

# The Process for Creating a Risk Management Plan for Children's Aid Societies

**R**isk management planning is essential for Children's Aid Societies. This document outlines the steps you can take to create a robust risk management plan for your agency or review and edit a current plan.

Risk management can be defined as a methodical approach to anticipate and prevent accidents or prevent negligence in casework where possible. As a result, a risk management plan hopes to minimize the number of incidents that do occur and to acquire insurance policies that sufficiently cover those situations.

## Goals and Considerations for your Risk Management Plan

Before we get into the step-by-step process to create your risk management plan, let's look at some examples of common goals and considerations to take while building your plan.

### Common Goals

- To decrease the likelihood that casework practice will result in lawsuits.
- To provide a needed service at a competent level that meets agency policies and government requirements.
- To ensure that anti-oppressive practices are followed by all staff internally and with the general public, volunteers, foster parents and those being served.
- To maintain certain cost levels (poor planning or budgeting can increase an agency's budget.)
- To prevent interruption of service to the public (for example, a lawsuit can reduce productivity due to the work required to defend the claim as well as impact employee morale.)

- To operate legally (breaching laws, codes and regulations can lead to lawsuits; admonishments from government bodies such as the Human Rights Commission or the Ombudsman's Office; and negative press coverage.)

## Considerations

### Social Responsibility:

Beyond concerns for litigation, there is a responsibility to provide high-quality service to children, youth, families and communities while operating within the boundaries of the Child, Youth, and Family Services Act.

Even where there is no legal obligation, social responsibility can mean a commitment to minimize disruption to the morale of staff, or public criticism if a major incident occurs. This is seen in a risk mitigation plan which places a high value on human safety and well-being of your clients and community.

### Externally Imposed Obligations:

Every organization must meet legal requirements. In addition, there are other obligations voluntarily entered into such as contractor responsibility and leases of buildings or equipment, etc. Legal compliance is an important objective of a risk management program.

### The Board of Directors and its Security Factor:

An important factor in planning is determining the comfort level needed by senior management and the board of the organization. An important part of the risk management process is to remove financial uncertainty about potential loss exposures.

## The 5-Step Risk Management Process



### 1. Identification of Risk

Before risk can be controlled it must be first identified and then measured to determine which of the possible exposures are most likely to happen, how often they will happen and how much they could cost if they happen. In other words, gather information: *“What could go wrong?”*

This can be gathered in various forums. Consult with experienced staff drawing on those with the most knowledge and experience. Discuss these at both a management level and with various front-line teams since everybody needs to be on board. Risk management has only very limited success if it is only discussed at the top of an organization, where actual case management on individual cases does not occur.

A sample of identification measures of risk for claims include general views of HR policies on how employees are expected to act towards each other and to clients, foster parents and volunteers within their roles. It could also include ensuring that premises inspections with recommendations are followed up where possible.

### 2. Assessment of Need

“How severe could the result be?”

“How often is it likely to happen?”

Once the likelihood of loss is determined, plus the expected cost of each incident – you can determine the anticipated cost in any given period. (This is just a function of frequency times severity.)

Assessment measures:

Review your past incident history and most common problems – these are your ‘frequency’ problems and should be addressed. The reliability of the predictions of frequency and severity of claims can be determined within the assessment stage.

- Do your practices and procedures take this frequency and cost into account?
- Review the nature of claims being reported by various agencies to the Ontario Association of Children’s Aid Societies (OACAS) to determine if your historic experience with claims is consistent with others or if there are certain other factors precipitating them.
- Consider changes in society’s view of litigation.
- Consider present-day changes in the level of awards granted by the Courts to successful litigants. There is a trend toward more lawsuits involving child welfare, with higher court awards. This in turn could encourage more people to seek damages in the future.

### 3. Develop a Risk Mitigation Plan

Once you have identified the types of resources or activities susceptible to loss or liability, then you can begin to identify those things that can make a loss less likely to happen.

There are bound to be losses that can’t be prevented – this isn’t a perfect world. All you can do is aim for better service delivery, while at the same time realizing it’s not a 100% achievable goal. You can’t stop people from suing you. Even when you might think their suit has no merit, it is still costly in terms of defending time and dollars. You can mitigate the level of damage and in many cases disprove the claims.

Review to determine how to prevent losses or successful litigation from occurring. To do this, an agency will examine the various components of what makes the organization susceptible to litigation. There are standards that senior staff and the Board can establish for each component such as internet security and building safety.

Ideas for developing a mitigation plan include the following specific steps which should be established on an ongoing basis.

- Managers and supervisors in various service areas (adoption, foster care, kin services, children’s services, intake and family services) should dedicate part of their scheduled management meetings to service liability.

This should include areas of vulnerability and after this assessment is shared, determine how they may wish to decrease this potential risk. Suggested ways could include the following:

- Ensure that anti-oppressive training is ongoing and includes all staff.
- Ensure that front-line staff know that the safety and well-being of children remains paramount regardless of their background.
- Ensure that workers and supervisors are sufficiently trained in sexual abuse investigation and assessment regardless of what department they are in.
- Reinforce the importance of the social work relationship with children, youth and their families through workshops or training (supervisors and front-line staff).
- Reinforce through training and team meetings, the importance of proper comprehensive assessments and goal planning which results from that ongoing assessment.
- Ensure that the recording is concise, professional, and informative so that it would be clear to a reader how the worker views the situation and what plans they are actually carrying through on in the carriage of the case. This may mean that the use of “cut and paste” to complete multiple parts of a recording should be kept to a minimum since it decreases file information on what is occurring on an ongoing basis within the file.
- Train supervisors in timely, appropriate, and meaningful supervision of their staff and ensure that this includes clinical supervision. Reinforce that supervision needs to be clearly documented especially in allowing for deviations from standards.
- Ensure that internal departmental policies and procedures are up to date and are consistent with the Ministry, employment standards, and human rights.
- Share these above areas in team meetings and in supervision, with front-line staff so that they understand the importance and can increase their own success with cases.

#### **4. Implement and Monitor the Risk Management Plan**

Each agency will then have to implement the risk mitigation plan. Senior staff should be directly involved to ensure that this is ongoing and meaningful. It is important to ensure that these changes are significant at a front-line level. It may require people from the quality assurance department to survey front-line staff on an ongoing basis. Risk management or risk mitigation should be a regular agenda item in all supervision sessions at all levels of the organization. There will be resistance to change especially since staff may feel overwhelmed already. Place it in a positive light that implementation would mean better outcomes for children and their families. This in turn could decrease unnecessary actions that would otherwise be needed if things went wrong. Be willing to monitor operations on an ongoing basis.

#### **5. Review and Update Risk Management Plan**

A risk management report specific to case management should be prepared at a Director of Services level and then included with other areas of risk to be presented to the Board of Directors through the Executive Director on a bi-annual basis. As certain areas strengthen and other areas perhaps show that work is needed, the risk mitigation plan should be appropriately adjusted and a new cycle can begin.

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