

## 1.14.11 Risk Taking and Assessments Policy

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### Regulations and Standards

#### England

- [Regulation 11: The positive relationships standard](#)
- [Guide to the positive relationships standard](#)
- [Regulation 12: The protection of children standard](#)
- [Guide to the protection of children standard](#)
- [Regulation 13: The leadership and management standard](#)
- [Guide to the leadership and management standard](#)

#### Wales

- Regulation 27: Safeguarding policies and procedures  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/27/made>
- Regulation 35: Fitness of staff  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/35/made>
- Regulation 36: Supporting and developing staff  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/36/made>

### Scope of this chapter

No matter how comprehensive the written policies, procedures and guidance appear to be, residential social work by nature cannot always be so easily classified. There will be situations where carers have to make quick, spur of the moment decisions on a situation with which they are faced. The following principles should be understood by all carers in order to facilitate and support such decisions. Carers must remember that they are accountable and liable for the actions that they take and must be confident that in taking a risk, they are acting in the best interests of the child.

### RELEVANT CHAPTERS

#### Activities and Transporting Children Procedure

## 1. Risk Taking Behaviour

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Much of our work with children concerns the need to reduce or eliminate risk.

We care for children by understanding the risks they may encounter, and helping them to develop a healthy attitude to risks.

Every child's My life plan/personal plan will include a risk assessment and Individual Behaviour Support Plan, which considers the risks to which that particular child is vulnerable and how best to keep the child safe and help them to manage risk.

However, the key principle is that we will find a balance between protecting children and allowing them to learn and develop by taking manageable and managed risks.

Children who come to us have often had difficulties developing a healthy attitude towards risk. Having been exposed to dangerous situations and not protected from them, they may be more attracted to the familiar feelings associated with taking risks than others.

On the other hand they may have been frightened or traumatised so that they remain fearful and unable to take the risks needed to develop. Most of the children will not have developed the sense of security needed to judge risks accurately and moderate their behaviour accordingly.

Taking risks related to sex, alcohol, drugs, driving and physical risk-taking are all common in the children we care for. Alongside this, an inability to risk doing the unfamiliar (for example: writing, being able to say 'no', speaking out) may all limit children's development and they need to be encouraged to 'risk it' in a way which is sensitive to what this may have meant earlier in their lives (for instance children may have been punished just for existing).

For more detailed guidance, see Appendix 1: Risk Taking Guidance.

## 2. Registered Manager's Responsibility for Risk Assessments

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It is the responsibility of all managers to ensure that appropriate written risk assessments are undertaken. A risk assessment does not need to be undertaken by a manager. It is their responsibility to ensure that a person who has the knowledge and understanding of the issues and who is familiar with the risk assessment procedure completes a risk assessment.

A "risk assessment" is a careful examination of what, in an establishment's activities, premises and day to day work could cause harm to children or lead them into, or fail to provide reasonable protection for them from, unacceptably risky behaviour. Its purpose is to identify the precautions needed and whether more should be done to prevent harm or risk of harm. Its objective is to minimise risk or avert risks and to protect children. It is a matter of applying systematic common sense to the protection of children from risks that could have been minimised or averted.

Making a risk assessment for each child is good practice. It supports the child and carer promoting pro-active planning that aids settled placement.

Overview of the types of occasions when a risk assessment needs to be completed:

- When deciding upon a placement;
- Prior to admission in relation to the needs of the child and the existing group;

- When planning activities;
- When planning and purchasing new facilities that will be used by children;
- When new work practices are introduced;
- When a child develops a special need or where there is a significant change to their existing needs.

### **3. Reviewing Risk Assessments**

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There should be system for regularly reviewing the risk assessments. No risk assessment should be written without a review date, monthly, quarterly, six monthly or annually, depending upon the need.

### **4. What Risk Assessments Should Cover**

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For example the Children's Homes Regulations and Regulation and Inspectorate of Social Care (Wales) Act 2016 specifically require that any activities for children are also so far as reasonably practicable free from avoidable risks, and that generally, unnecessary risks to children, or risks to others are as far as possible eliminated.

A risk assessment should assess risks to children's health or safety, including risks from and activities and their vulnerable status.

These risks include:

- Physical, sexual or emotional abuse;
- Neglect;
- Damage to normal development;
- Accidental injury;
- Features of premises or activities which invite illicit and risky activities;
- Bullying (it is as important to include risks of abuse and bullying, from both adults and other children both within and outside the home, as it is to cover risk of injury);
- Becoming lost or being taken by someone;
- Becoming involved in prostitution, pornography or sexual exploitation;
- Becoming involved in substance abuse;
- Becoming significantly distressed or upset;
- Failure to safeguard and promote the individual's welfare;
- Disaster.

Disaster encompasses a broad range of events. However, for the purposes of this policy, the following 'potential disasters' do require a risk assessment (there may well be others which the manager must take into account) to be completed by the manager and to be approved by their line manager.

#### **Fire**

Each home must have in place a fire procedure that details evacuation procedures and calls to emergency service. In addition in the event of a fire in respect to this policy, the manager must identify what actions will be taken should the home be unfit to return to. For example, where would young people and staff be temporarily accommodated? What are the arrangements to notify such persons of such events?

Specifically temporary accommodation must be reasonably identified for example, venue (another companies children's home, another external children's home, hotel, etc). What will be the staffing arrangements? Who has the responsibility for co-ordinating such arrangements including advising staff and other of temporary accommodation and any other matter concerning such event?

## **Flood**

In the event of a flood, similar arrangements must be recorded in a risk assessment as those for a fire (see above). For example identifying temporary accommodation and other arrangements as detailed in the event of a fire in the above.

The risk assessment would also need to include the arrangements for ensuring that all services to the building are secure and safe. In addition what are the arrangements for inspecting and checking out that all services are safe prior to any return to the home.

## **Power Failure**

In the event of a power failure, similar arrangements must be recorded as how to respond to any power failure. The risk assessment would need to include for example:

- Impact upon safety of home environment and those accommodated and working therein;
- The adequacy of maintaining proper heating, lighting and catering arrangements etc;
- The duration of any power failure including arrangements for temporary accommodation;
- The equipment needed in the home in respect to managing such an event; mobile phone, torches, first aid, additional bedding, carer knowledge of location of shut off points for gas, oil, electricity etc.

## **Heating Failure**

See **Power Failure**.

## **Vehicle Accident**

That staff are aware of what to do in the event of the above. This would include health and safety, notification to emergency services, notification to insurance, notification to any other i.e. The Inspectorate, social worker, parents etc. In addition this would include equipment to be carried in car i.e. first aid, fire extinguisher, breakdown cover details etc.

## **Carers**

In the event of carers not turning up for duty what arrangements would be put in place to ensure that additional staffing arrangements are satisfactory for the safe care of young people we accommodate?

## **5. What is a Significant Risk?**

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A "significant" risk is one that a reasonable person would regard as significant rather than negligible, taking into account the ages, mix and characteristics of the children involved.

## **6. What is an "Unnecessary" Risk?**

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An "unnecessary" risk is one that arises in part or whole from reasonably preventable circumstances rather than being "a normally accepted part of living and growing up". What would be unnecessary would be where the risk arises from, or is increased by, negligence, failure to take reasonable (or legally required) safety measures and failure to take into account the age, characteristics, needs and any problems of the individual children involved.

## **7. "Unusual" Risks**

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An "unusual" risk is one that a reasonable person would be likely to regard as "out of the ordinary", or part of an activity that may seem to have risks involved or attached.

## **8. The Assessment of Risk**

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Assessing risks needs a steady and step-by-step approach. When it is completed it needs to be made known to those people whom it affects - the children and the care team. They need to know about the risks and the methods that are approved of to minimise them. The risk assessments need to tell people what they need to do.

## **9. Providing and Arranging Activities**

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See Also: **Activities and Transporting Children Procedure**

Older young people will naturally and rightly take greater responsibility for their own activities and free time and many children will participate in risky activities which are not provided, approved or arranged by the home.

There remains the statutory duty to safeguard and promote welfare, reasonably taking into account the age, understanding and relevant competence of the young people concerned.

Any activities in which children participate are so far as reasonably practicable free from avoidable risks.

These responsibilities do not diminish as the child's age increases.

There are 3 main considerations when assessing risk from specific activities being provided for children.

### **What do I do?**

Be satisfied that any activities are suitable for the children concerned - including any activities not organised by the home but which they take part in. You are required to:

- Take into account factors such as the age, number, competence, behaviour, skills and mix of children;
- To recognise that what may be suitable for one group of children of a similar age may not be suitable for another;
- To keep reviewing the suitability of the activities in practice;
- To make changes if they appear to be becoming unsuitable for any reason - something that has never caused a problem before or with other groups may well start doing so;
- Take positive steps to minimise risks from the activities you provide or approve for children to take part in. You need to:
  - Identify possible risks and to take action to counter them, as well as not taking (or letting children take) unnecessary or unreasonable risks (always taking their age, abilities and characteristics into account). Something that is suitable for older young people, or for children who have reached a level of skill or responsibility, may present significant risks to younger or other children;
  - Take into account in minimising risks the fact that children may be pressured to go into places and to try activities that are attractive, even if they have been told not to;
  - Take proper safety precautions for any activity that needs them. The responsibility ultimately rests on the registered persons, but also needs to be exercised by the person in charge of or approving the activity (whether a staff member or not) and every member of staff or helper involved. Activities may well involve some elements of risk - but it is necessary to minimise risks to children - you should not therefore take the line that high levels of risk simply contribute to the fun or challenge of a particular activity.

Satisfy yourself that every carer, helper or instructor (including any outside instructor coming in for the activity) is competent to supervise or instruct the activities you are entrusting to their supervision or instruction. You need to:

- Check the carers, helpers and instructors (including any young people who are assisting with other or younger children) are suitably responsible people, are properly trained and skilled in the activity itself, and are able to lead or supervise that activity safely (which may require more knowledge and skill than simply being good at the activity themselves);
- Check that those leading the activity concerned hold the relevant qualification to supervise or instruct children in that activity.
- Risk activities will usually be governed by a recognised national body or association, and you should check with that body what qualifications are needed to supervise or instruct children taking part in the activity, and ask the relevant staff or instructors to show you proof of that qualification. Make a record of the qualifications;
- Where the national body for the activity concerned specifies the number of qualified instructors or supervisors required, this number should be met;
- You should only provide activities that require special equipment, clothing or safety precautions, if you are able to supply these. Qualified instructors should know what special equipment is needed, and you should take their advice and never require them to provide or give instruction in an activity without the required clothing, equipment or precautions. Note that extra precautions may be needed for children that adults may not require, and that the precautions and equipment may need to be different if the children taking part are unskilled novices rather than children skilled in the activity. Again, the national body for the activity concerned can usually advise.

## Appendix 1: Risk Taking Guidance

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### The Carers Role in Children's Risk Taking

It is the role of all carers to be aware of the purpose that risk taking needs to play in each child's development. This will expose the differences in attitude to risk within the staff team. These attitudes need to be discussed openly in order for the care team to properly think about what each child needs. This is likely to be an area where differences occur between carers. This is a healthy process and just as children in families often witness adults discussing how much risk they should be exposed to, it is also important for children in care to understand that the carer's care enough about them to have strong feelings on these matters.

Children need to be provided with plenty of opportunities to take 'controlled' risks, which have been subject to a Risk Assessment. The more this happens the less they are likely to feel the need to look elsewhere to take them. While letting children take too big a risk is a mistake, stopping them from taking any at all is also one. The children cared for by us have often not had the developmental opportunities ordinarily experienced by trying things they are just learning to manage. The carer role is to provide these opportunities whilst understanding that by the nature of the endeavour children will 'fall over' or 'fail' many times before learning to manage the dangers without needing an adult to pick them up. So opportunities to go out unsupervised, travel by bus, manage money, manage an aerosol etc will need to be tried again and again.

As children begin to reach adolescence there appears to be a strong relationship between risk-taking and responsibility. The more responsibility children have, the fewer risks they seem to take and vice versa. This developmental stage may come later in children who have not had the earlier developmental foundations built; staff need to discuss carefully together whether particular children need to take more or less responsibility.

Staff should:

- Understand each child's relationship to risk according to their history, experience, and developmental stage;
- Use this understanding to inform and use My life plan/personal plan;
- Form strong relationships with children and supervise them well so that risk taking behaviour is more likely to happen in front of them rather than 'going underground';
- Discuss safety and risk taking in community meetings;
- Supervise children properly and set clear boundaries;
- Use the staff forums provided to talk together about risk-taking;
- Instigate activities to provide children with controlled risk taking opportunities;
- Help children who are ready to take responsibility so that they are not left to create dangerous situations;
- Gently help and support children who are risk averse to take on small challenges.

A healthy attitude toward risk taking can only be achieved within a framework of safety so staff must also read all policies and understand their obligations in terms of safety. Carers must:

- Ensure they know the areas where their role is to eliminate and reduce risk (car, road and bike safety, fires, health and infection control, child protection, visitor management etc);

- Ensure rules about safety and policies are adhered to in all circumstances - especially those where children may be at particularly acute risk - for example: absconding, restraint, child protection, substance misuse, car, road and bike safety, fires, health and infection control, child protection, visitor management etc;
- Ensure risk assessments are made, used and updated.

It is the responsibility of all carers to take collective responsibility for identifying and managing risky situations - don't just leave this to managers.

**End**

### **Revision History**

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