Risk and Person-Centered Safeguards

Principles of Risk:

Person-centered conversations are essential

- A person's circle of support includes the people that positively support the person in making important decisions about their life goals. The circle of support is the foundation for effective person-centered planning.
- Meaningful person-centered conversations can prevent imaginary or exaggerated risks from limiting a person's FULL participation in community life.

Be wary of overgeneralizing and exaggerating risks

- Being vulnerable in one area of life does not mean that the person requires the same protections in ALL areas of their life.
- There is a tendency to overgeneralize from one area of a person's life to other areas.

Risk for a person can change

- Risks for a person may not be permanent and can change over time.
- Identified risks must be reviewed and revisited on a regular basis.

People should make informed choices about what risks they are willing to take

- Identifying risks for a person is just as much about the happiness of the person as it is about their safety.
- People should have choice and control over their own lives.
- People should make informed choices about risks and understand the possible consequences of their choices.

Certain risks might be "non-negotiable"

- Risks must be measured based on their potential for harm to the person.
- Thoughtful discussions may identify some non-negotiable risks that the person's circle of support feel cannot be reconciled.
- It is important to discuss non-negotiable risks together with the person to ensure understanding.
- Some examples of non-negotiable risks might be risk of death, exploitation, injury or severe harm, or violation of the law.

Discussing risk also means identifying challenges, barriers, and obstacles for the person

- Challenges, barriers and obstacles may prevent the person from pursuing.
- The person and their circle of support should discuss these barriers in more detail and develop ways to reduce them.

Embrace a culture of exploration and learning

- Everyone who is supporting the person must accept some level of responsibility for potential risks.
- Being intolerant of mistakes and having a culture of assigning staff liability prevents organizations from embracing opportunities for innovative practices, growth and learning.
- It is important to encourage honest exploration of a person's strengths and vulnerabilities.

Identified risks should be reflected as person-centered safeguards

- Safeguards are an important part of the person-centered plan.
- Safeguards are ways to prevent, manage and lessen risks for a person.

OPWDD's Strengths and Risks Inventory Tool:

This tool is a helpful guide to use in the person-centered planning process when exploring the person's informed choices and positive safeguarding approaches. Each identified risk area should be discussed in detail with the person and their circle of support. Specific risks that require further support should be reflected in their person-centered plan.

How to Develop Person-Centered Safeguards

- The goals of the person are the foundation for meaningful safeguards. While there are costs and consequences to taking risks, there are also costs and consequences to NOT taking risks. All aspects should be considered when developing meaningful safeguards for a person.
- All safeguard planning must be person-centered and include least-restrictive practices. Person-centered safeguards means that appropriate safeguards have been agreed upon with the person, while still allowing them to live their life the way that they choose.
- Risks should also be identified in the safeguards in addition to the challenges or obstacles that the person may face.
- When non-negotiable risks are identified, developing valid safeguards may not be possible without the circle of support agreeing to specific compromises or alternatives.
- Decisions regarding what risks are acceptable and which are non-negotiable should be justifiable and defensible in the person's safeguards.
- Safeguards should explain why certain decisions on risks for the person were agreed upon and they should relate to the life goals that the person has. Safeguards should also identify who is responsible for ensuring that the safeguards are followed, and who may modify them when needed.