

# research in practice

## Working with risk

One day online workshop

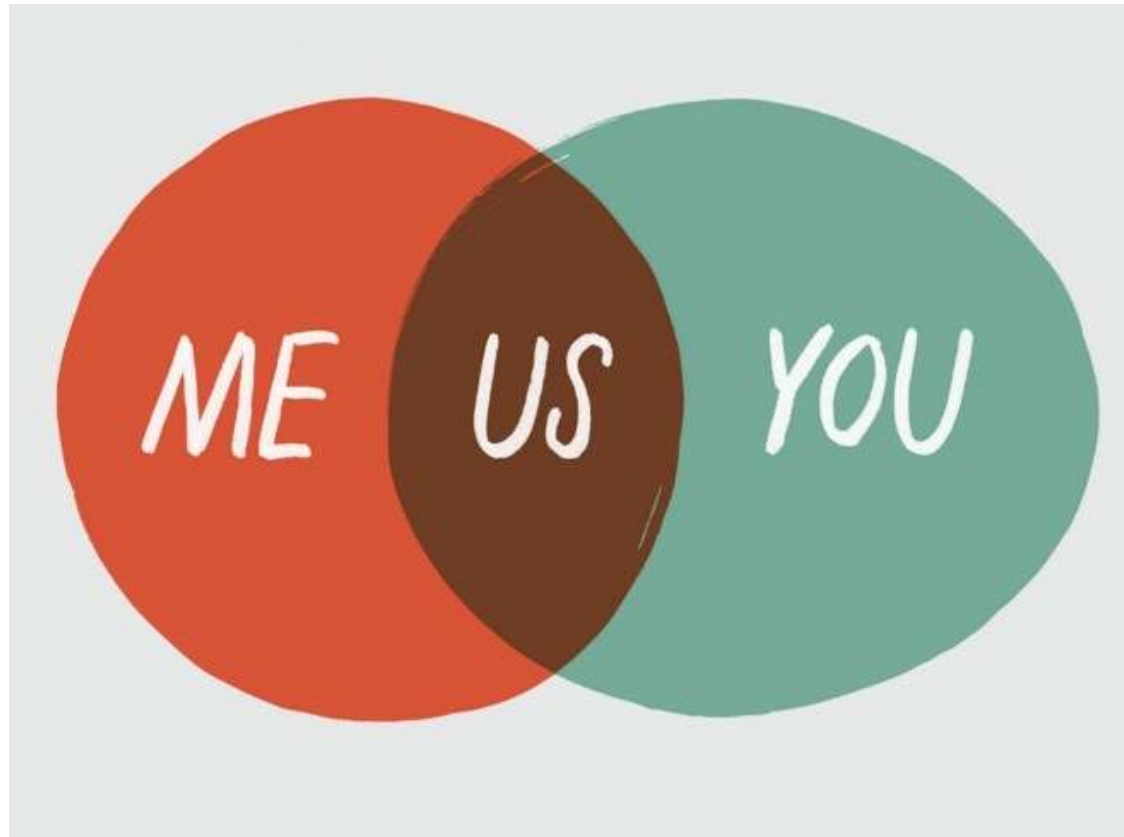


## Ensuring our discussion works well

- › Please mute when not speaking to avoid background noise – remember to unmute when you wish to talk.
- › Keep your camera on if possible!
- › Use the ‘Raise your hand’ function to notify the facilitator if you wish to talk.
- › Use the chat function available if you do not wish to talk.
- › Remember that anything you write in the chat function will be seen by everyone in that chat – so avoid discussing sensitive personal details.

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How will we work together today?



## Workshop objectives

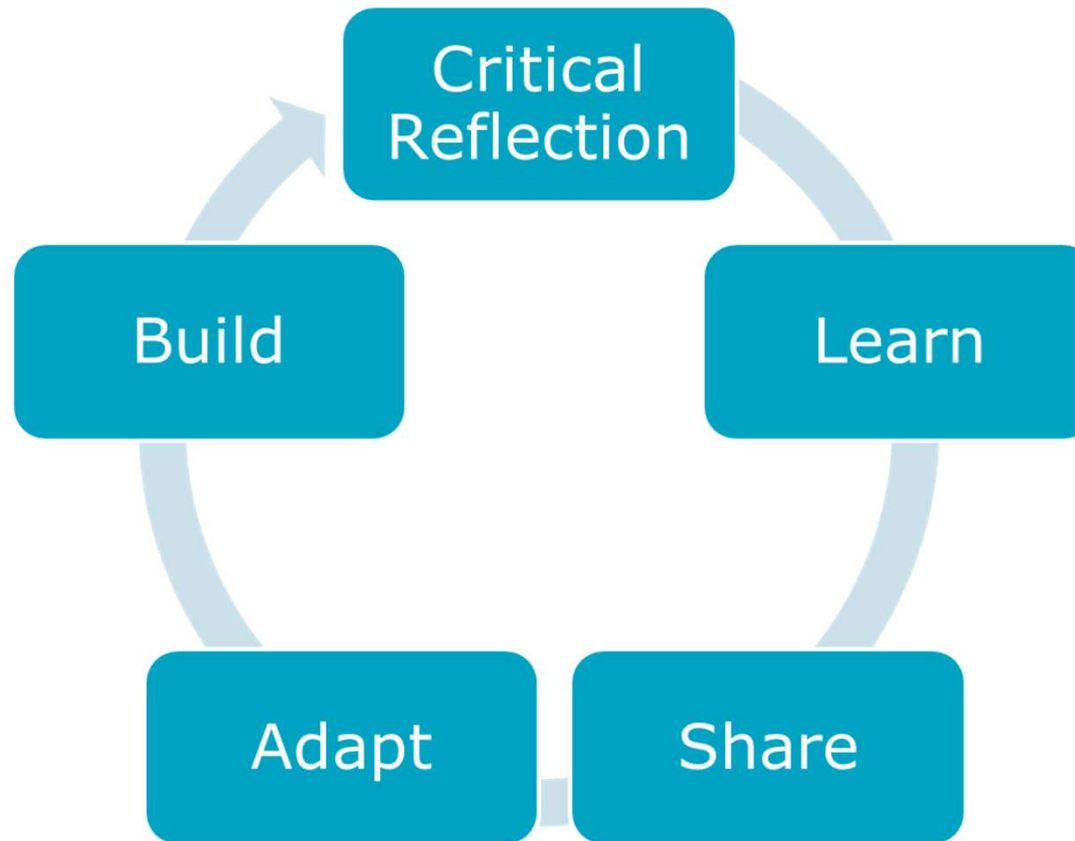
- › Understand how to work more effectively and positively with risk, in the context of strengths-based working.
- › Understand how case law can support risk enablement in practice.
- › List the core professional skills to make defensible and confident decisions about risk.
- › Know how to use research and case law which practitioners can use to inform their practice with risk.

## Agenda

	Contents
9:15*	Welcome, introductions and outline for day
9:45	Risk, rights and responsibilities 'Simple' and 'complex' risk
11:00	The balance of risk, rights and Safeguarding Case study exercise - Simon
12:00	Lunch
12:45	How legally literate are you? Mental capacity, case law and risk
14:00	Break
14:15	Whose risk? Diversity, intersectionality and power Emotional resilience and risk
15:30*	Close

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## The learning approach

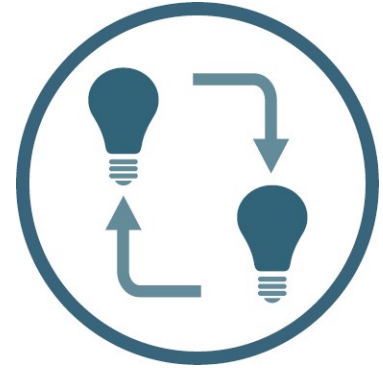


(IPC, 2020 – Learning Reflective Learning Set Model)

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## Introductions

- > I'll call your name (unmute your microphone).
- > Say who you are, your job role and your team.
- > What do you think about when you hear the word 'risk'?



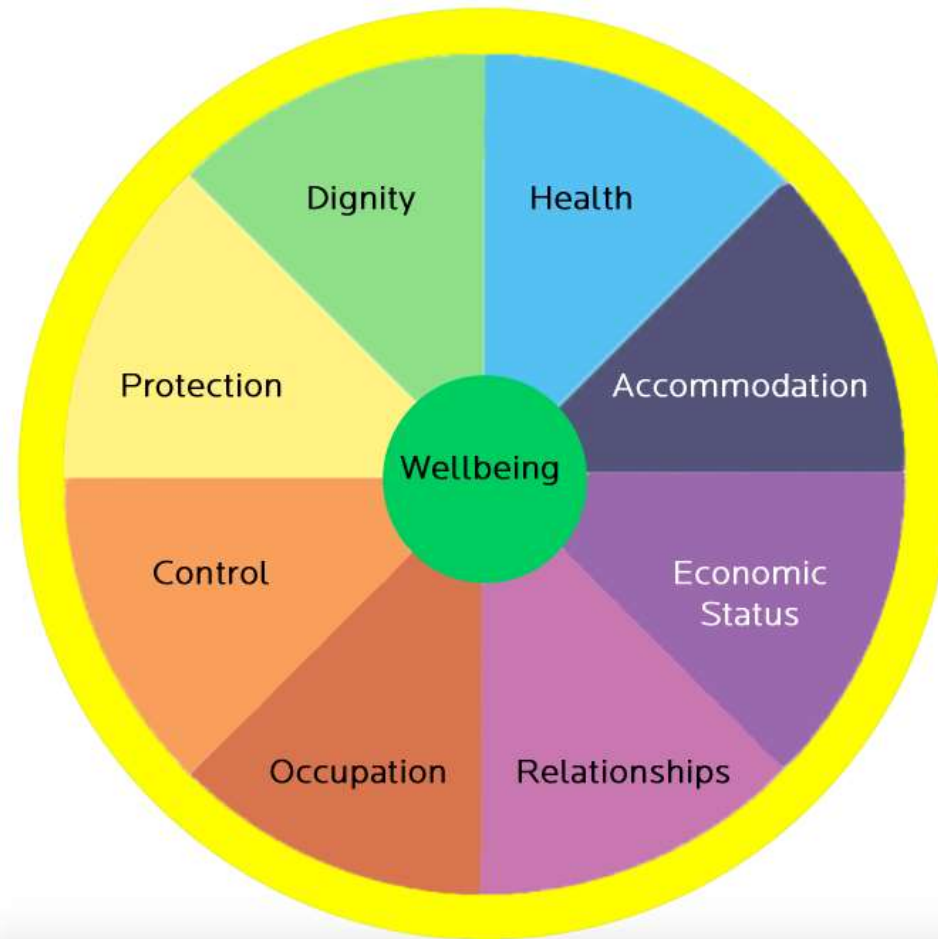
## One definition

*Risk enablement means working to enable individuals through carefully considered risk-taking. Positive risk taking is a collaborative process of balanced decision-making in relation to risk, in which the stakeholders weigh up potential risks and benefits and take a shared problem-solving approach to try and find a way of managing risks.*

(McNamara and Morgan, 2014)



## Care Act 2014: Aspects of Wellbeing



(IBA 2016)

## Implications of The *Care Act 2014*

- › Local authorities to promote *wellbeing* (not just provide particular services).
- › Assumption that we are best placed to judge our own wellbeing (and the outcomes that matter most to us) unless proven otherwise.
- › Service users should be enabled to participate as fully as possible in decisions at every stage.
- › Professionals to respond proactively to risk of abuse/ neglect, by making enquiries.

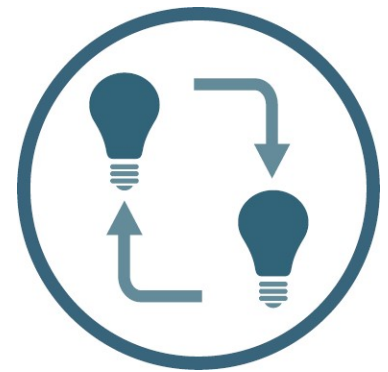
## Offline work

- › Watch Film 1 (20 mins): <https://vimeo.com/504431267/24611f5313>
- › No need to consider the reflective question at the end but consider your own practice. Note down some ideas on 'simple' and 'complex' risks in your work.
- › Come back at 10:00 to go into breakout rooms.
- › Remember to mute and turn off your camera!



## Breakout room activity - Share your thoughts on 'simple' and 'complex' risk

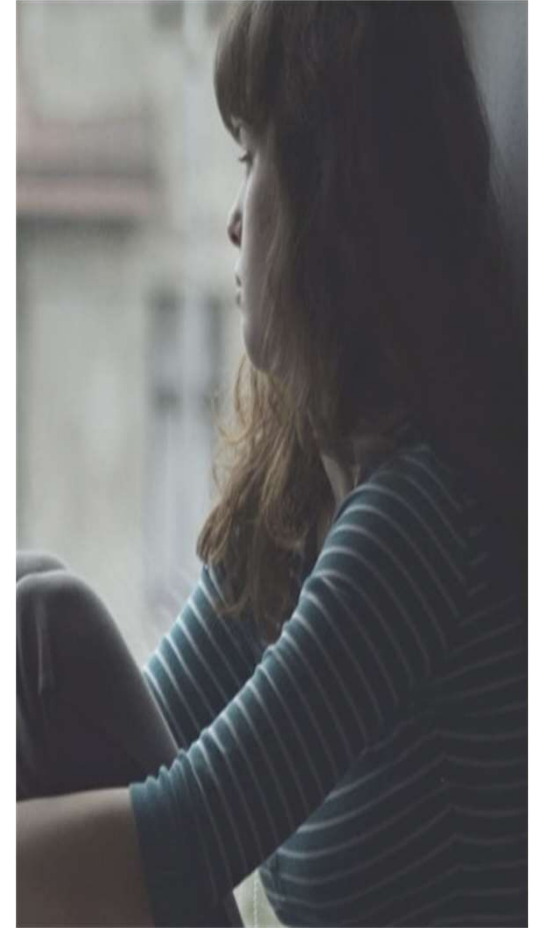
- › What are your main professional concerns in relation to working with risk?
- › Have you any examples of working in a risk positive way?



## Unequal distribution of risk during COVID-19

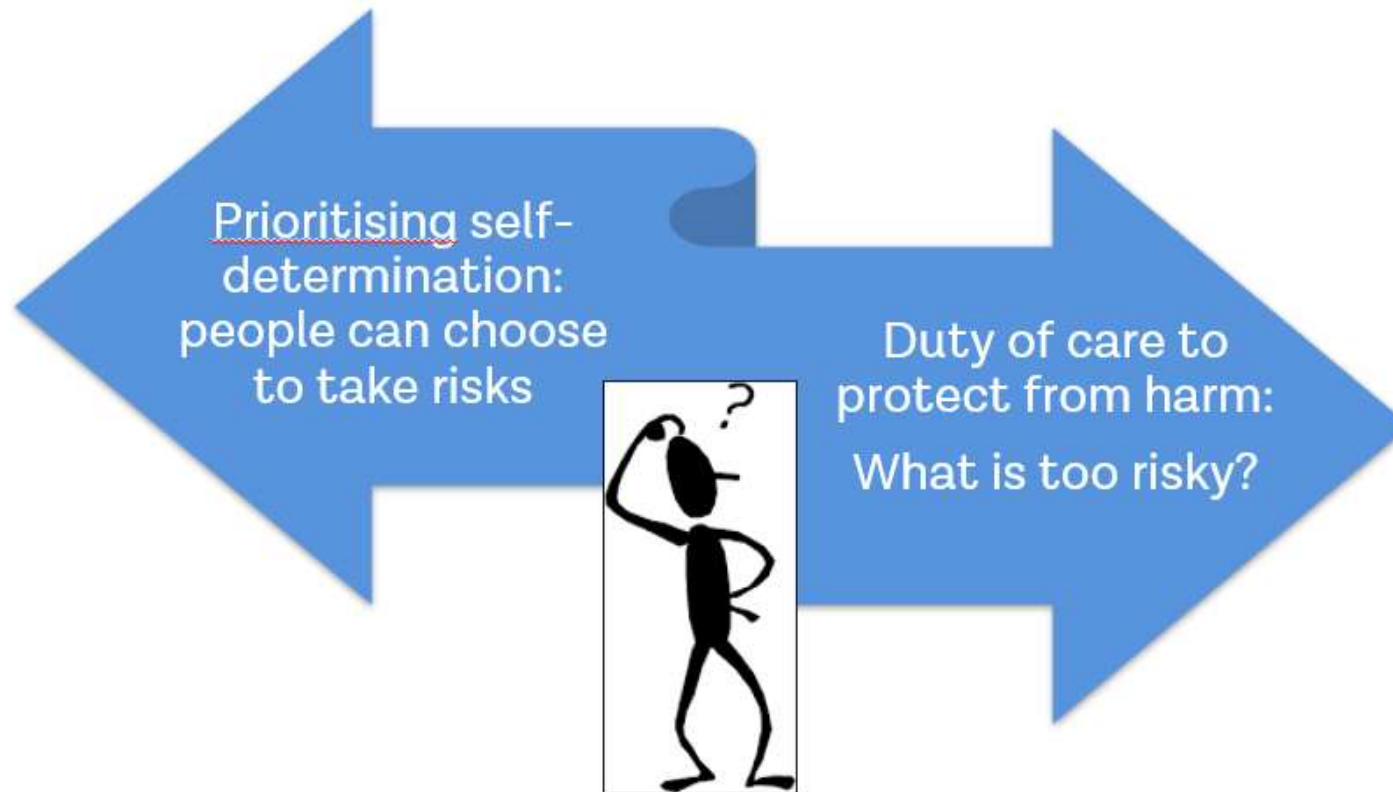
People with care and support needs at higher risk during COVID-19 of:

- > Financial abuse and scams (400 per cent increase in fraud reporting).
- > Domestic violence and abuse (escalation, fewer visitors, and abuser having greater control).
- > “People who are experiencing abuse may be less likely to ask for help as they know that emergency services are stretched.”



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## Strengths-based working and risk



## Offline work

- › Watch Film 2 (20 mins): <https://vimeo.com/504430037/22cb826084>
- › Please pay particular attention to the material on hoarding, as this is what you will be discussing in your groups.
- › Come back at 11:10 to go into breakout rooms.
- › Remember to mute and turn off your camera!



## Risk enablement and safeguarding

Shared features of positive risk-taking and Making Safeguarding Personal:

- > The approach to risk is rights-based.
- > People using services are kept well-informed in an accessible way.
- > The wishes of people using services are at the heart of decisions.
- > The strengths of the individual are identified.
- > Decisions are balanced; reasoning demonstrable.
- > Decisions are regularly reviewed.
- > Practitioners are reflective and legally literate.



RiPFA (2016)

**NB: It is possible that safeguarding alerts will increase where a risk enablement approach is being taken**



## Risks, rights, and the voice of the person

*Nothing about me, without me.*

(Disability Rights Movement)

*What good is making someone safer if it merely makes them miserable?*

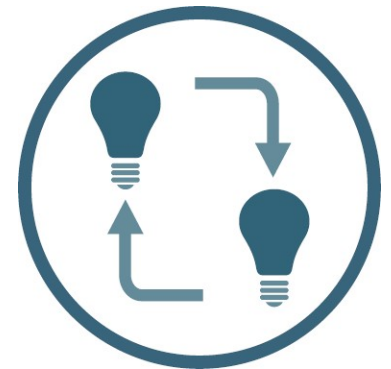
(Sir James Munby)

*[the word] risk is often perceived negatively by people using services (used as an excuse used for stopping them doing something).*

(Jon Glasby)

## Breakout room activity - Simon

- > What are the risks, rights and responsibilities associated with hoarding?
- > What are the considerations around wellbeing, physical health, others' physical health and wellbeing, and the risks of not hoarding that the person may feel.
- > How can you work with the risks of hoarding while being strengths-based and person-centred?



## Working with risk is more effective where practitioners:

- › Build rapport and trust.
- › Seek to understand the meaning and significance of the risk.
- › Work at the pace of the individual.
- › Keep in view the question of the individual's mental capacity to make own decisions.
- › Communicate about risks and options openly.
- › Ensure options for intervention are rooted in sound legal powers and duties.
- › Think how family and community can contribute to intervention.
- › Engage and coordinate agencies with specialist expertise.

## Reflections

- > What changes to the types of risk you are seeing have occurred since COVID-19?
- > How are you working in a creative, strengths-based and risk positive way (give an example!)
- > How might we use our experiences with risk during COVID-19 in our future work?



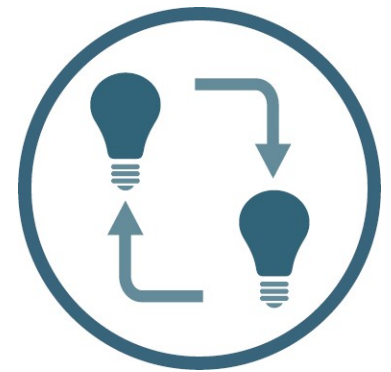
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## LUNCH



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Welcome back



## What is legal literacy?

- › The ability to connect relevant legal rules with the professional priorities and objectives of ethical practice.
- › Sound knowledge of relevant legal rules (or where to find them).
- › Principles of defensible decision-making.

(Research in Practice Change Project, 2019)



## Reflections on legal literacy

- > How confident do you feel in... (pick your most confident...)
  - The Mental Health Act 1983
  - The Human Rights Act 1998
  - The Care Act 2014
  - The Mental Capacity Act 2005
  - The Equality Act 2010
  - Accessing and interpreting case law
- > What do you worry about?
- > What would you like more support with?





## Challenges to being legally literate

- › Law perceived as ‘not social work’ (difficult, alien, hostile, oppressive).
  - › Law perceived with a mix of fear and respect (worries about ‘getting it wrong’).
  - › Sticky transition to practice contexts.
  - › Knowledge can decay quickly and lack of focus on legal context in CPD.
  - › Legal rules can be feel implicit and opaque *until* they are ‘a stick to beat us with’.
- (Braye and Preston-Shoot, 2016)

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## Offline work

- › Watch Film 3 (18 mins): <https://vimeo.com/504428571/24635b026f>
- › We will be using one of the pieces of case law for discussion but not the COVID-19 one.
- › Come back at 1:20 in the main room.
- › Remember to mute and turn off your camera!



## *LB Tower Hamlets v PB* [2020] EWCOP 34

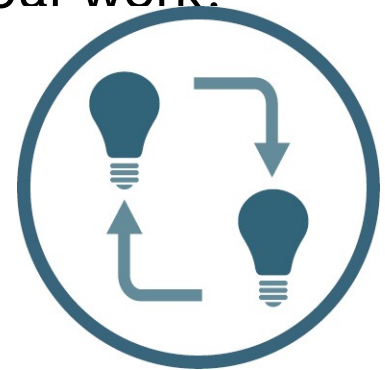
- > An independent expert was found to have set the bar for mental capacity too high by requiring that a man dependent on alcohol accept ‘beyond doubt’ that he could not control his addiction.
- > It is easy to let concern for the consequences of a decision lead improperly to the conclusion that the person does not have capacity.




## Case study discussion

Note down the following:

- > What are the risks, rights, and responsibilities relevant to alcohol use in this case?
- > Why is the issue of how the bar of capacity is set so important in this case?
- > How might you work with the risk in this case? What steps can be taken?
- > What complexities around mental capacity do you experience in your work?



## Risk aversion to risk enablement in an Organisation

- > 'Risky/vulnerable' people.
  - > Worst case scenario.
  - > Focus on physical (someone getting hurt or falling ill).
  - > Medical problems, limitations, what's gone wrong before.
  - > A senior/ lead professional takes decision (and gets blamed if it goes wrong).
- 
- > Risk of specific situation.
  - > Benefits considered too.
  - > Social, emotional realm considered (hidden harm/ benefits).
  - > Strengths, resources (outside services), what's worked before.
  - > Person and family, plus a range of professionals share responsibility for managing risks.

## Risk positive: from organisational power to person power

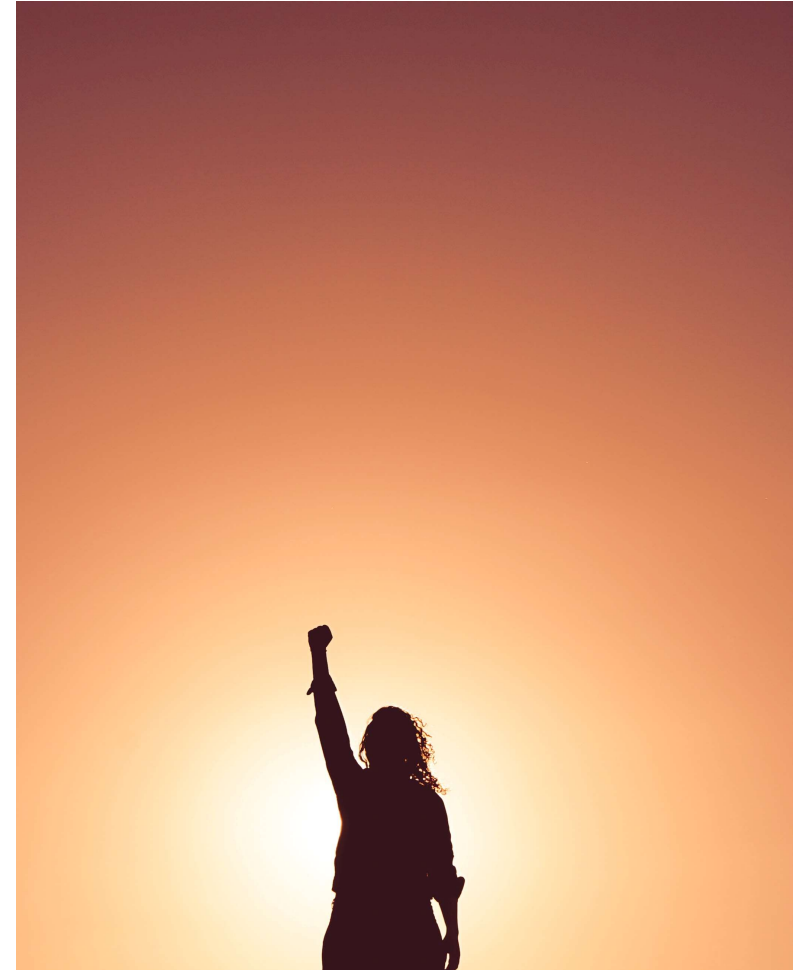
- › Is our work *task* focused or *outcome* focused?
- › Do we talk about risk in as specific a way as possible? Do we balance this with strengths and resiliencies?
- › Do approaches to safeguarding discourage emotional and personal connection, because of the perceived risk of grooming for abuse?
- › Are our targets around the completion of tasks or lived experience?
- › Are we trusted to make (defensible) decisions?

(adapted Morgan and Andrews, 2016)

## Diversity and risk

*We need to ask questions about power, diversity, and evidence-informed practice: what research evidence is being produced, what worldview it represents, and who is in charge of its influence on practice.*

(Sutton, 2020)



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## Offline work

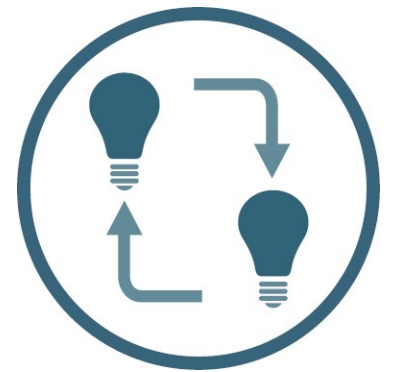
- › Watch Film 4 (20 mins): <https://vimeo.com/504427763/ceb9cd67e6>
- › Complete the action plan in your workbook
- › Come back at 3:10 in the main room.
- › Remember to mute and turn off your camera!





## Group discussion

- > What are some key points from the talk by Nidhi Goyal?
- > What do we need to be aware of in terms of bias, our power as professionals and risk?



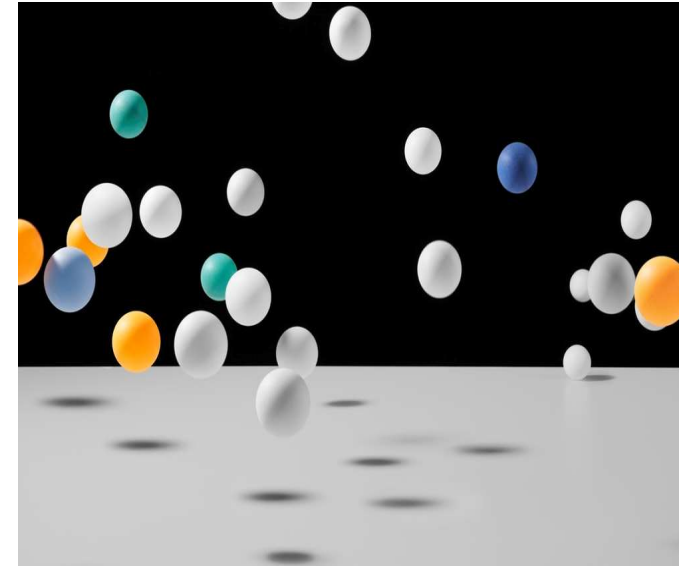
## ‘Decolonising’ risk and identity

- › Peeling back existing ways of thinking and feeling to get ‘under the skin’ of *everyone’s* everyday lives.
- › Binary thinking is both excluding and hierarchical – we need to be open to new ways of seeing the world.
- › Our identity should act as a ‘compass’ not a ‘weapon’. (Salami, 2020)



## Individual resilience

- › Bouncing back, thriving, coping well.
- › Hardiness, psychological capital.
- › Linked to Health, QoL and longevity.



*The capacity for flexible and resourceful adaptation to external and internal stressors*

(Klohen, 1996)

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## Current context and challenges

- > What does this look like for you?
- > What helps your resilience?



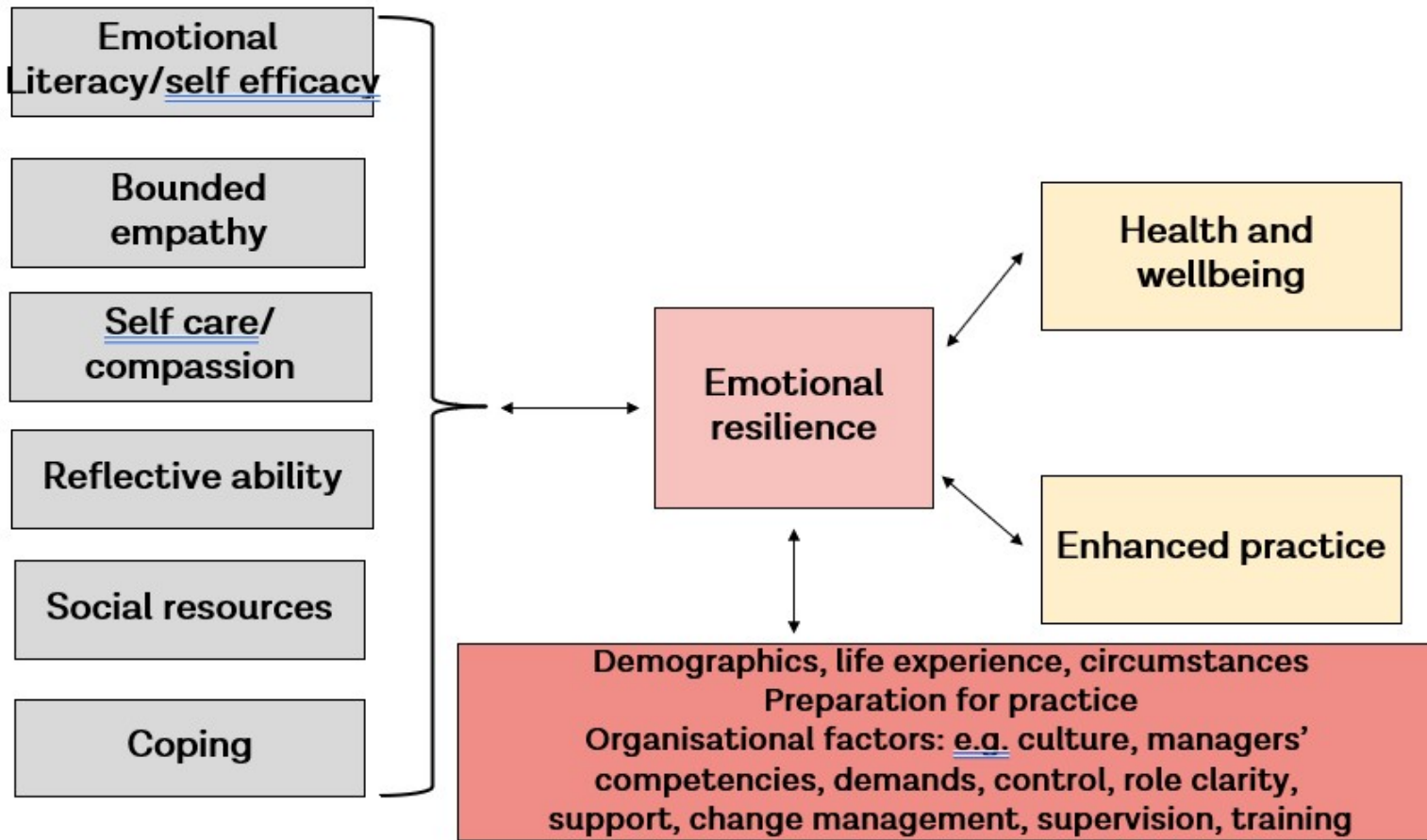
## Current context and challenges

- > Rapidly changing social policies.
- > Public scrutiny and mistrust.
- > Heavy caseloads and admin burden.
- > Limited resources / cuts to services.
- > Recruitment difficulties / high turnover.
- > Absenteeism / presenteeism.
- > High risk work related stress and burnout.
- > Challenges of the Covid -19 pandemic.



Research in Practice: Grant & Kinman (2019)  
Understanding Resilience - SWORD

## What makes people resilient?



(Kinman and Grant, 2011)

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### How to reduce stress and enhance resilience 4 key messages

- › Build your community of support.
- › Set clear boundaries, keep a healthy work-life balance.
- › Enhance your sense of control and accomplishment.
- › Practice self kindness and compassion.



## Creating a positive, inclusive risk culture

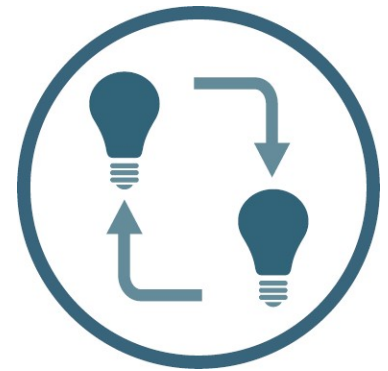
- › A vision focused on empowerment and wellbeing.
- › Space/ facilitation to discuss, disagree then reach consensus and share accountability.
- › Communicate and celebrate positive outcomes.
- › Tools and systems to record decision making.
- › Supervision and support – especially where things go wrong, despite good decision-making.
- › Create a culture that trusts in natural human relationships and conversations.

Finlayson (2015)




## Feedback

- > Please share at least one action you will do, or one point where you will need support.



## Further reading and additional resources

research in practice for adults Frontline Briefing



**Risk enablement**

Dartington [www.ripfa.org.uk](http://www.ripfa.org.uk)

research in practice for adults Frontline Briefing




**Risks, rights, values and ethics**

Dartington [www.ripfa.org.uk](http://www.ripfa.org.uk)

research in practice for adults EVIDENCE REVIEW

**Working with complexity**



Dartington [www.ripfa.org.uk](http://www.ripfa.org.uk)

## Please complete an evaluation

- › Please complete the online survey.



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Thank you