

# Solihull Safeguarding Adults Risk Screening Tool



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## Introduction

The governing principle behind good approaches to choice and risk is that people have the right to live their lives to the full as long as that does not stop others from doing the same. Fear of supporting people to take reasonable risks in their daily lives can prevent them from doing the things that most people take for granted.

What needs to be considered is how 'happy' a person is with the situation and how safe they feel/how safe are other adults with care and support needs. By taking account of the benefits in terms of independence, wellbeing, and choice, it should be possible for a person to have a support/care plan which enables them to manage identified risks and to live their lives in ways which best suit them.

*“The emphasis must be on sensible risk appraisal, not striving to avoid all risk, whatever the price, but instead seeking a proper balance and being willing to tolerate manageable or acceptable risks as the price appropriately to be paid in order to achieve some other good – in particular to achieve the vital good of the elderly or vulnerable person’s happiness. What good is it making someone safer if it merely makes them miserable?”*

Lord Justice Munby (Local Authority X v MM (By the Official Solicitor) and KM [2007] EWHC 2003 (Fam))

*“Anyone who has sat in the family jurisdiction for as long as I have, spends the greater part of their life dealing with the consequences of unwise decisions made in personal relationships. The intention of the Act is not to dress an incapacitous person in forensic cotton wool but to allow them as far as possible to make the same mistakes that all other human beings are at liberty to make and not infrequently do.”*

Justice Hedley, An NHS Trust v P [2013]

## What is Reasonable Risk?

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.

What is needed is an approach that recognises that taking carefully considered risks can enable individuals and help improve their wellbeing, whilst minimising the potential harmful outcomes.

Through the decision-making process people should be supported to identify areas that might potentially be unsafe/harmful to them and identify what makes them unhappy so that together measures that reduce the risk and promote independence can be identified together. We should also help people to identify the areas that are safe to them and makes them happy to support independence.

## Important Things to Consider

- Has a crime been committed against the adult at risk?
- **Harm** – always take account of the person's perception. What impact has it had on the person?
- The person's **capacity** to understand what has happened and to make decisions in relation to the Safeguarding Adults concerns.
- Whether **coercion** and control is an influence e.g., repeated harmful behaviour is used to control and frighten someone, making them feel worthless and trapped, taking away choices, and being forced to make decisions against their will or better judgement.
- Whether the incident is one of a **pattern or trend** in respect of the adult with care and support needs, the person causing the harm, the location of the abuse or the nature of the abuse. Consider whether it is indicating a systemic abuse issue.
- The **relationship** between the adult at risk and the person causing the harm. Does it involve a person in a position of trust
- Whether any measures or actions have been put in place to minimise risk and protect the person or other adults at risk.
- How likely is it that the abuse may **re-occur**?
- Is there a likelihood others were exposed or could be exposed to the harm or abuse?
- What evidence and information you have to inform you decisions?
- Ensure everything is fully recorded.

In order to put these principles into practice, risk assessment and safeguarding planning need to take place in the context of an open conversation and negotiation with the person who may be experiencing the risk.

The following tools are designed to support conversations with the person who has care and support needs, their representatives, carers and other professionals. Rather than focusing solely on the impact and consequence of the potential harm, they also focus on how happy the person is with the situation and how content they are to take the risk.

## How to Use the Risk Assessment Tools

There are **two** risk assessment tools in this guide.

### Tool 1

#### **Safeguarding Adults Risk Assessment and Threshold Tool.**

([Part 1 – Example Harm Descriptors](#) and [Part 2 – Happiness/Safety Risk Matrix](#)).

It should be used as soon as a Safeguarding Concern is received and throughout the decision making and enquiry process and may be done with or without the person being physically present. Whether or not the person is there, it is essential that their views (or those of their representative if they lack capacity to make the relevant decisions) shape the outcome of the risk assessment.

### Tool 2

#### **Safeguarding Adults Risk Assessment for Safety Tool**

([Part 1 - Discuss all available options and agree outcomes](#) and [Part 2 – Happiness/Safety Risk Matrix](#))

This is designed to be used with the person and anybody else who is supporting them. It is intended to help the person weigh up the different options available to them and choose one that they feel most comfortable with.

### **Safeguarding duties under Section 42 of the Care Act 2014**

- (1) This section applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there) -
  - (a) has needs for care and support (whether or not the authority is meeting any of those needs),
  - (b) is experiencing, or is at risk of, abuse or neglect, and
  - (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- (2) The local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.
- (3) "Abuse" – please see full details of what is abuse, types and possible indicators [An-Introduction-to-Safeguarding-Children-Adults-in-Solihull.pdf \(safeguardingsolihull.org.uk\)](#)



## Safeguarding Adults Risk Assessment and Threshold Tool

This is the standard tool to use when determining the type of safeguarding response to take, and may be used:

- To determine whether or not to raise a safeguarding concern, with the person's consent wherever possible.
  - Minimal Harm should not be reported as a safeguarding concern.
  - Low Harm should be discussed with Adult Social Care.
    - Phone - 0121 704 8007
    - Email - [ccadults@solihull.gov.uk](mailto:ccadults@solihull.gov.uk)
  - Moderate Harm and Severe Harm MUST be reported as a Safeguarding Concern – with the person's consent wherever possible.
    - Online - [Professional Safeguarding Concern | solihull.gov.uk](https://www.solihull.gov.uk/professional-safeguarding-concern)
- To determine what alternative response may be required if safeguarding action is not the appropriate response.
  - Other actions to address concerns may include, for example, police complaint, disciplinary investigation, support to make a complaint to the local authority, signposting, referral to Care Quality, advocacy.

Please see [Alternative Decisions Guidance document](#)
- To determine whether or not an enquiry under Section 42 of the Care Act is required (local authority only).

**Stage 1:** First use the [Example Harm Descriptors](#) to establish the level of harm someone is at risk of experiencing, related to the type/s of abuse which the concern is about.

*Be aware there may be more than one category of abuse – one type of harm may impact on another – e.g. repeated small incidents of physical/financial abuse may lead to emotional distress.*

**Stage 2:** Then ascertain the persons understanding of the risk, and what their view is about this, using the [Happiness/Safety Risk Matrix](#). Make a record of each area where there is a risk.

The person's views must be obtained either directly or indirectly by the person raising the concern, someone acting as their representative or their [advocate](#).

## Safeguarding Adults Planning for Safety Tool

This tool is designed to be used when somebody is unsure which options to pursue to keep themselves safe, or when carrying out a safeguarding plan. To use the Safeguarding Adults Planning for Safety Tool:

**Stage 1:** Discuss the concerns, desired outcomes and all available options with the person, making it clear where there are any differences of opinion, and record each on the [Safeguarding Adults Planning for Safety Tool](#) in the table. Provider services could also use this tool to demonstrate their actions to safeguard people in their service.

**Stage 2:** Use the [Happiness/Safety Risk Matrix](#) to discuss how happy the person is with each option. The risk rating will give an indication of whether the proposed option is likely to be safe, and whether or not it is likely to make the person happy. This can be used to discuss and agree the best options for the person.

The person's views (or those of their representative) must always be obtained.



## How to Record the Risk Assessment

The following are suggested prompts to provide consistency of approach:

- 1. How safe is the person?**
  - a) Provide harm statement from matrix (e.g. “I am currently not very safe” - *Refer to harm level descriptors for guidance*).
  - b) Describe the level of harm which the person is experiencing/at risk of experiencing (severity of the harm or potential harm, impact on person’s wellbeing and any other relevant factors) and explain why you think the harm/potential harm is minimal, low, moderate or severe (*Refer to harm level descriptors*).
- 2. How safe is the person?**
  - a) Provide “happiness” statement from matrix. Use the letter and select the statement which the person would be most comfortable with, e.g., “B - I am mostly happy with the situation but have some concerns”, “D - I have significant concerns about my wellbeing” or “E - I would like one or more very serious issues addressed”.
  - b) Describe the person’s views about their situation – how happy/unhappy are they and/or to what extent do they want action to be taken? If you did not speak to the person, please explain how their views or perspective were obtained (*Refer to happiness/safety matrix*).
- 3. Overall risk rating (e.g., Amber 3xC or Amber 4xB, Red 5xD etc)**
- 4. Based on the risk rating, will further action be taken under safeguarding?**
- 5. If no further action will be taken under safeguarding, are any other actions required in order to address any concerns the person has?**

## What to Do if the Person’s Views Cannot Be Obtained at the Concern Stage

Every attempt should be made to obtain the person’s views, or those of their representative, if they lack capacity. The person’s views may be obtained through an advocate or professional who has spoken to the person. However, there are sometimes circumstances in which it is not possible to obtain the views of the person at the concern stage. In these circumstances:

- 1. How safe is the person?**



Record how safe the person is believed to be, by providing the harm statement from the matrix that best describes the person's circumstances, e.g. *"It is not currently certain whether I am safe"*.

If recording in the first person seems inappropriate, use the descriptors underneath, e.g. *"There is MODERATE harm to the person or others, either one-off or with some indication that harm may re-occur in future"*.

**2. How happy/unhappy is the person with their situation?**

Record *"Not known at this stage"*.

**3. Overall risk rating**

Record *"Unable to provide risk rating without person's views"*.

**4. Based on the risk rating, will further action be taken under safeguarding**

If the person is currently safe or quite safe (MINIMAL or LOW harm), no further action is needed under safeguarding.

If it is not certain whether the person is not safe, they are not very safe or not safe at all (MODERATE or SEVERE harm), safeguarding procedures must continue to be followed until the person's views can be obtained.

**5. If no further action will be taken under safeguarding, are any other actions required in order to address any concerns the person has?**

**(Please see [Alternative Decisions Guidance](#))**

If harm is low or minimal, contact may still need to be made with the person to establish whether other action needs to be taken.





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