

**OpenLearn animation**

*Witness to harm - What is meant by vulnerability?*

**Speaker 1, Speaker 2:**

SPEAKER 1: In this part of the project, researchers on our team at the University of Edinburgh examined written texts of different regulators of social work and social care professionals.

SPEAKER 2: The regulators were Social Work England, the Scottish Social Services Council, Social Care Wales, and the Northern Ireland Social Care Council.

SPEAKER 1: We were interested in how regulators' policies defined witness vulnerability in fitness to practise processes.

[MUSIC PLAYING]

TEXT ON SCREEN: Why is witness vulnerability relevant to regulators?

SPEAKER 2: The way the term vulnerability is used is important in the social care sector. Some argue the term has a stigmatising and othering effect when we apply it to people.

SPEAKER 1: Some researchers say there are different types of vulnerability.

SPEAKER 2: Inherent vulnerability refers to things like age, disability or gender.

SPEAKER 1: Situational vulnerability is about the context and structures we live in.

SPEAKER 2: And then there are pathogenic sources of vulnerability. This refers to how trying to address one form of vulnerability actually makes things worse, like treating all people with various disabilities the same, for instance.

TEXT ON SCREEN: So what did you do in your research?

SPEAKER 1: We looked at the parts of the regulators, laws, and policies that related to witness vulnerability to see how they might impact people's experiences.

SPEAKER 2: We also performed six workshops with the regulators and groups, including people with lived and learned experiences of fitness to practise proceedings.

TEXT ON SCREEN: What were your main findings?

SPEAKER 1: We discovered what we call a regulatory thicket. Law and policy provisions around witness vulnerability are complicated and differ between the many different regulators. When it comes to defining vulnerability, regulators were too focused on inherent vulnerabilities, things like age or disability.

SPEAKER 2: Little attention was paid to situational vulnerability or pathogenic sources of vulnerability.

SPEAKER 1: So how structures and environments cause vulnerabilities and how attempts to address vulnerabilities can make things worse.

SPEAKER 2: We found whole groups were described as being vulnerable, despite their own views on this.

SPEAKER 1: At the same time, vulnerability was constructed too narrowly. The trauma associated with, say, giving evidence around the death of a relative wouldn't fit into the regulator's narrow descriptions.

TEXT ON SCREEN: So what needs to happen to make this better for people?

SPEAKER 1: We call for a change in how witness vulnerability is constructed in regulators' legal and policy documents.

SPEAKER 2: They need to look at the bigger picture and recognise the diverse lived experiences of witnesses, including service users, their families, colleagues, and the wider public. Regulators' provisions should account for the vulnerabilities produced by poor experiences in the fitness to practise process itself.

SPEAKER 1: Regulators should stop lumping diverse groups together. And instead discuss the individual support they need.

SPEAKER 2: They should work with people with lived and learned experiences to make their provisions more supportive.

SPEAKER 1: This will not only improve the fitness to practise process, but help avoid future harm.