

## BACKGROUND DATA & RESEARCH:

This appendix contains the data and research material relied upon and referred to in the report:

### 1. The principles of positive risk taking, abridged from the policy to promote independence and choice, section 7:

1.1. A pure health and safety approach to risk identifies 5 key steps:

- Identify the hazard
- Identify the risk (who may be harmed and how)
- Evaluate the risks and decide on precautions
- Record findings and implement them
- Review the risk assessment and update if necessary.

1.2. **However, in social care, risk assessment and risk management must be seen in the context of people living their lives and making choices**, with potential benefits as well as harms.

*“Positive risk-taking is weighing up the potential benefits and harms of exercising one choice of action over another. This means identifying the potential risks involved, and developing plans and actions that reflect the positive potentials and stated priorities of the service user. It involves using available resources and support to achieve desired outcomes, and to minimise potential harmful outcomes” (Morgan, 2004)<sup>1</sup>*

1.3. **The decisions made must therefore take into account the desired outcomes of the person, and the agreed outcomes of their assessment**, and the steps described above at 1.2 need to be adapted so that good decision making can be supported.

1.4. **Throughout this policy it is required as essential that risk assessment and risk management is carried out in partnership with people and their carers, wider support network and other involved professionals.** In almost all circumstances, **this is subject to the wishes of the individual.** The decision to involve others or not is in itself a decision which may give rise to risk, and the individual may need support to make this decision.

1.5. **In the provision of social care, as in life, it is not possible to eliminate all risk; risk is a part of life and is normally a good thing.** Taking risks can help people to learn and gain experience and confidence in leading their lives. Not taking risks can mean that people are not able to develop and grow, and may be prevented from doing things which make them happy. Therefore people should be supported to make real choices, even when these choices may sometimes be unwise or could lead to harm: provided that the assessment and support planning has been undertaken in partnership with the person, has taken all the relevant factors into account and enabled the

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<sup>1</sup> Morgan, S. (2004) ‘Positive risk-taking: an idea whose time has come’, *Health Care Risk Report*, 10(10), pp.18-19.

person to weigh up the advantages and disadvantages of a proposed course of action, and they are able to make an informed choice. It is important when doing this to find out why the person wishes to make a particular choice, what this will bring to their life, and how their life may be adversely affected if they are prevented from making this choice.

- 1.6. In order to ensure that risk assessments support positive risk taking, it is essential that they evidence consideration of the balance of risk between benefit and harm.** In social care, the relationship between the individual and the people involved in assessing their needs or helping them to arrange their support is a relationship which gives rise to a duty of care. Therefore it is essential that risk assessments are carried out in a transparent way, in partnership with people and their carers, and that agreement is reached about the risks, how they will be managed, and who will be responsible for them.
- 1.7. To support this process, the following key steps for supporting positive risk taking in social care are identified:**
- Identify the proposed choice or decision to be made
  - Identify the potential benefits of the choice or decision and the likelihood of these being achieved
  - Identify the potential harms of the choice or decision and the likelihood of these occurring
  - Evaluate the likely benefits against the likely harms, and the likelihood of these occurring
  - Agree a course of action which:
    - Increases the likelihood of benefit being achieved
    - Decreases the likelihood of harm occurring
  - Review the risk assessment and actions.
- 1.8. This approach to risk assessment and decision making should be used in any situation relating to social care where a decision involving risk needs to be made.** It is the foundation of risk assessment in the Safeguarding Adults procedures, but can also be applied in other situations, for example:
- Making decisions in planning support and care where different choices are possible
  - Managing situations where there are differences of opinion about how support can best be provided
  - Evaluating support plans for self directed support
  - Dealing with incidents which arise while support is being provided
  - Making decisions when concern is expressed by a third party about a vulnerable person who is reluctant to accept intervention.
- 1.9. Learning from implementation of the Mental Capacity Act 2005 in Adult Services has shown that identification of the specific decision to be made is crucial to the assessment process.** Managers must ensure that practitioners are supported in identifying the choices or decisions to be made before a risk assessment is carried out, and that people and, where

appropriate their carers, are actively involved in defining the choice or decision.

1.10. **By carrying out risk assessments in this way, and ensuring that these are recorded, it is more likely that defensible decisions will be made.**

Using this approach, and recording the discussions, will also help to support people in making informed choices.