

**Children & Families Services**

**RISK ASSESSMENT GUIDANCE**

# INTRODUCTION

The Framework for the Assessment of Children is based on a child’s needs and the capacity of parents to meet those needs within their family, social and environmental networks.

Undertaking this analysis to determine risk is complex. Not all decisions taken in the context of risk can be guaranteed to prevent a hazard from occurring. Planned and informed risk assessment and risk management based on research will better predict outcomes than unevaluated information collection.

The risk decision must be sufficiently robust and documented to enable the Directorate to show that the risks were competently evaluated and managed.

# LEGAL ISSUES

The most significant legal issue in connection with risk is the civil law offence of negligence. A health or social care professional owes the child or young person a common law duty of care. If there has been a breach in the standard of care owed and if this breach has caused reasonable foreseeable harm then this could result in a negligence claim.

Providing an employee can demonstrate that they have acted within the Directorate’s policies, procedures and guidance and they have applied the knowledge and skills it is reasonable to expect them to exercise, then they will have applied the expected standard of care and will be supported in their decisions and actions.

# PRINCIPLES

1. In exercising their professional judgement, all staff will act within the law and in accordance with the Directorate’s policies and procedures and in doing so will receive support from the Directorate whatever the eventual outcome.
2. Children and young people should have the opportunity to live safely and free from harm and vulnerable children should be protected from significant harm.
3. Any risk assessment will take into account and respond to a person’s race, religion, culture, gender, sexual orientation, disability and communication needs.
4. Risk assessments and judgements should be founded on the application of explicit criteria and form part of an overall assessment process.
5. Risk assessment is undertaken in partnership with other agencies, children, young people and their carers to agree:-
* Factors which may increase the risk of harm
* Factors which may protect from harm
* The robustness of support systems
* Services which can be used to reduce risks
* A care plan which addresses the agreed risks
* Actions to be taken in an emergency
1. Decisions that follow on from risk assessments should be shared with children, young people and their carers.

# SIGNIFICANT HARM

The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, section 47 of the act places a duty on local authorities to make enquiries, or cause enquiries to be made to decide whether to take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer significant harm.

There are no absolute criteria on which to rely when judging what constitutes significant harm.

This guidance aims to provide a framework within which the significant harm/risk assessment and decision can be made.

In making a significant harm/risk decision the following factors need to be considered:

* Age of the child
* Level of Disability and ability to communicate
* Reason for concern
* Past history
* Acknowledgement by parent of problem
* Co-operation of parents
* One – off incident v repeated incidents
* Degree of injury/harm
* Contributing factors
* Identified protective factors
* Support networks
* Likelihood of harm occurring or re-occurring

# LEVEL OF RISK

There are two fundamental factors to consider when calculating the significance of a particular risk. These are:

* The level of risk and the severity of its consequences (impact)
* The likelihood of the risk occurring in the period covered by the risk assessment (frequency)

**Levels of Risk (Impact):**

**Low**

* The risk of harm is easily resolved through provision of services.
* The risk of harm is counterbalanced by protective factors
* Any harm that results would not require professional intervention.

**Medium**

* Harm to the child may result in a child protection investigation.
* Provision of care by the parent/carer may be disrupted resulting in the child needing to be looked after.
* The child’s wellbeing would be affected and would require professional support.

**High**

* Breakdown of current placement.
* Trauma to the child which may result in a child protection plan
* Behaviour, which would result in criminal prosecution and imprisonment or sectioning under the Mental Health Act.

# WHEN TO COMPLETE A RISK ASSESSMENT

The Risk Assessment Document should be used to assess**:**

**1. Risks arising from the level of a child’s needs**

**2. Risks arising from a lack of parenting capacity**

**3. Risks arising from the social and physical environment within which a child is living**

The decision to complete the Risk Assessment will be made in consultation with the relevant line manager.

A Risk Assessment should also be completed in:

* All Section 47 enquiries which proceed to a case conference to inform the assessment and any resulting child protection plan.
* All care proceedings to inform the planning for the child.

# COMPLETING THE RISK ASSESSMENT DOCUMENT

Consider the full history of the child and family members and any previous serious or potentially serious events that have occurred:

* How were these managed?
* What were the risk or protective factors?
* How reliable were protective factors/measures?

Describe the current situation and determine the significance of the current risk. Risks which are identified as of high significance must be prioritised for action.

Consider any current protective factors and whether these are additional to or of greater/lesser reliability than any previous protective factors.

Analyse the balance of risk and protective factors and record the conclusions. Consider:

* Is it possible to reduce the likelihood of risk?
* Is it possible to reduce the impact of the risk?

Consider how identified risks can be managed. Strategies to consider are:

* Introducing more protective factors
* Adopting a different approach to the problem
* Service provision to reduce impact or likelihood
* Contingency provisions

Having identified the level of significant harm use the Risk Assessment document to specify the actions and services to be put in place to manage all severe and high significance risks. If it is not possible to put measures in place to reduce high significance risks, consideration must be given to immediate intervention to protect the child as specified within the Risk Assessment document.

The Assessment must be agreed by the Principal/Practice Manager.

**APPENDICES**

Appendix 1 – CYPD Risk Assessment

**VERSION CONTROL**

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| **Area of Document**  | **Updated By** | **Date** | **Document Stored** |
| Document review | Principal Manager CiCCLCYP Policy Officer | June 2019 | [CSC online procedures manual](https://www.proceduresonline.com/halton/cs/local_resources.html) |

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  **APPENDIX 1**

**CYPD RISK ASSESSMENT**

**Assessment Date:**

**Next Review:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **RISK FACTORS** | **CURRENT PROTECTIVE FACTORS** | **LEVEL OF RISK** | **ACTION REQUIRED TO MANAGE RISK** | **IMMEDIATE ACTION IF RISK REMAINS HIGH** |
|  |  | **Impact:** | **Frequency:** |  |  |

Signed: ……………………………………………………….

Signed:……………………………………………………… Key Worker Date…………………………………….

Signed: ……………………………………………………… Social Worker Date……………………………………..

Signed: …………………………………………… ……….. Parent Date……………………………………..

Signed: ……………………………………………………… Registered Manager Date……………………………………..