



Risk Enablement Balancing Wellbeing and Risk

What Safeguarding Adults is all about



Risk and Safeguarding Adults with Care and Support Needs
Birmingham Safeguarding Adults Board Position Statement and Guidance

1. Position Statement

BSAB endorses that:

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

(The Care Act Statutory Guidance, 2014 Chapter 14)

and believes that:

- 1.1** All adults have the right to live their lives free from abuse or neglect.
- 1.2** It is everybody's duty to act to safeguard an adult with care and support needs who is experiencing or at risk of abuse or neglect.
- 1.3** Safeguarding practice must follow the principles of Making Safeguarding Personal (MSP): it should be person-led and outcome-focused. It should engage the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety.
- 1.4** At the heart of adult safeguarding is the tension between the duty to protect an adult from the risk of harm with the duty to support an adult to maintain as much control and choice over their own life as possible.
- 1.5** All practitioners involved in safeguarding an adult at risk have a duty to understand this tension and to work with the adult (and others involved with them) to ensure that an appropriate balance is struck between managing risk and protection from harm with promoting their autonomy and wellbeing in any action they take.



1.6 In doing so, all practitioners should consider whether an adult at risk has the mental capacity to understand the risks caused by the decisions they make, and the impact these have upon their safety and wellbeing or the safety and wellbeing of others. When an adult lacks the mental capacity to make a decision, the principles of the Mental Capacity Act must be applied.

1.7 Organisations that work with adults with care and support needs in Birmingham and their leaders should support their front line staff in working to all these principles as part of meeting their adult safeguarding duties. They should ensure the values and culture of their organisation explicitly supports front line staff in risk enablement.

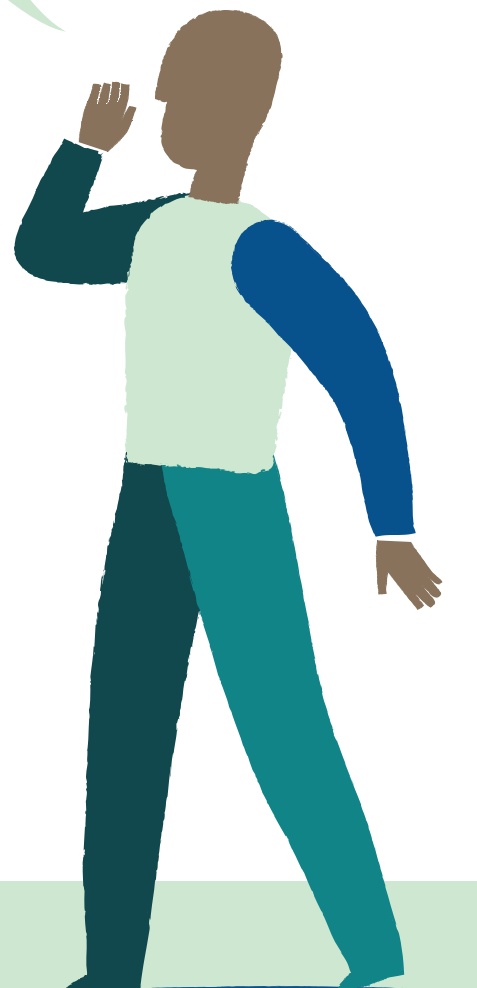
An illustration of a person's head and shoulders in profile, rendered in a light blue color. A large, light green speech bubble originates from the person's mouth, containing the text "No decision about me without me!". The speech bubble has a tail pointing towards the person's head. The background is white with a few small, light blue cloud-like shapes.

"No decision about me without me!"

This guidance has been written by partners of Birmingham Safeguarding Adults Board (BSAB) based upon their working experience and drawing upon nationally researched best practice. It is intended to provide a framework when working with adults experiencing at risk of neglect or abuse in Birmingham.

Where there is a concern that an adult with care and support needs is experiencing or is at risk of neglect or abuse, the guidance within the Multi-agency policy and procedures for the protection of adults with care and support needs in the West Midlands should be followed. These can be found at:

<http://www.bsab.org/publications/policy-procedures-and-guidance/>



2. Practice Guidance in Safeguarding Adults with Care and Support Needs

2.1 Your role in assessing and supporting adults manage risks they face

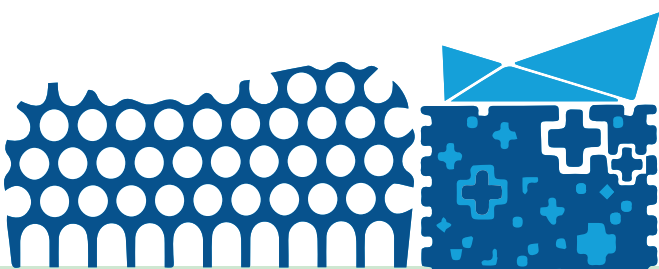
- All who work with adults with care and support needs hold a vital role in assessing and managing risk in situations where an adult may be at risk of abuse or neglect.
- Failure to:
 - Fully assess risk
 - Take the necessary steps to address this with the adult (taking account of the adult's views, experiences or concerns)
 - Keep accurate records and at all stages of the process
 - Appropriately involve and share information with people important in the adults' life

has led to concerns being overlooked or ignored and adults being victims of serious abuse.

- But failure to properly involve adults in making decisions about the risks they face has also led to adults experiencing safeguarding to be as bad as or worse than the abuse it tried to prevent.
- So to effectively support adults manage risk, workers need to understand the relationship between risk and wellbeing.

2.2 Risk and Wellbeing in Safeguarding Adults

- The Care Act 2014 created the duty to promote the wellbeing, choice and independence of the adults with care and support needs. Wellbeing includes living a life free from neglect and abuse.
- Things that we value for the sense of wellbeing they bring to our lives contain a degree of risk. For all adults, achieving wellbeing involves reaching an acceptable balance between the lifestyle individual's value and the risks these entail, on a daily basis.
- At the heart of adult safeguarding is the tension between the duty to protect an adult from the risk of harm with the duty to promote and enable the adult's wellbeing. Safeguarding is about supporting adults to achieve the right balance between the risk they face and the way they want to live their life.
- This approach is known as Risk Enablement (or Positive Risk Taking). It is an approach that identifies a link between risk and enablement, recognising that taking carefully considered risks can enable individuals and help improve their wellbeing, whilst minimising the potential harmful outcomes.
- It is one fundamental part of what is required to achieve the principles of Making Safeguarding Personal.



3. Key Principles in Risk Enablement

1. Involving the adult

Empower the adult to be involved in considering the risks they face and in planning any actions to address them. Communication with the adult should be adapted to their needs.

Some helpful questions to ask may be:-

- What is important in your life?
- What is working well?
- What things are difficult for you?
- Do you think there are any risks?
- Could things be done in a different way, which might reduce the risks?
- Who is important to you?
- Are there any differences of opinion between you and the people you said are important to you?

Remember risk is:

- Integral to achieving many common outcomes – can be minimised, but not eliminated
- Specific to the circumstances of the individual
- Dynamic and, therefore, subject to change
- Intrinsically linked to enablement and wellbeing.

2. Involve the network around the adult,

to the degree the adult wishes (e.g. family members, friends, support networks).

3. Multi-agency best practice

Involve and work collaboratively with other agencies around the adult to gain a full picture assess risk and plan any strategy to address it. This is especially important where issues are complex and/or the impact of the risk is judged very severe). This will involve sharing information appropriately and shared decisions.



"What is the point of you making me safe if it makes me feel miserable?"



3. Key Principles in Risk Enablement

4. Assess Risk

Assess each risk involved to gauge both its severity and likelihood of occurring (there are a variety of tools to do this with, dependent upon circumstances). Identify:

- The strengths of the adult
- What the risk may help them achieve that they value.

Remember: the identification of a risk carries a responsibility to do something about it.

5. Risk Management

Consider actions to mitigate the risk. Planning this will involve consideration with the adult and those important to them of:

- The safeguarding outcomes that the adult wants to achieve (their balance between safety and wellbeing)
- The resources and assets around the adult and in their community and how these could be used to reduce the risk
- The impact on their wellbeing of any proposed actions to mitigate the risk
- The emphasis should be upon achieving an acceptable balance between reducing risk and the impact this may have upon the adult's wellbeing.

6. Risk to others

Consider the impact of the risk, and any action to address it, upon others. Remember that an individual's right to take risks does not give them the right to put others at risk.

7. Mental Capacity

Consider the adult's ability to understand and make decisions about the risks they face, and where doubt about this exists, ensuring that the principles of the Mental Capacity Act 2005 are followed.

8. Advocacy

Ensure the adult has an advocate to support them where they have a substantial difficulty or lack capacity to take part in decisions about balancing risks, and they have no-one else to support them.





9. Complex Situations

Where agreement with an adult about managing risk is not possible or is refused, a defensible decision will need to be collectively taken where there is continual risk of harm to the person and/or others.

- Assess the impact of any mental health concerns on decision making and risk to the adult or others.
- Risk management plans can involve one or many people or organisations providing support or services.
- Everybody in the risk management plan needs to know the extent of their involvement and where it starts and finishes.

10. Information Sharing

Appropriate Information is securely shared when it is relevant and proportionate to the risk identified, to those who have a need to know.

11. Defensible decision making

Assessments, judgements and defensible decisions should be clearly recorded. The names of those involved in decision making and those responsible for actions should be documented; this is especially important where situations are complex, high risk, or controversial. Recording should show:

- Reasons for the decisions
- That decisions are balanced
- That the adult has been appropriately supported with decision making, including being supported to weigh the potential negative consequences of the options they consider
- That decisions are regularly reviewed
- Reference to relevant legislation.

How can managers support this approach?

Managers need to foster a culture of positive risk taking which supports practitioners to work in a risk enabling way. This requires a culture of supportive learning from good, reflective supervision and an emphasis on evidence-based practice.

“Whose risk is it anyway?”



Key areas of legislation and guidance

The Care Act 2014 and its statutory guidance:

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

Mental Capacity Act 2005 and its Code of Practice:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/497253/Mental-capacity-act-code-of-practice.pdf

Birmingham Safeguarding Adults Board guidance:

Making Safeguarding Personal – What good person-centred adult safeguarding practice looks like in Birmingham:
<http://www.bsab.org/media/Making-SafeguardingPersonal-LEAFLET-Oct-17.pdf>

What do I do if I have an adult safeguarding concern?

http://www.bsab.org/media/AFJ_BASB-Leaflet_2015.10.22_lores.pdf

Safeguarding Adults

<http://www.bsab.org/media/Safeguarding-Blue-Booklet-June-2016-download.pdf>

Safeguarding adults is everybody's business

http://www.bsab.org/media/AFJ_6741_Bsab-Leaflet_2017.06.14_14.53_V1_digital2.pdf

Multi-agency policy and procedures for the protection of adults with care and support needs in the West Midlands:

<http://www.bsab.org/media/WM-Adult-Safeguarding-PP-v1-0-1-9-16-2-1.pdf>

Self-Neglect: Practice Guidance and Framework for responding to concerns about adults who self-neglect (including hoarding behaviour) in Birmingham:

<http://www.bsab.org/media/Self-neglect-guidance.-Final-print-version-19.05.17.pdf>



References and further reading

Cooper, A. and White, E. (Ed.) (2017) *Safeguarding Adults under the Care Act 2014 – Understanding Good Practice*, London: Jessica Kingsley

Research in Practice for Adults (2016) Risk Enablement

<https://www.ripfa.org.uk/resources/publications/frontline-resources/risk-enablement-frontline-briefing-2016/>

ADASS West Midlands a Positive Approach to Risk & Personalisation: A Framework

https://www.thinklocalactpersonal.org.uk/_assets/Resources/Personalisation/TLAP/Risk_personalisation_framework_West_Midlands.pdf

Carr, S (2011). Enabling Risk, Ensuring Safety: Self-Directed Support and Personal Budgets, Social Care Institute for Excellence

<http://www.jrf.org.uk/sites/files/jrf/right-to-take-risks-faulkner.pdf>

Faulkner, A. The Right to Take Risks: Service User's View of Risk in Adult Social Care, Journal of Adult Protection; Vol. 14, issue 6, pp. 287-296

<http://www.jrf.org.uk/sites/files/jrf/right-to-take-risks-faulkner.pdf>

SCIE REPORT 47 (2012), User Involvement in Adult Safeguarding, Social Care Institute for Excellence

<http://www.scie.org.uk/publications/reports/report47/>

Glasby, J. (2011) Whose Risk is it Anyway? Risk and Regulation in an Era of Personalisation, Joseph Rowntree Foundation

<http://www.jrf.org.uk/sites/files/jrf/personalisation-service-users-risk-full.pdf>

Duffy, S., and Sutton, J., (2018) Working with risk in Working with Complexity, Research in Practice for Adults

<https://www.ripfa.org.uk/resources/publications/evidence-reviews/working-with-complexity-evidence-review-2018/>



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