People Scrutiny Commission
14th October 2019

Report of: Jacqui Jensen

Title: Executive Director: People

Ward: City-wide

Officer Presenting Report: Jacqui Jensen

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Recommendation

To consider and note the latest review of the People Directorate Risk Report and summary risks escalated to the Corporate Risk Report and to comment on any areas of interest.

Summary

The risks defined in this report are those captured by the services within the People Directorate, namely Adults Social Care, Children and Families Services, Education and Skills and Public Health

The following represent the most significant areas of risk for the People Directorate as at Q1 2019/20 June 2019:

1. Better Lives Programme
2. Safeguarding Vulnerable Children
3. Safeguarding Vulnerable Adults

These remain unchanged from Q4 2018/19 including risk level.

1. **Policy**

    1.1. The Audit Committee is responsible for providing independent assurance to the Council regarding the effectiveness of its strategic risk management arrangements. The Council has a Risk Management Policy which requires strategic risks to the Council, and details of how they are managed, to be recorded in the form of the Corporate Risk Report and Directorate Risk Report.

    1.2. The Corporate Risk Report is scrutinised by Audit Committee on a six monthly basis. It was agreed at Overview and Scrutiny Management Board that the Directorate Risk Report will also be scrutinised on a six monthly basis by the Directorate Scrutiny committees. In addition, they will also be provided to Audit Committee once each year, for information only to provide Audit Committee with assurance that Directorate Risk Reports are in place and effectively scrutinised.

2. **Risk Management and the Corporate Risk Report (CRR)**

    1.3. As part of good governance, the Council manages and maintains a register of its significant risks assigning named individuals as responsible officers for ensuring the risks and their treatment measures are monitored and effectively managed.

    1.4. The Corporate Risk Report (CRR) is a critical tool for capturing and reporting on risk activity, the organisations risk profile and an integral element of the Council's internal governance and performance frameworks. The Service Risk Registers (SRR) are working documents and the data within the register is used to inform the business of the threats and opportunities it faces in delivering outcomes and services to the Council forming the Directorate Risk Reports (DRR) and the Corporate Risk Report (CRR). It is used to ensure the organisation operates effectively and Leadership Teams take assurance that all necessary steps are being taken to ensure the risks are managed to a level acceptable to them. The CRR was last reported to Cabinet on 3rd September 2019.

3. **Consultation**

    a. **Internal -** First to fourth tier managers, People Leadership Team, Corporate Leadership Team, Cabinet Member for Adult Social Care, Cabinet Member Children, Women and Families, Cabinet Member Education & Skills, Cabinet Member Public Health
    b. **External -** None

4. **The People Directorate Risk Report (summary of risks)**

    4.1. The People DRR informs the council of significant risks to the achievement of the Directorates objectives to ensure it is anticipating and managing key risks to optimise the achievement of the council's objectives and prioritise actions for managing those risks. The DRR provides assurance to management and Members that the Directorate's significant risks have been identified and arrangements are in place to manage those risks within the tolerance levels agreed.

    4.2. The DRR is an important tool in managing risk. It aims to provide an overview of the significant risks facing the Directorate and how they are being managed. The People DRR attached to this report at Appendix A is the latest formal iteration following a review by members of the People leadership team (EDM) 13th February and Corporate Leadership Board (CLB) 26th March 2019. The risk review has included managers from across the Council.

4.3. The Directorate reports biannually to Members, ensuring that they are aware of the significant critical and high level risks facing the Directorate and how the Council is ensuring these risks are effectively managed.

4.4. As strategic planning, resource management and resilience processes are strengthened; the identification, management and communication of risk to the achievement of the Council's strategic priorities and objectives will continue to embed.

4.5. The DRR was developed following:

- Risk identification and assignment of a risk owner who is responsible to ensure each risk is effectively managed; current mitigations and further actions to ensure the risk is identified and interventions planned,
- Review by EDM to ensure risk levels are correctly identified; and target risk levels where stated are acceptable.

4.6. The DRR is presented in the standard format agreed by CLB and uses the risk management methodology set out in the risk management policy agreed by Cabinet in January 2019.

4.7. Pages 5 and 6 to Appendix A sets out the risk matrix, guidance parameters used to measure impact and likelihood and the supporting scoring criteria and will assist Members in understanding the risk levels recorded in the register.

4.8. The DRR sets out the significant critical and high rated risks. All other business risks reside on the Service Risk Register (SRR). The DRR as January 2018 contains: No Critical risks and 3 high risks. A summary of the progress of risk for this reporting period is set out below.

4.9. The following paragraphs summarise the key changes to the People Directorate Risk Report since its last presentation:

All identified risks were reviewed in light of the revised scoring and set the performance for future reviews. All risks on the DRR have management actions in place. The DRR is currently subject to a refresh during 2019/20.

As with all risks, it is not possible to eliminate the potential of failure entirely without significant financial and social costs. The challenge is to make every reasonable effort to mitigate and manage risks effectively, and where failure occurs, to learn and improve.

Further details are contained in Appendix A

5. Public Sector Equality Duties

5a)   Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

    i)   Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.

    ii) Advance equality of opportunity between persons who share a relevant protected

characteristic and those who do not share it. This involves having due regard, in particular, to the need to --

- remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;

- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
   - tackle prejudice; and
   - promote understanding.

5b)   No equalities assessment necessary for this report.

Appendices:

A – People Directorate Risk Report - The summary of the risks are set out on pages 1 to 3 including controls and management actions, a summary of risk performance on page 4, the risk matrix on page 5 and the risk scoring criteria on page 6.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:
Risk Management Policy

Corporate Risk Register as at March 2019 – Threat Risks to the achievement of Bristol City Councils Objectives.									
Risk title and description	**What we have done**	Perf	Likeli	Risk R	**What we are doing**	Likeli hood		Risk R
			Current Risk Level			Tolerance Risk Level		

Risk title and description	**What we have done**	Perf	Likeli	Risk R	**What we are doing**	Likeli hood		Risk R
CRR9: Safeguarding Vulnerable Children. The council fails to ensure that adequate safeguarding measures are in place, resulting in harm or death to a vulnerable child. Key potential causes are: • Safeguarding arrangements do not meet the requirements of the Children Act and associated legislation, guidance and regulations. • Inadequate controls result in harm. • Poor Management and operational practices. • Demand for services exceeds its capacity and capability. • Inability to recruit/retain social care staff in a competitive market. • Poor information sharing. • Strategic commissioning arrangements do not meet identified need and our ability to commission safe care for children is impaired. • Increase in complex safeguarding risks, criminal exploitation, serious youth violence and gang affiliation.	We provide regular analysis of performance and reports to Cabinet Members and Directors regarding safeguarding performance and progress. The Safeguarding Children's Board provides independent scrutiny of children's safeguarding arrangements in the city and holds BCC and partner agencies to account. There has been a review of arrangements to meet the Prevent Duty and the Safer Bristol Board has adopted an Improvement Plan to deliver better outcomes in service provision quality and safety. BCC works with partners to effectively identify victims and perpetrators of CSE and take action to disrupt and protect. Multi Agency Public Protection Arrangements are in place (MAPPA) with BCC contributors at every level to support family safeguarding. The Safeguarding and Quality Assurance Service has been remodelled to secure additional capacity (Independent reviewing officer and Child Protection Chairs) and has the Local Authority Designated Officer for allegations against people who work with children. Comprehensive training and development offer, together with publication of Bristol's policies and procedures and monthly professional supervision help ensure safe practice and adequate control of risks. This is monitored and tested through a performance and quality assurance framework. September 2018 Ofsted ILACS single inspection identified that, 'services have improved substantially for care leavers, children in care and children in need of help and protection.' However, there is more to do to ensure *all* children and families receive a good service. Based on this and self-evaluation, we are refreshing our transformation and improvement plan to address areas identified for improvement (these incorporate actions in response to learning from other Inspections, Peer Review, Serious Case Review, complaints and other feedback received). Bristol's Strengthening Families transformation programme is taking a whole system approach to meeting the needs of children and families at the earliest point. In this way we aim to manage demand and maintain capacity within the system. Universal services may be supported by early help and targeted services, including a team around the school offer. Bristol has an active workforce strategy in place to attract, recruit and retain social workers with a particular emphasis on recruiting and retaining excellent, experienced social workers. The Management Team monitors social work vacancies and agrees strategies for urgent situations. Competent agency social workers and managers are used on temporary basis to fill vacancies. A number of further measures are being progressed with the aim of improving the retention of social workers. A robust social worker caseload monitoring framework is in place. Information sharing protocols are in place with services taking action to comply with GDPR where sensitive data is stored/processed. Children's strategic commissioning team have a work plan in place. BCC commissioners work closely with operational services to identify need and ensure appropriate service commissioning. Due diligence and quality checks of all commissioned services for vulnerable children are in place.	⟷	2	14	Safeguarding Board and related arrangements are under review, with the aim of improving efficiency and effectiveness, and ensuring robust governance arrangements continue to hold multiagency partners (inc. BCC) to account. Ongoing action is being taken to extend information sharing arrangements and improve response to children at risk of criminal exploitation and going missing following CSE/Missing National Working Group recommendations. Under the delivering of Strengthening Families Programme we have an ongoing plan to: • Reduce caseloads of social care practitioners. • Ensure purposeful practice that supports children to live safely within their families and provide local authority care for those who need it. • Ensure effective management oversight is evident on all children's records. Measures to improve recruitment and retention of Social Workers will be presented through the Decision Pathway in September 2018. This should allow us to work proactively where poor practice is identified. In response to an identified and increasing risk of serious youth violence, criminal exploitation a multiagency plan is being developed and implemented, focussing on primary, secondary and tertiary prevention.	1	7	7
Risk Owner: Executive Director, Adults, Children and Education.	Action Owner: Director for Children's and Families Services.	Portfolio Flag: Children and Young People.			Strategy Theme: Our Organisation, Empowering and Caring, Wellbeing.			

Note: in the Current Risk Level columns, Likeli = 7 and the ⟷ (Perf) symbol appears mid-row.

Corporate Risk Register as at March 2019 – Threat Risks to the achievement of Bristol City Councils Objectives.							
			Current Risk Level			Tolerance Risk Level	
Risk title and description	What we have done	Perf	Likeli	Risk R	What we are doing	Likeli hood	Risk R
CRR10: Safeguarding Adults at Risk with Care and support needs. The council fails to ensure adequate safeguarding measures are in place, Adults at risk. Key potential causes are: • Adequacy of its controls. • Management and operational practices. • Demand for its services exceeded its capacity and capability. • Poor information sharing. • Lack of capacity or resources to deliver safe practice. • Failure to commission safe care for adults at risk. • Failure to meet the requirements of the "Prevent Duty "placed on Local Authorities.	The Safeguarding Adults Board is an independent scrutiny board led by BCC alongside our statutory ~~in~~ partner and key agencies. There has been a multi-agency led review of existing arrangements led by BCC in light of the new Prevent Duty and the Board has adopted an Improvement plan to deliver better outcomes in service provision quality and safety. The Board is now on a statutory footing following implementation of the Care Act 2014. The Multi Agency Public Protection arrangements are in place (MAPPA). The Bristol Safeguarding Adults Board Learning and Development Competence Framework has been reviewed and will be reviewed on an annually basis to ensure continued best practice. Safeguarding improvement plans are in place for Older People, Physical Disability and Disabled Children and the Capability framework for safeguarding and the mental capacity act have been introduced. The Adult Change Programme ' Better Lives' - Transforming Care Programme has been established to implement policy objectives of moving people into more suitable care settings. We have an active strategy in place to attract, recruit and retain social workers through a variety of routes with particular emphasis on experienced social workers. The Adult South West Recruitment and Retention Strategy has been drafted, the risks and costs identified. The strategy will be presented through the Decision Pathway. Regular strategies and campaigns support the recruitment and retention of high calibre social workers and managers, with competent agency social workers and managers used on temporary basis to fill vacancies. All key staff working with people directly at risk are trained in the essentials of safeguarding and BCC has an ongoing awareness-raising 'Prevent' training programme. Regular reporting on safeguarding is taking place quarterly for Directors and Cabinet Members, with an annual report for elected Members to allow for scrutiny of progress. The quality assurance framework and performance framework is routinely monitored and reported on. The outcome of the recent Kamil Ahmad Safeguarding Adults Review has been considered in detail and all recommended actions noted and acted upon.	↔	2	14	Social workers working with Multi-agency partners supporting Adults and elderly people to live safety within their families and community. We are increasing capacity this year in the commissioning team to lead on monitoring quality in the care sector. Improving the quality services for those who need it and ensuring effective management oversight. It is planned to make a one off retention payment to all social workers as part of the council's retention policy. A wider review of the remuneration package for social workers is planned to improve recruitment and retention. Review of the Safeguarding Pathway is planned for April 2020. We are transforming the Safeguarding Adults Board	1	7
Risk Owner: Executive Director, Adults, Children and Education.	Action Owner: Interim Director Adult Social Care.	Portfolio Flag: Adult Social Care.			Strategy Theme: Our Organisation, Empowering others and Caring, Fair and Inclusive, Well connected, Wellbeing.		

Note: In the Current Risk Level "Likeli" column the value 7 also appears, and in the Tolerance Risk Level the Likeli value 7 also appears.

Corporate Risk Register as at March 2019 – Threat Risks to the achievement of Bristol City Councils Objectives.

Risk title and description	What we have done	Performance	Current Risk Level			What we are doing	Tolerance Risk Level		
			Likelihood	Impact	Risk Rating		Likelihood	Impact	Risk Rating
CRR23: Better Lives Programme. Failure to deliver the required outcomes and savings from the Better Lives Programme, whilst delivering against our statutory duties and maintaining quality services. Key potential causes are: • Increased demand and complexity of Service Users' needs. • The Provider Market is unable to meet needs in the required way and/or we suffer relationship breakdown. • Other Directorates within the organisation are unable to support the Programme in the way required. • Statutory requirements of Adult Social Care (ASC) mean resources have to be diverted away from Programme activity. • Changes to the priorities of the wider health system and/or the National context, requires us to divert resources/focus away from the Programme's objectives. • There is a lack of sufficient skills and capacity within Adult Social Care (ASC) to deliver the required change at the required pace. • Focus on savings, demand management and specific areas of the service creates risk in other areas of adult social care where we have a statutory duty to deliver	We have a Programme Board in place that meets monthly and has a key governance role for the Programme in terms of managing risk. The Board membership contains the Cabinet Lead for Adult Social Care, The Executive Directors for ACE and Resources, the Director of Adult Social Care and representation from both Bristol Hospital Trusts and the Clinical Commissioning Group (CCG). They are provided with a verbal update and written monthly highlight report that contains key risks and issues. Any actions and decisions arising are minuted with completion tracked through a log. The Programme Senior Responsible Officer (SRO) regularly attends key internal governance meetings e.g. ACE Scrutiny Commission, Delivery Executive. The programme appointed a dedicated Senior Professional Lead who works within Adult Social Care to oversee delivery of the programme outcomes and act as the lead Business Change Manager. We have delivered and are planning to deliver a number of key interventions to improve the diversity of provision and the Provider Market's ability to respond to changing requirements and needs e.g. Bristol Price introduced for residential and nursing care June 2018; Market Position statement provider event held .We are actively increasing opportunities to work with us in shaping the future market as well as investing in key areas such as Home Care (Cabinet approved rate rise and innovation fund July 2018). We are working closely with other areas of the Council we have a dependency on to help us deliver the programme outcomes e.g. Change Services, Housing, Communities, Information Communication Technology (ICT) and Procurement colleagues. We have a specific area of the Programme dedicated to strengthening partnership working. We have introduced a number of interventions that are impacting new demand e.g. the introduction of the Bristol Price (June 2018); increased capacity and investment in Home Care (July 2018); increased capacity in the Reablement Service; Introduced a new Home First Service (October 2018).	↔	2	7	14	We are currently developing a new phase of the Better Lives Programme, focused on delivering the programme vision at pace. This will include activities to deliver further changes which are required around Older People's services and an increased focus on Adults of Working Age and Preparing for Adulthood. Piloting provider reviews to increase capacity in our Reviewing Teams and further develop the Market. (November 18) Developing for a new Assistive Technology offer. Completing the delivery of proposals new technology and working practices to our Social Workers. Completing the delivery of proposals new technology and ways of working to our Home First and Reablement teams. Continue to increase the capacity of the Reablement service to the required level, Continuing to discuss dependencies between Healthier Together and Better Lives with programme leads. Implement Phase 2 of the Integrated Care Bureau. Introducing a further rate increase for Home Care. April 2019. Opening two new Extra Care Housing sites in the City each with 60 units with BCC nomination rights 100 units in total). Which has been delay from November 2018 to the end of Q4 18/19.	1	7	7
Risk Owner: Executive Director, Adults, Children and Education.	Action Owner: Interim Director Adult Social Care.	Portfolio Flag: Adult Social Care.				Strategy Theme: Our Organisation, Empowering others and Caring, Fair and Inclusive, Well connected, Wellbeing.			

Corporate risk performance summary for open risks
The risks are set out by the highest risk rating first in Quarter 1 April – June 19/2020

Page	Risk ID	Risk	Risk Owner	Quarter 4 January – March 17/18		Quarter 1 April - June 18/19		Quarter 2 July - September 18/19		Quarter 3 October - December 18/19		Quarter 4 January – March 18/19	
				Rating	Travel	Rating	Travel	Rating	Travel	Rating	Travel	Rating	Travel
19	CRR23	Better Lives Programme	Executive Director, Adults, Children and Education	2x7=14	⟷								
7	CRR9	Safeguarding Vulnerable Children	Executive Director, Adults, Children and Education	2x7=14	⟷								
8	CRR10	Safeguarding Adults at risk with care and support needs (Previously Safeguarding Vulnerable Adults)	Executive Director, Adults, Children and Education	2x7=14	⟷								

Risk Scoring Matrix

Current and Tolerance risk ratings: The 'Current' risk rating for both threats and opportunities refer to the current level of risk taking into account any strategies to manage risk - management actions, controls and fall back plans already in place. The 'Tolerance' rating represents what is deemed to be a realistic level of risk to be achieved once additional actions have been put in place. On some occasions the aim will be to contain the level of the risk at the current level.

Positive Risks (Opportunities): Where the risk is an opportunity, a cost benefit analysis is required to determine whether the opportunity is worth pursuing, guided by the score for the matrix, e.g. an opportunity with a score of 28 would be pursued as it would offer considerable benefits for little risk