

# KENT COUNTY COUNCIL - RECORD OF DECISION

**DECISION TAKEN BY**

Mr G.K. Gibbens

**DECISION NO.**

09/01324

If decision is likely to disclose exempt information please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972

**Subject:**

Kent Adult Social Services Positive Risk Management Policy and Good Practice Guidance for staff carrying out community care assessments.

**Decision:**

That the County Council should adopt the "Positive Risk Management Policy" and "Good Practice Guidance", which sets out how the Directorate intends to discharge its duties under the Community Care Act 1990 (duty of care for safeguarding vulnerable adults) and its responsibilities as set out in the Putting People First (Self Directed Support (SDS)).

**Any Interest Declared when the Decision was Taken**

None

**Reason(s) for decision, including alternatives considered and any additional information**

Both the Department of Health's Concordat "**Putting People First**" and "**Independence Choice and Risk**" guidance emphasises the need for local authorities to support people to exercise choice and control over the services they receive and who provides them. In addition Local Authority Circular (2009)1, "**Transforming Social Care**" sets out information that supports this change.

The Better Regulation Commission's report (2006), "Risk, Responsibility and Regulation – Whose risk is it anyway?" called for a redefinition of society's approach to risk management, to recognise that within the right circumstances risk can be beneficial, balancing necessary levels of protection with preserving levels of choice and control.

Self Directed Support (SDS), the means by which Kent Adult Social Services intends to meet this personalisation agenda recognised that staff who carry out community care assessments need to adopt a positive approach to risk, balanced with the council's duty to have proper arrangements in place to protect its residents, if they are to have more opportunities to enjoy their rights, fulfil their wishes and improve the quality of their lives

The aim is to achieve a culture of positive awareness and responsibility for the assessment and management of risk at all levels within the directorate.

A programme of training is currently being carried out and will be ongoing to cater for new staff joining the directorate.

The policy and guidance will be reviewed in April 2010 and annually thereafter.