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| Overview | This standard identifies the requirements when acting in a regulatory role to secure the health, safety and wellbeing of individuals. It includes assessing and managing the risk to individuals for whom a service is provided. It includes balancing different rights and responsibilities, and exploring ways to enable risks to be taken where these have the potential to enhance people’s lives. It also includes agreeing plans to address the risk as a matter of urgency and also within a multi-agency framework. |

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| **Performance criteria**  You must be able to:  You must be able to: | Assess situations where there is risk of danger, harm or abuse   1. maintain up to date awareness of service provision in which there are indicators of possible risks of harm for individuals 2. assess indicators in the course of inspection which indicate risk of harm 3. identify signs and symptoms that indicate there is imminent risk of danger, harm or abuse 4. balance the rights of the individual to take positive risks while recognising the responsibilities of the **organisation** to safeguard 5. work to encourage individuals and relevant people to communicate any fears or information they have about potential and actual harm or abuse 6. collate information from a **range of sources** relating to risk to the health, safety and wellbeing of individuals for whom the **service** is provided 7. use evidence gathered to assess the degree of risk that has arisen from failures to meet compliance standards according to **procedures** 8. act in a way that protects the well-being of people whose mental capacity prevents them from protecting themselves 9. ensure that interactions with the individual and others avoid actions and statements that could adversely affect the use of evidence in future investigations and court proceedings 10. clarify with individuals and relevant people your role and responsibilities for sharing information in accordance with procedures 11. seek immediate support and assistance where the situation is beyond your responsibility 12. record all evidence gained to assess the risk of danger, harm and abuse 13. record factually to ensure documentary evidence does not adversely affect future investigations and court proceedings   Secure the health, safety and wellbeing of individuals   1. offer evidence for proposing action to safeguard the health, safety or wellbeing of individuals to the service provider 2. make clear to the service provider the sanctions that follow the failure to act to remove the serious risk to individuals 3. consult with appropriate others, according to procedures, about any disclosures made 4. collaborate immediately with other agencies that need to be involved to support the safeguarding of individuals 5. provide a clear report of the need for action to the appropriate person 6. contribute to the development of an **action plan** that will protect individuals through local multi agency procedures 7. record all own actions taken to secure health, safety and wellbeing of individuals 8. adhere to own organisations policies and procedures relating to safeguarding vulnerable people. |
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| Knowledge and understanding  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand: | **Rights**   1. legal and work setting requirements on equality, diversity, discrimination and rights 2. your duty to address any acts or omissions that could infringe the rights of individuals   **Your practice**   1. legislation, including capacity and rights legislation, statutory codes, standards, frameworks and guidance appropriate to the organisation's operations and activities and its interpretation 2. your own roles, responsibilities and accountabilities with their limits and boundaries 3. your own background, experiences and beliefs that may have an impact on your practice 4. **other agencies** that may impact on the work of your organisation, including their responsibilities, statutory powers, organisational priorities and staffing arrangements 5. principles of working in partnership with **individuals** and other agencies 6. the meaning of person-centred/child centred approaches and the importance of knowing and respecting each person as an individual 7. meaning of dignity for individuals 8. how to work with other agencies, establishments and other bodies to gather evidence of **positive outcomes** for individuals 9. how to create a culture that promotes openness, creativity and problem solving 10. principles of strategic planning and what a strategic plan should cover 11. principles of quality assurance, quality control and the distinction between them 12. evidence based research relating to provision of services 13. identified lessons learnt from government reports and inquires 14. how to access sources of expert advice in relation to health and social care, health and safety, building regulations, financial security and company law 15. how to recognise areas for improvement against regulations, standards and best practice and how to respond 16. when to use authority and the exercise of regulatory power rather than partnership 17. how to implement, monitor and evaluate systems, practices, policies and procedures 18. difficulties with capture of data and data problems   **Communicating with individuals and organisations**   1. the importance of individuals contributing to inspection and scrutiny activities 2. participatory practice including techniques that can be used to engage with individuals 3. the role of independent representation and advocacy for individuals 4. methods to promote effective communication and enable others to communicate their views and preferences 5. the importance of language in communication and the impact of bilingualism and how to work with it 6. the purpose of working with other professionals and agencies 7. the ethos of organisations and how different organisations work 8. methods to promote effective communication within and between organisations 9. how to convey potentially difficult or unwelcome information 10. how to engage in professional dialogue and provide clear feedback which could contribute to the development of an organisation   **Theory**   1. theories and models of regulation, inspection, scrutiny and frameworks used to evaluate scrutiny and regulation 2. theories about **leadership** and **management** 3. principles of organisational behaviours and cultures 4. factors that may affect the health, wellbeing and development of individualsin health and social care or children and young people’s settings   **Health and Safety**   1. legal and statutory requirements for health and safety 2. organisational policies and practices for monitoring and maintaining health, safety and security in the work environment   **Safeguarding**   1. the responsibility that everyone has to raise concerns about possible harm or abuse, poor or discriminatory practices 2. legislation and national and local policy relating to the safeguarding and protection of children, young people and adults 3. **early indicators of potential abuse** 4. indicators and signs of potential harm or abuse 5. how to respond to concerns about harm and abuse   **Handling information**   1. legal requirements, policies and procedures for the security and confidentiality of information 2. protocols and best practice governing the exchange of information with other individuals and agencies   **Report writing**   1. how to record written information with accuracy, clarity, relevance, and appropriate level of detail including reference of sources of evidence 2. legal and work setting requirements for recording information and producing reports within timescales   **Risk management**   1. principles of positive risk-taking and the relation to inspection and scrutiny activities 2. principles of risk assessment and principles of risk management 3. how to critically evaluate principles and frameworks of risk assessment and risk management   *strat*  **Specific to this NOS**   1. where to find information from a range of sources about risk to vulnerable people 2. factors which may affect the validity, reliability and accuracy of information provided by those involved, distinguishing between allegations, assertions and facts 3. factors which may inhibit clear communication by those involved including fears of retribution, peer pressure and how to minimise them 4. how to use information from other agencies to inform judgements 5. how to verify the validity and reliability of evidence including **triangulation** 6. local procedures for safeguarding |  |

**Additional Information**

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| Scope/range related to performance criteria | The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statements required for achievement of the NOS    Note: Where an individual finds it difficult or impossible to express their own preferences and make decisions about their life, achievement of this standard may require the involvement of advocates or others who are able to represent the views and best interests of the individual    Where there are language differences within the work setting, achievement of this standard may require the involvement of interpreters or translation services    **Actions and statements that could adversely affect the use of evidence in future** **investigations** may include asking inappropriate questions; asking leading questions; putting undue pressure on the individual; not following legal and other agreed procedures; changing information; removing information; adding information  **Action plan** includes any action necessary to secure the health, safety and wellbeing of individuals for whom the service is provided. It may include planning for urgent procedures to safeguard the individual from further risk of harm and may include plans to manage the variation or termination of the registration of the provided service where this means the individual can no longer receive that service  **Appropriate others** may includeindividuals and their representatives, social workers, child protection, adult protection, police, senior managers, registered providers, civil or criminal courts, other regulatory organisations, and service commissioners  **Appropriate person** may include senior authorised officer, colleagues and team members  The **individual** is an adult, child or young person who uses services  **Mental capacity** may be protected under mental capacity legislation or policies as appropriate to the home nation  **Organisation** may include regulatory body, inspection and scrutiny services  **Procedures** may includelegal and organisational requirements for inspection and scrutiny activities, health and social care standards, codes of practice / conduct  **Range of sources** could include from other colleagues, other agencies and organisations, individuals and their families, records and reports, general public, media  **Record** includes recording all evidence and information fully ensuring it is accurate, timed and dated in a way which protects its confidentiality, and evidential value and is in accordance with organisational procedures and legal requirements  **Relevant people** may include individuals, their families and carers, staff and volunteers, other professionals, lay assessors, experts and other specialists  A **risk** takes account of the likelihood of a hazard occurring and may include the possibility of danger, damage and destruction to the environment and goods; the possibility of injury and harm to health, safety and wellbeing  **Risks of harm** may include the possibility of harm or abuse happening. This may be in relation to practices, poor management, inadequate policy and procedures, training issues. It may include neglect; physical, emotional and sexual abuse; financial abuse; bullying; self-harm; reckless behaviour; health and safety issues  **Services** are those within the remit of the organisation and include registered and unregistered services. It may include local authorities, social work, education, statutory service, health, large departments or organisations, whole services, voluntary and independent organisations as well as local level services | |
| Scope/range related to knowledge and understanding | The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statement required for achievement of the NOS.  **All knowledge statements must be applied in the context of this standard.**  **In relation to all knowledge statements you need to know and understand the specified areas of knowledge and be able to critically apply the knowledge and understanding in your practice**  **Early indicators of potential abuse** may include, patronising attitudes to adults and children, restrictive practices including unnecessary locking of doors, restriction of positive opportunities, lack of respect in relating to individuals  The **individual** is an adult, child or young person who uses services  **Other agencies** may include other regulatory organisations, commissioners, local authorities, standard setting bodies  **Leadership** is the ability to provide strategic direction and a sense of purpose. Effective leaders create a sense of trust, confidence and belief, inspiring people to adopt the values and behaviours they promote. They are innovative, creative and motivating  **Management** is the ability to set the operational direction and organise the effective running of the service provision to meet the overall service needs including ethical, legislative, regulatory and organisational requirements. Effective managers facilitate and organise resources in order to optimise the performance of others, allowing them to carry out tasks and achieve goals efficiently and effectively. They provide clarity and accountability that enable teams to meet their objectives  **Positive Outcomes** may include health and safety, wellbeing, achievement of personal goals and ambitions, self esteem  **Positive Risk Taking** is a risk based approach that promotes the taking of risks as a deliberate and planned strategy designed to enhance health, welfare and educational outcomes. It represents best practice for professionals in health care, social work and educational settings in terms of promoting dignity, autonomy, and respect when working with children and adults at risk of harm  **Triangulation** is used in [social sciences](http://en.wikipedia.org/wiki/Social_sciences) to indicate that more than two methods are used with a view to double (or triple) checking results | |
| Values | Adherence to codes of practice or conduct where applicable to your role and the principles and values that underpin your work setting, including the rights of children, young people and adults.  Inspection and scrutiny activities will enhance these rights which include the rights:  To be treated as an individual  To be treated equally and not be discriminated against  To be respected  To have privacy  To be treated in a dignified way  To be protected from danger and harm  To be supported and cared for in a way that meets needs, takes account of choices and also protects  To communicate using preferred methods of communication and language  To access information about themselves  All aspects of inspection and scrutiny activity should seek to build on these underpinning values and should:  Be transparent  Be accountable  Be proportional  Be consistent  Be targeted  Be impartial  Enable providers |

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| Validity | Current |
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| Originating organisation | Skills for Care and Development |
| Original URN | SCDINSPE3 |
| Relevant occupations | Inspectors/Senior Inspectors/Regulators of Health, Social Care and Children’s Services |
| Suite | Inspectors of Health, Social Care, Children and Young People’s Services |
| Key words | Children and young people’s settings; degree of risk; health and social care; mental capacity; positive risks; risk of harm; signs and symptoms |