

Clients Right to Effective Treatment: Assessing and Managing Risk --- in Practice

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Definition of Risk



Risk is 'The possibility of exposure to danger'

Risk management is 'the combination of organisational systems, processes, procedures and culture that facilitate the identification, assessment, evaluation and treatment of risk in order to protect the organisation and assist in the successful pursuit of its strategies and performance objectives'.

- Australian/New Zealand Risk Management Standard (AS/NZS ISO 31000: 2009)



Dignity of Risk

Dignity of risk is the idea that self-determination and the right to take reasonable **risks** are essential for **dignity** and self esteem and so should not be impeded by excessively-cautious caregivers, concerned about their duty of care. (Wikipedia)

Services/ practitioners should encourage a person (especially vulnerable persons or PWID) to take reasonable risks in the nature of their daily lives.

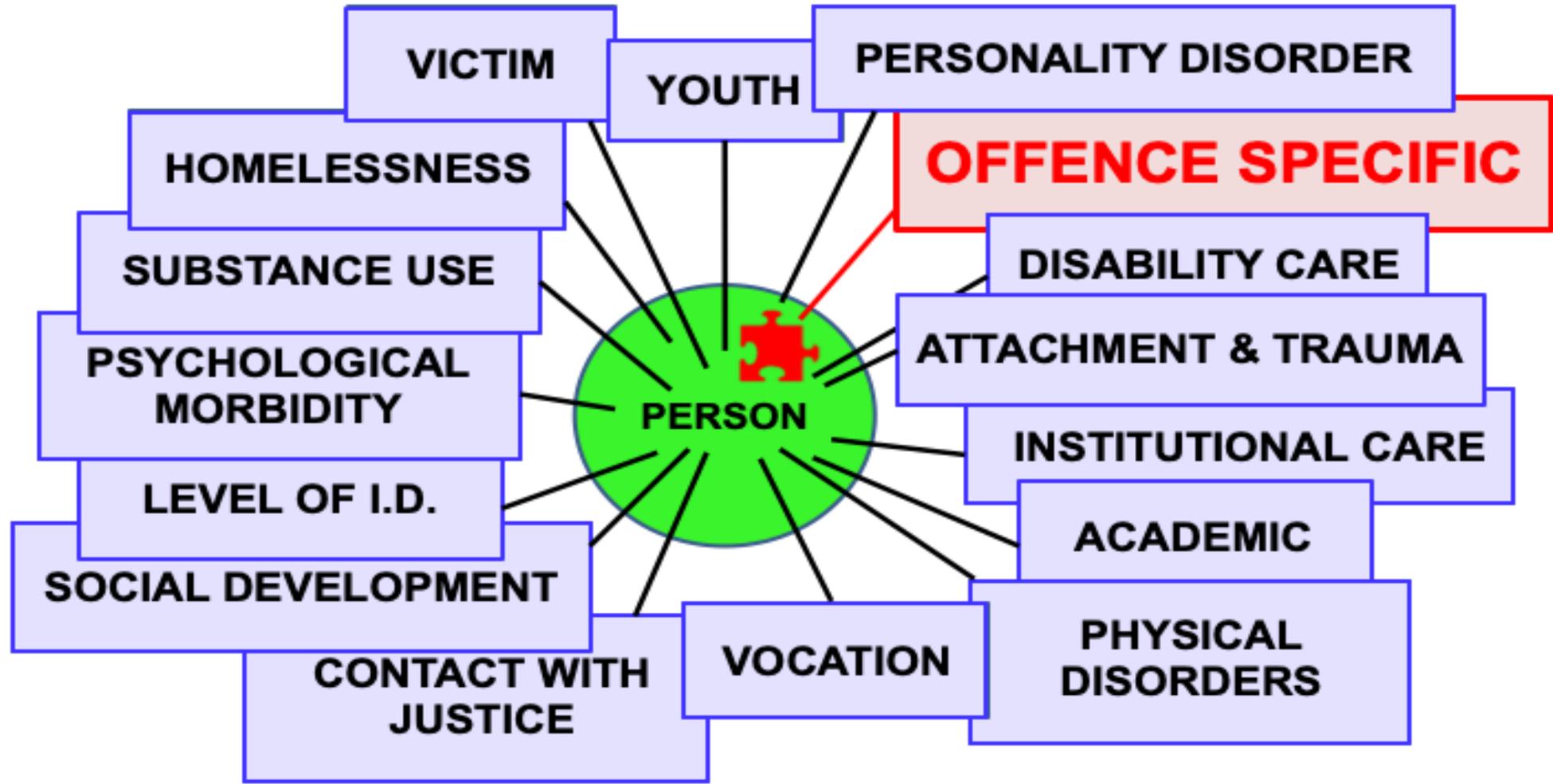
Risk Assessment Processes must consider the person's goals and the Victorian Charter of Human Rights and Responsibilities and the United Nations Convention on the Rights of Persons with a Disability (CRPD).

Difference between Dignity of Risk and Duty of Care

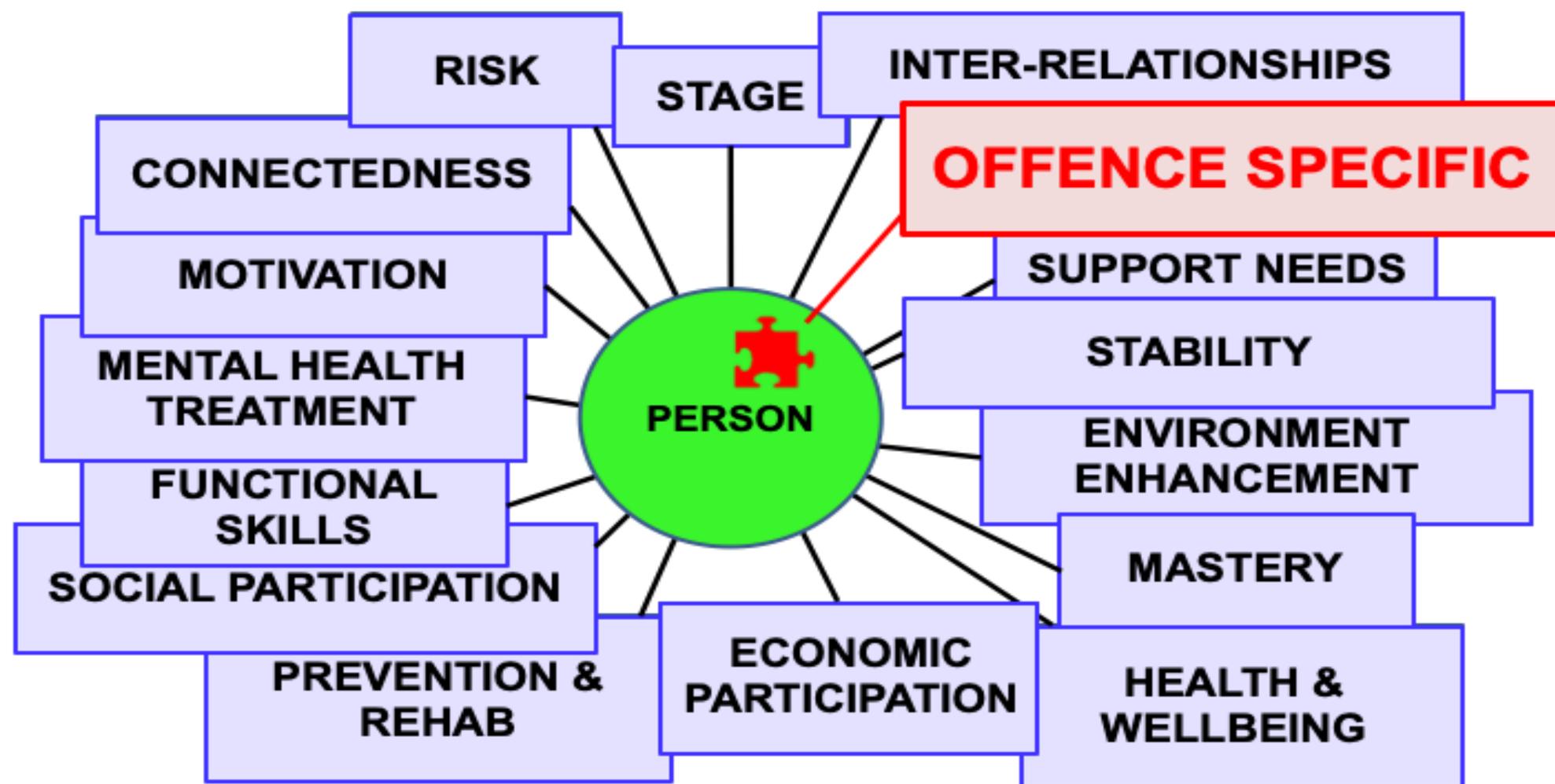
- **Duty of care** refers to the **responsibility** (under Common Law) of people to take reasonable **care** to ensure their actions, or inactions, do not cause injury or harm to others.
...
- This should not be at the cost of the person's dignity of risk
- Our role is to identify potential risk increasing scenarios and manage the risk accordingly rather than simply avoid risk
- **This is particularly difficult in children services and with complex clients**

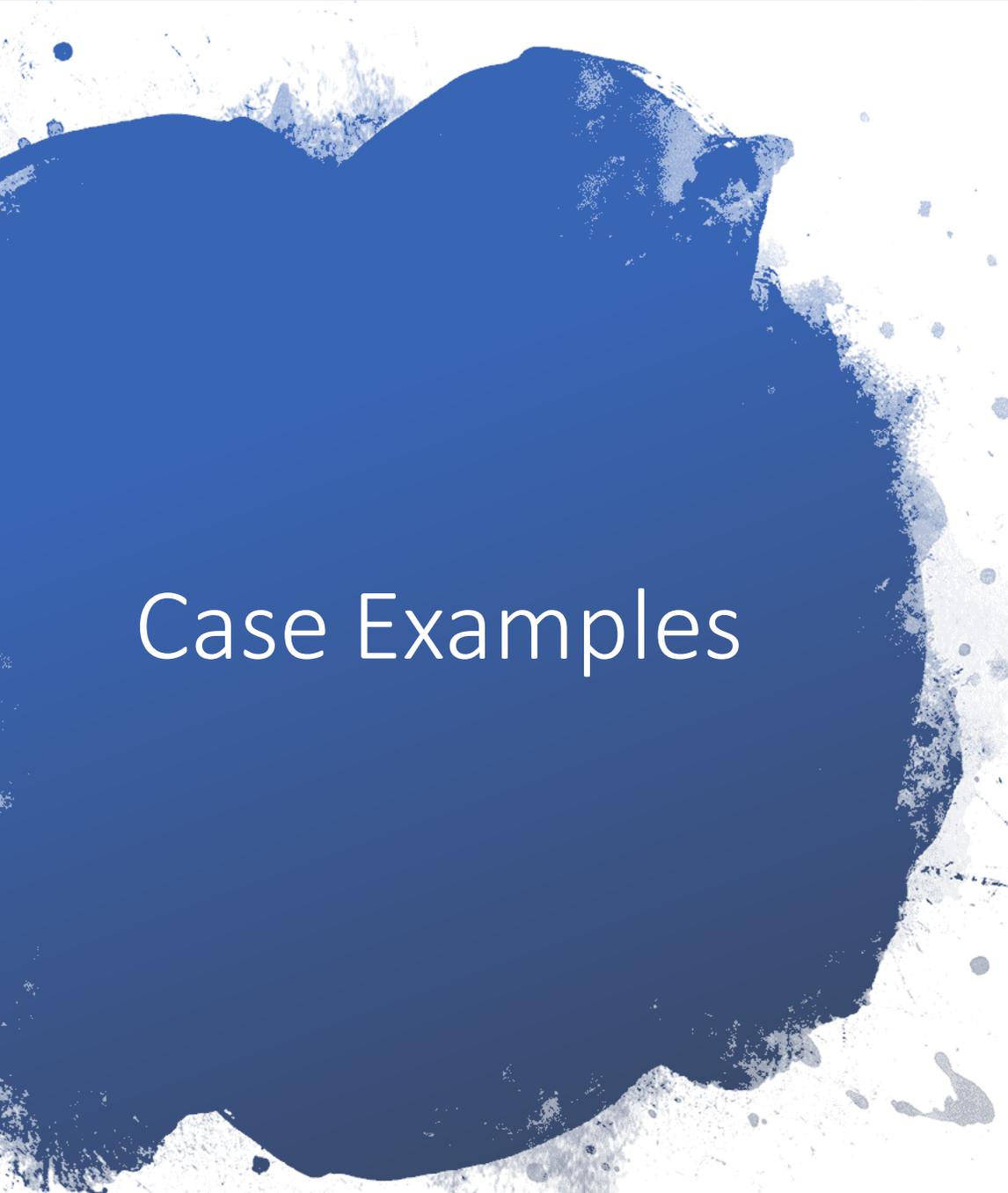
Complex Clients ...

Characteristics



Personal Needs





Case Examples

- Brad- Seclusion increased risk of re-traumatisation and serious psychological harm
- Youth in OOHC (risks associated with episodic crisis responses)
- Casey – use of effective risk management enabled successful inclusion across mainstream school

Influencers of Risk

Dynamic Risk Factors:

- Practitioners working outside of their scope of practice
- Poorly trained staff in the application of the behavioural support/ treatment plan
- Adverse attitudes and/or burn out of staff / family who are expected to implement the support plan
- Biases / attitudes of the risk present (including practitioners' values or staff sensitivity)
- Organisational Risk Appetite and /or political climate/ Social values
 - An **organisation's risk appetite** is usually guided by the organisation's board and/or executive team. It can be shaped by a number of factors including the type of organisation, its vision and values, its clients, its leadership and its risk culture.
 - Risk Appetite reflects the organisations tolerance for approaching and managing risk.
 - Consider current **political climate** and other legal issues or stressful influences which may be impacting on the organisations decision making.

Protective Factors can include:

- motivation of staff/ family, leadership involvement, financial support, trained staff, low turn over, the person's response to treatment...

Risk assessment screening tool (Allen, 2002)

Clinical indicators for risk of aggression in people with disability include:

- ✓ male, aged 15–34 years
- ✓ aggression as the single most form of behaviour of concern
- ✓ aggression is persistent over time (past behaviour is a predictor)
- ✓ mental health problems
- ✓ co-occurrence of self-injury and other behaviours of concern
- ✓ **life events – losses and changes, physical and sexual abuse, bereavement, service transitions**
- ✓ impaired receptive and expressive communication skills
- ✓ poor impulse or anger control
- ✓ failure to recognise emotional cues, limitations in emotional development.

Environmental risk factors can be further divided between immediate situational and system-level factors (the following information is based on institutions with general population individuals):

- **Situational risk factors:**

- – crowded and hot environment
- – few structured activities in place
- – inconsistent approaches by carers
- – violent cues present – accessible weapons and aggressive behaviour modelled by carers
- – purposeful aggressive behaviour
- – pressure from peers to be violent
- – authoritarian, rejecting carers
- – aversive demands presented by carers.

- **System-level risk factors:**

- inexperienced staff
- high usage of temporary staff
- expectations of violence.
- ***Organisational tolerance for risk***
- ***Systemic culture, and legislative influences***

Resource Reference

Allen D 2002, Devising individualized risk management plans. In: D. Allen (ed.), Ethical approaches to physical interventions: responding to challenging behaviour in people with intellectual disabilities, 71–88, BILD Publications, Glasgow.



Person Centred
and Effective
Approaches to
Assessing and
Managing Risk

A human rights approach to risk management promotes the active participation of an individual in the assessment and management of their own risk.

Establish dynamic and collaborative review structures to evaluate progress/ risk

Involve the person in the process of decision making, and adhere to the best interests principles

Focus on resilience and behavioural skills training

Prioritise the use of gradual exposure of triggers in treatment paired with successful reinforcers valued by the person

Consider individual circumstances and **socially valid goals** for that person

Consider Motivating Operations associated with challenging behaviours and SD's present as a key targets for the risk assessment and intervention protocols

Choose optimal periods for success of intervention (pairing and timing!)

Consider ways of managing the likelihood of hazards whilst promoting dignity of risk- including post incident support