



Coram-i

Managing acceptable risk in
children's social care decisions

31 October 2016 14:00 -18:30

The Foundling Museum

40 Brunswick Square

London WC1N 1AZ

Briefing Note

The issue

The child protection system strives to keep children with their birth family while also protecting them from significant harm. The procedure for removing children compulsorily – temporarily or permanently – usually starts with extensive efforts to preserve and support the family. Only if these fail will the system move to a court case and decisions about removal.

In making these decisions, judges and social workers have to weigh evidence of risk. Research indicates that a significant proportion of the children returned home at this point in the process become known to social services again because of concerns relating to their care. Some of these will suffer as a consequence. Is it possible to reduce the size of this proportion?

What evidence do we have that the system could be better?

It may be that the present state of affairs is as good as we can do, given the difficulties of weighing up risk in complicated family lives. The risks relate to the behaviours and histories of a changing cast of people, not just the child or one parent. And quite apart from the network of people and risks that feed into the picture, there are so many different outcomes to consider, including for example physical and mental safety, youth offending, academic outcomes, teenage pregnancy, sexual exploitation, or gang membership. It seems unlikely that all can be kept in mind in one decision making process. Added to which, the issue is often one of weighing up relative risks (is it worse to have this negative outcome or that one?) rather than absolutes about what is going to be good or bad.

There have been many attempts to systematise assessment of risk in child protection, dating back several decades. We know quite a lot about what we need do better (better assessment, better interventions, more multidisciplinary working etc.), but still the outcomes do not look as good as we might wish. Improving decision-making for children's long-term safety remains very challenging. Perhaps there are things that can be learned from other disciplines about managing risk and identifying the levers for improvement. Can we clarify the key questions that still need answering, and draw on new perspectives to shed light on a way forward?

Complications and questions

- **Is this still simply a quality-of-information issue?** Birth parents are actively helped to demonstrate 'capacity to change' in order to improve their care for the child before the court makes a decision to remove. Are there shortfalls in gathering the most appropriate information to make this decision? What do we do about that?
- **Are we better at weighing up some kinds of information than others?** For example it is easier to evidence the occurrence and see the immediate effects of violence than neglect. Does this bias our understanding of risk? How can we correct that?
- **Do we need to create a shared notion of acceptable risk?** Even if all the information is available, risks still need to be balanced. Do we need to change what we as a community are willing to accept as a risk in relation to the child? Are we agreed – or even explicit – on what is an acceptable severity or likelihood of harm? What is the difference between weighing up absolute risk and relative risk? How do we shift notions of 'acceptable risk'?
- **Or is it about conveying and communicating about acceptable risk,** rather than changing the notion itself? In order to help professional groups work more effectively with risk, do we need to improve the public communication of what is and is not possible and what risks have to be taken? What is the influence of the highly politicised context for these child protection decisions and what do we do about that?
- **How do we balance risk against protective factors?** Are we approaching this in the right way or do we give too much weight to one side of the equation or the other? How can you know a potential protective factor is actually going to work?
- **Is it about now or later?** What are the relative contributions of (a) understanding the present versus (b) predicting a possible future? Do we give too much weight to one over the other in estimating risk? Can we predict a possible future with any confidence at all?
- **Are we clear about the underlying principles that guide the decisions?** These might include fairness, justice to all parties, thresholds of significant harm, avoiding unnecessary removal, emphasis on the family of origin, and the centrality of the child's needs. What else? Are these all sufficiently evidence-based and what else should be included in handling risk?

- **Who owns the risk and does that affect the quality of the decision?** If it is not clear, does that make us more or less risk averse? And do those who own the risk get to hear what happens as a result of the decision? Are there enough feedback loops, especially to the judiciary? Would that make a difference?
- **Is it more than the decision; is it what happens next?** Given the same risk factors, the same decision, and similar children, two families might have quite different outcomes depending on the support and skill of those around them over the next few years, whether professional or nonprofessional. How do we build uncertainty about future conditions into our notion of acceptable risk? Is it given enough consideration?

By drawing in experts from other disciplines dealing with risks in different contexts we hope to elucidate what is most important in this list, what might have been omitted, and whether there are any answers that can be offered. What might the critical steps be to improving the proportion of placement decisions where children remain safe over subsequent years and are able to thrive? How do we build a plan?

The event

Coram-i has convened an event on 31 October at the Foundling Museum (40 Brunswick Square, London WC1N 1AZ) to take forward these questions and discuss risk assessment in child protection. As well as key speakers, the event will involve a panel of Directors of Children's Services and over 120 attendees from a range of related relevant domains.

The keynote speakers are:

- Professor Judith Masson, Professor of Socio-legal Studies, University of Bristol
Session title: Judicial decisions in care proceedings: law, prediction and choice
- Dave Hill, President, Association of Directors of Children's Services
Session title: Right or wrong decisions – how do we spot the difference and act on that knowledge to increase the number of right decisions
- Professor Sir David Spiegelhalter, Winton Professor for the Public Understanding of Risk, University of Cambridge
Session title: How do others deal with the idea of an acceptable risk?

With

- Professor Anthony Finkelstein CBE, Professor of Software Systems Engineering, The Alan Turing Institute
Session title: Information analysis and risk
- The Rt. Hon. Sir James Munby, President of the Family Division of the High Court of England and Wales and Head of Family Justice
Session title: Current preoccupations for the court
- Professor Sir Michael Rutter, Professor of Development Psychopathology, King's College London, and
- Renuka Jeyarajah-Dent, Director of Operations and Deputy CEO, Coram

Panel members

- Anne Turner, Director of Children's Safeguarding & Social Work, London Borough of Camden
- David Johnston, Managing Director Children's Social Care and Learning, Buckinghamshire County Council
- Dawn Warwick, Director of Children's Services, Wandsworth Council
- Gail Tolley, Strategic Director of Children and Young People, Brent Council
- Michael Rosen, Executive Director of Children's Services, Norfolk County Council
- Sarah Hammond, Assistant Director for West Kent, Kent County Council