redundancies or promotions.

Breastfeeding is also now explicitly protected under the Equality Act.

Race

Under the Act, the term race includes nationality, colour and national or ethnic origins.

Religion or belief

Under the Equality Act, all religions are protected. So prominent religions such as Christianity and Hinduism are protected in the same way as minority religions. People who have no religion or don't follow any particular religious group are also protected.

Sex

Discriminating against a person based on their sex is unlawful. It applies to both men and women. This means that an employer cannot lawfully pay a man more than a woman for doing the same job if they are both equally qualified and experienced.

Sexual orientation

Under the Act, all sexual orientations are protected equally. So whether you are heterosexual, gay, lesbian or bisexual, you are protected against discrimination based on sexual orientation under the Act.

Cydraddoldeb ac arfer gwrthwahaniaethol datblygiad yn y Du

•Ailadeiladu Cymru fwy cyfartal a thecach: Canolbwyntiwch ar effaith anghyfartal y pandemig coronafeirws

Amcanion cydraddoldeb drafft GCC ar gyfer 2022 i 2027:

Dod yn Gymru gwrthwahaniaethu yn hyrwyddo cydraddoldeb, gan werthfawrogi amrywiaeth mewn gofal cymdeithasol

Equality and anti-discriminatory practice development of in the UK

•Rebuilding a more equal and fairer Wales: Focus on the unequal impact of the coronavirus pandemic

SCW draft equality objectives for 2022 to 2027:

Becoming an anti-discrimination Wales promoting equality, valuing diversity in social care



www.gofalcymdeithasol.cymru
www.socialcare.wales



Facilitator notes

Welsh

Yn ymgorffori'r rheoliadau i gynnwys gofalwyr

- Rheoliadau Cydraddoldeb Cyflogaeth (Cyfeiriadedd Rhywiol) 2003
- Rheoliadau Cydraddoldeb Cyflogaeth (Crefydd neu Gred) 2003
- Rheoliadau Cydraddoldeb Cyflogaeth (Oedran) 2006

Mae arfer gwrthwahaniaethol yn sylfaenol i sail foesegol darpariaeth gofal ac yn hanfodol i amddiffyn urddas pobl. Mae'r Ddeddf Cydraddoldeb yn amddiffyn y rhai sy'n derbyn gofal a'r gweithwyr sy'n ei ddarparu rhag cael eu trin yn annheg oherwydd unrhyw nodweddion a ddiogelir o dan y ddeddfwriaeth.

Mae gwahaniaethu uniongyrchol yn digwydd pan fydd rhywun yn cael ei drin yn llai ffafriol na rhywun arall mewn amgylchiadau tebyg ar sail nodwedd warchoddedig. Mae gwahaniaethu anuniongyrchol yn digwydd pan fydd amod neu ofyniad yn cael ei gymhwyso'n gyfartal i bawb, ond mae rhai yn methu â chydymffurfio oherwydd nodwedd warchoddedig. Byddai hyn yn anghyfreithlon oni bai bod modd cyfiawnhau'r amod neu'r gofyniad yn wrthrychol.

Gofalwyr

Mae gofalwyr yn darparu gofal yn ddi-dâl i berthynas, ffrind neu gymydog sydd angen cymorth. Mae'r gyfraith yn amddiffyn gofalwyr rhag gwahaniaethu trwy gysylltiad â'r person y maent yn gofalu amdano. Mae gofalwyr yn cael eu hamddiffyn rhag gwahaniaethu yn y

gwaith. Mae ganddynt yr hawl i ofyn am gael gweithio'n hyblyg fel y gallant reoli eu cyfrifoldebau gofalu. Mae ganddynt yr hawl i amser i ffwrdd mewn argyfwng neu i ymdrin â materion nas rhagwelwyd; fodd bynnag, nid oes hawl i gael eich talu am yr amser hwn. Mae gofalywyr hefyd yn cael eu hamddiffyn pan fyddant yn derbyn nwyddau, gwasanaethau a chyfleusterau. Mae'n anghyfreithlon i'r rhai sy'n darparu gwasanaethau, megis siopau neu drafnidiaeth, drin rhywun yn llai ffafriol oherwydd eu cysylltiad â pherson â 'nodwedd warchoddedig'.

English

Incorporates the regulations to include carers

- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Age) Regulations 2006

Anti-discriminatory practice is fundamental to the ethical basis of care provision and critical to the protection of people's dignity. The Equality Act protects those receiving care and the workers that provide it from being treated unfairly because of any characteristics that are protected under the legislation.

Direct discrimination occurs when someone is treated less favourably than someone else in similar circumstances on the grounds of a protected characteristic. Indirect discrimination occurs when a condition or requirement is applied equally to everyone, but some are unable to comply because of a protected characteristic. This would be unlawful unless the condition or requirement is objectively justifiable.

Carers

Carers provide care for a relative, friend or neighbour in need of support on an unpaid basis. The law protects carers from discrimination through association with the person they care for. Carers are protected from discrimination at work. They have the right to request flexible working so that they can manage their caring responsibilities. They have the right to time off in emergencies or to deal with unforeseen matters; however, there is no right to be paid for this time. Carers are also protected when they receive goods, services and facilities. It is unlawful for those providing services, such as shops or transport, to treat someone less favourably because of their association with a person with a 'protected characteristic'.

Ymddygiad gwaharddedig

Gwahaniaethu

- Gwahaniaethu uniongyrchol
- Gwahaniaethu yn deillio o anabledd
- Gwahaniaethu ar sail ail-bennu rhywedd
- Gwahaniaethu ar sail beichiogrwydd a mamolaeth

Gwahaniaethu anuniongyrchol

- Addasiadau ar gyfer pobl anabl
- dyletswydd i wneud addasiadau rhesymol
 - methiant i gydymffurfio â'r ddyletswydd

Aflonyddu Erledigaeth

Prohibited behaviour

Discrimination

- Direct discrimination
- Discrimination arising from disability
- Gender reassignment discrimination:
- Pregnancy and maternity discrimination

Indirect discrimination

- Adjustments for disabled persons
- a duty to make reasonable adjustments
 - a failure to comply with the duty

Harassment Victimisation

Facilitator notes

Welsh

Ymarfer; trafodwch yr ymddygiadau gwaharddedig ac annog myfyrwyr i ddarparu enghreifftiau o'r gweithle a'u profiadau personol eu hunain.

Gwahaniaethu uniongyrchol yw pan fydd rhywun yn cael ei drin yn annheg oherwydd nodwedd warchoddedig

Gall gwahaniaethu anuniongyrchol ddigwydd pan fo rheolau neu drefniadau sy'n berthnasol i grŵp o weithwyr neu ymgeiswyr am swyddi, ond yn ymarferol maent yn llai teg i nodwedd warchoddedig benodol.

Mae aflonyddu yn digwydd pan fyddwch chi'n ymddwyn mewn ffordd nas dymunir sy'n gysylltiedig â nodwedd warchoddedig berthnasol ac sydd â'r diben neu'r effaith o: greu amgylchedd bygythiol, gelyniaethus, diraddiol, bychanol neu dramgwyddus i'r myfyriwr
Mae erledigaeth (a ddiffinnir yn Adran 27 o Ddeddf Cydraddoldeb 2010) yn digwydd pan fydd un person yn trin un arall yn llai ffafriol oherwydd ei fod ef neu hi wedi mynnu ei hawliau cyfreithiol yn unol â'r Ddeddf neu wedi helpu rhywun arall i wneud hynny.

English

Exercise; discuss the prohibited behaviours and encourage students to provide examples from the work place and their own personal experiences.

Direct discrimination is when someone is treated unfairly because of a protected characteristic

Indirect discrimination can happen when there are rules or arrangements that apply to a group of employees or job applicants, but in practice are less fair to a certain protected characteristic.

Harassment occurs when you engage in unwanted behaviour which is related to a relevant protected characteristic and which has the purpose or effect of: creating an intimidating, hostile, degrading, humiliating or offensive environment for the student

Victimisation (defined in Section 27 of the Equality Act 2010) takes place where one person treats another less favourably because he or she has asserted their legal rights in line with the Act or helped someone else to do so

Dyletswydd sector cyhoeddus

Public sector duty



Facilitator notes

Welsh

Cyswllt Fideo - <https://youtu.be/W3nZ7iL6leM?si=dqJMDjn5vCCgHtd5>

Ystyriwch ddyletswydd gyhoeddus eich sefydliad, sut ydych chi'n gweithredu hyn yn ymarferol

English

Video Link - <https://youtu.be/W3nZ7iL6leM?si=dqJMDjn5vCCgHtd5>

Consider your organisations public duty, how do you implement this in practice

Addasiadau rhesymol

O dan Ddeddf Cydraddoldeb 2010 mae'n rhaid i sefydliadau'r sector cyhoeddus wneud newidiadau i'w dull neu eu darpariaeth er mwyn sicrhau bod gwasanaethau'n hygyrch i bobl anabl yn ogystal â phawb arall.

Reasonable adjustments

Under the Equality Act 2010 public sector organisations have to make changes in their approach or provision to ensure that services are accessible to disabled people as well as everybody else..



Facilitator notes

Welsh

Gall addasiadau rhesymol olygu newidiadau i adeiladau drwy ddarparu lifftiau, drysau llydan, rampiau ac arwyddion cyffyrddol, ond gallant hefyd olygu newidiadau i bolisiau, gweithdrefnau a hyfforddiant staff i sicrhau bod gwasanaethau'n gweithio'r un mor dda i bobl ag anableddau dysgu.

Ystyriwch yr addasiadau y gallech fod wedi eu cefnogi yn eich rôl bresennol

English

Reasonable adjustments can mean alterations to buildings by providing lifts, wide doors, ramps and tactile signage, but may also mean changes to policies, procedures and staff training to ensure that services work equally well for people with learning disabilities.

Consider the adjustments you may have supported in your current role



Facilitator notes

Welsh

Cyswllt Fideo - <https://youtu.be/Oh-7t-zVWQ0>

Gwylwch y fideo

Sut gallwch chi wella cydraddoldeb?

Pa gamau y gallwch eu cymryd?

Sut gallwch chi wella cydraddoldeb i'r bobl rydych chi'n eu cefnogi a'u teulu?

English

Video Link - <https://youtu.be/Oh-7t-zVWQ0>

Watch the video

How can you improve equality?

What actions can you take?

How can you improve equality for the people you support and their family?

Deilliant dysgu

- Nod, pwrpas a chymhwysiad Deddf Cydraddoldeb 2010
- Nodweddion gwarchoddedig a sut y cânt eu diffinio
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- Addasiadau rhesymol a sut y dylid eu defnyddio i sicrhau nad yw unigolion anabl dan anfantais
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Learning outcome

- The aim, purpose and application of the Equality Act 2010
- Protected characteristics and how these are defined
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Facilitator notes

Welsh

Atgoffwch y myfyrwyr y bydd angen y wybodaeth hon arnynt

TASG B – Disgrifiad o'r ddeddfwriaeth Mae'n ofynnol i chi gynhyrchu disgrifiad sy'n dangos ac yn manylu ar sut mae deddfwriaeth yn sail i rôl yr Ymarferydd Gwasanaethau Cymdeithasol ac yn cael ei defnyddio i lywio eich ymarfer.

Dylech ystyried:

- Yr ystod o wahanol ddeddfwriaethau sy'n llywio rôl Ymarferydd Gwasanaethau Cymdeithasol
- Pwysigrwydd deall ystod eang o ddeddfwriaeth fel Ymarferydd Gwasanaethau Cymdeithasol
- Sut mae eich ymarfer wedi'i lywio gan gymhwyso dealltwriaeth o ddeddfwriaeth. Sylwch, rhaid i'ch ymateb gyfeirio at yr holl ddeddfwriaeth yr ydych wedi dysgu amdani fel rhan o'ch rhaglen ddysgu wrth ystyried sut mae deddfwriaeth yn sail i rôl Ymarferydd Gwasanaethau Cymdeithasol.

English

Remind students they will need this information for

TASK B – Account of legislation You are required to produce an account that demonstrates and details how legislation underpins the role of Social Services Practitioner and is used to inform your practice.

You should consider:

- The range of different legislation that informs the role of a Social Services Practitioner
- The importance of understanding a wide range of legislation as a Social Services Practitioner
- How your practice has been informed by application of understanding of legislation.

Note, your response must reference all of the legislation that you have learnt about as part of your learning programme when considering how legislation underpins the role of Social Services Practitioner

Cyfeiriadau

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Diolch
Thank you
