**03. Defensible decision making is NOT**

Defensive practice: ‘covering your back’, though its often thought of in this way. It does not mean avoiding positive risk taking or uncertainty: because we can’t!

Making the 'correct' decision: when we make a decision, we don’t have the benefit of hindsight. We don’t know what will happen. We may, in the light of later events or evidence, have made a decision that had an untoward outcome. However, if we can justify our decision making, it will be a defensible decision.

Confirmation bias – we may unconsciously search out information which backs up this hypothesis and disregard (or downplay) information which contradicts it.

1. **Defensible decision making definitions**

Kemshall (2009): “Decisions that will withstand the harsh scrutiny of hindsight bias in the event of a risk failure…. informed, balanced, proportionate and just risk decisions”.

Cooper, 2011: “Critical, reflexive and careful judgements…with the fully considered evidence of incomplete knowledge so that you can defend and justify your assessments, plans and interventions”.

**02. What is a defensible decision?**

Evidence based, using all the information available to you at the time (be aware that we rarely have all the information).

Information is thoroughly evaluated and analysed.

Weighs up different outcomes and options before deciding.

Evidences the rationale for the decision, including anyone consulted.

Follows policy and legislative responsibilities/duties.

Recorded in a way which evidences all the above.

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**7 Minute Briefing and Practice Guide – Defensible Decision Making**

**05. Top tips for making defensible decision making**

Evaluate information you are using: are there any gaps? How reliable are the sources?

Consider who you need to communicate with to make the decision.

Once the decision is made that it is communicated to the people/agencies who need to know.

Consider your own biases and preferences: these may affect your decision.

Use reflective supervision, evaluate your decision making and the impact of your values/experience.

Record your decision – Cover what has been decided and the rationale for the decision.

Evidence what other options have been considered.

**04. Decision making tools**

There are a range of tools that can support decision making, for example;

Balance Sheet used in Family Courts which involves weighing each available option, focusing on advantages and disadvantages of each option.

Decision Making Tree – are a way of analysing potential options and estimating the likelihood and desirability of the consequences of each option.

Protective Factors VS Risk Factors – Considering what protects the child and what acts as an additional risk? Hypothesising is useful when using this tool.

**06. Top tips for Managers**

Recognise staff may hold different tolerances to risk at different times. Notice if someone is becoming more risk averse or taking more risks, reflect within supervisions.

Encourage staff to seek a second opinion when they are unsure, making it a safe and normal activity for them.

“High risk” children’s work is not disproportionately given to a few members of staff.

Accept that anxiety is a good sign as it means that the risks are being actively considered.

Normalise “managing risk”. Ensure it is embedded in the process of information gathering, analysis, planning, intervention and review and reflected in effective supervision.

Know your team member’s strengths, weaknesses and vulnerabilities so that you can anticipate areas of the work which may be troubling/potentially pose practice risks.

Gain confidence in your own abilities as a manager in supervising risk; use your own supervision to help with this.

**07. Good Practice Examples/Further Reading**

**EXAMPLES AVAILABLE:**

**Example 1**: [J:\1. Defensible Decision Making Examples\EXAMPLE 1.htm](file:///J%3A%5C1.%20Defensible%20Decision%20Making%20Examples%5CEXAMPLE%201.htm)

**Example 2**: [J:\1. Defensible Decision Making Examples\EXAMPLE 2.htm](file:///J%3A%5C1.%20Defensible%20Decision%20Making%20Examples%5CEXAMPLE%202.htm)

**Example 3**: [J:\1. Defensible Decision Making Examples\EXAMPLE 3.htm](file:///J%3A%5C1.%20Defensible%20Decision%20Making%20Examples%5CEXAMPLE%203.htm)

ADASS (2015), The Mental Capacity Act Deprivation of Liberty Safeguards: Guidance to the Forms, <https://www.adass.org.uk/media/4436/final-dols-guidance-2015.pdf>

CCInform ‘Managing Risk in Social Work: A Managers Guide’ <https://www.ccinform.co.uk/practice-guidance/guide-to-managing-risk-in-social-work/>

DfE (2014), Clinical Judgement and Decision-Making in Children’s Social Work: An analysis of the ‘front door’ system, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/305516/RR337\_-\_Clinical\_Judgement\_and\_Decision-Making\_in\_Childrens\_Social\_Work.pdf [20.12.18]

Kemshall, H. (2009), Working with sex offenders in a climate of public blame and anxiety: How to make defensible decisions for risk, Journal of Sexual Aggression, 15:3, 331-343

Munro, E. (2008): Effective Child Protection (2nd Edition), London: Sage.

ResearchInPractice ‘Defensible Decision’ https://www.researchinpractice.org.uk/search/?query=defensible%20decision&practiceArea=&topic=&contentType=&page=1