

REPORT TO: Audit and Governance Committee

MEETING DATE: 18 November 2014

BY: Chief Executive

SUBJECT: Children's Wellbeing Risk Register

1 PURPOSE

- 1.1 To present to the Audit and Governance Committee the Children's Wellbeing Risk Register (Appendix 1) for discussion, comment and noting.
- 1.2 The Children's Wellbeing Risk Register has been developed in keeping with the Council's Risk Management Strategy and is a live document which is reviewed and refreshed on a regular basis, led by the Children's Wellbeing Local Risk Working Group (LRWG).

2 RECOMMENDATIONS

- 2.1 It is recommended that the Audit and Governance Committee notes the Children's Wellbeing Risk Register and in doing so, the Committee is asked to note that:
 - the relevant risks have been identified and that the significance of each risk is appropriate to the current nature of the risk
 - the total profile of the Children's Wellbeing risk can be borne by the Council at this time in relation to the Council's appetite for risk
 - although the risks presented are those requiring close monitoring and scrutiny over the next year, many are in fact longer term risks for Children's Wellbeing and are likely to be a feature of the risk register over a number of years
 - while this report has been compiled by the Risk Officer, the Risk Register has been compiled by the Children's Wellbeing LRWG. The Head of Children's Wellbeing has lead responsibility and will speak to it at the Committee.

3 BACKGROUND

- 3.1 In presenting the Children's Wellbeing Risk Register to the Committee for discussion, comment and noting, I would wish to draw the Committee's attention to one specific matter. All risks have been evaluated using the standard (5x5) risk matrix which involves multiplying the likelihood of occurrence of a risk (scored 1-5) by its potential impact (scored 1-5). This produces an evaluation of risk as either 'low (1-4)', 'medium' (5-9), 'high' (10-19) or 'very high' (20-25).

- 3.2 The Council's response in relation to adverse risk or its risk appetite is such that:
- Very High risk is unacceptable and measures should be taken to reduce, transfer or treat the risk to a more tolerable position;
 - High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place;
 - Medium risk is tolerable with control measures that are cost effective;
 - Low risk is broadly acceptable without any further action to prevent or mitigate risk.
- 3.3 The current Children's Wellbeing Risk Register includes five High risks and two Medium risks.
- 3.4 A copy of the risk matrix used to calculate the level of risk is attached as Appendix 2 for information.

4 POLICY IMPLICATIONS

- 4.1 In noting this report the Council will be ensuring that risk management principles, as detailed in the Corporate Risk Management Strategy are embedded across the Council.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – It is the consideration of the Children's Wellbeing Local Risk Working Group that the recurring costs associated with the measures in place for each risk are proportionate to the level of risk. The financial requirements to support the Risk Register for the year ahead should be met within the proposed budget allocations. Any unplanned and unbudgeted costs that arise in relation to any of the corporate risks identified will be subject to review by the Corporate Management Team.
- 6.2 Personnel – There are no immediate implications.
- 6.3 Other – Effective implementation of this register will require the support and commitment of the Risk Owners identified within the register.

7 BACKGROUND PAPERS

- 7.1 Appendix 1 – Children's Wellbeing Risk Register
- 7.2 Appendix 2 – Risk Matrix

AUTHOR'S NAME	Scott Kennedy Paolo Vestri
DESIGNATION	Emergency Planning and Risk Officer Service Manager - Corporate Policy and Improvement
CONTACT INFO	skennedy@eastlothian.gov.uk 01620 827900 pvestri@eastlothian.gov.uk 01620 827320
DATE	6 November 2014

Children's Wellbeing Risk Register v8

Date Reviewed: 21 October 2014

Risk ID No.& Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
CW 1	Failure of the Council to provide employees with an effective Lone Working Policy & Practice and the appropriate training could result in injury or death to those employees resulting in H&S prosecution, civil insurance liability, reputational risk, increased sickness absence, pressures on service delivery and also potential claims against the Council.	<p>There are lone working procedures in place for staff informing Managers and admin staff of their whereabouts and reporting in when finished calls. These include electronic diaries and signing in/out books. All employees have been trained and guidance issued on the use of the alarm system and the ELC lone working system. Operating arrangements are reviewed regularly in team meetings and as a whole service.</p> <p>Information on Lone Working Policy is part of the Service Level Induction process. Employees are advised that if they do not adhere to this policy it is their personal responsibility, and will be asked to sign an agreement to this effect.</p> <p>Comprehensive training is being carried out to show Social Workers the full capabilities of Frameworki.</p> <p>Single Foster Carers have a robust family support network and have more intensive support from their Supervising SW and Community Responders.</p> <p>Alarms are installed in those rooms that are used by Social Workers to interview Clients.</p>	3	5	15	<p>Lone Working policy and procedures continue to embed within Children's Wellbeing managers and admin staff ensuring that front line employees adhere to Lone Working controls.</p> <p>SMG will take over functions of Lone Working Group in monitoring use and reviewing current procedures. The Council is working towards creating a PVCR which will enable the sharing of information relating to potentially violent clients across customer facing teams which in turn allows managers to identify and implement appropriate control measures protecting employees from harm.</p> <p>The whole lone working process has been reviewed team by team throughout the service and it has been agreed that all will revert to operating within the Council Lone Working System. Employees were briefed on 12 August 2014 and arrangements are underway to refresh all in the use of the system and to incorporate the procedures into the Induction Process for all new recruits into Children's Wellbeing.</p>	2	5	10	Head of Children's Wellbeing	March 2015	7	Risk reviewed and refreshed April 2014 with Current Risk Score reduced from 20 to 15 and further updated August 2014. To be fully reviewed March 2015.

Risk ID No. & Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
CW 2	<p>If we fail to deliver the 'Getting it Right for Every Child' (GIRFEC) framework described in the 'Integrated Children's Services Plan' a child could be put at significant risk.</p> <p>This failure could be due to a lack of resources (financial, services or staffing), poor practice, lack of training, a failure to prioritise, non-compliance with procedures/guidance or failing to intervene early enough. This could result in reputational damage and an impact on staff morale while significant case reviews would be required, overseen by the Child Protection Committee.</p> <p>The Service Review of January 2014 reduced professional staffing by 14 FTE leading to service redesign and re-prioritisation resulting in increased tensions with regards early intervention aspects of service delivery, with statutory interventions taking precedence in the early stages of implementation of the review.</p>	<p>Specialist staff within East Lothian Council and its partners closely monitor policy changes.</p> <p>Kinship Care and Fostering Strategy in place for ELC.</p> <p>Various inspections and reviews carried out by external regulatory bodies resulting in reports which CW puts improvement plans in place to adhere to.</p> <p>Briefing sessions, specialist training and support are in place.</p> <p>Provision of a coherent suite of policies and criteria to ensure consistent practices are held on ELNet and NIMBUS databases.</p> <p>Procedures guidelines and policy development updates are published to allow staff to access information.</p> <p>Competitive salaries and working conditions in place, recruitment and selection procedures adhered to.</p> <p>The Community Planning Partnership is responsible for developing and monitoring the Integrated Children's Services Plan (ICSP).</p>	3	4	12	<p>To ensure high professional standards/reputation/innovation is maintained to attract high calibre professionals.</p> <p>To ensure budget is adequate to recruit sufficient SWs to protect vulnerable children.</p> <p>Developing partnership service and resources to supplement core services.</p> <p>Ensure all agencies are fully committed to the principles of GIRFEC in East Lothian including taking responsibility for Lead Professional and Named Person roles, and full engagement in Staged Assessment and Intervention (SAI).</p> <p>Review ICSP at Children's Strategic Partnership and in its supporting Planning & Delivery Groups.</p>	3	4	12	Depute Chief Executive – Resources and People Services	April 2015 (Review quarterly)	4, 5, 6, 7	Risk reviewed and refreshed by SMG in April 2014. Risk score reduced from 16 to 12 thanks to measures in place.
CW 3	<p>Failure to fulfil our duty of care could result in the death, serious harm or detriment of a child. This would in turn result in prosecution, having to pay compensation a negative impact on the reputation of the Council.</p> <p>This failure could be due to a lack of resources (financial, services or staffing), poor practice, a failure to prioritise or non-compliance with procedures/guidance.</p> <p>The Service Review of January 2014 reduced professional staffing by 14 FTE leading to service redesign and re-prioritisation resulting in increased tensions with regards early intervention aspects of service delivery, with statutory interventions taking precedence in the early stages of implementation of the review.</p>	<p>We prioritise maintenance of adequate staffing levels for Child Protection and other work with vulnerable children.</p> <p>The service has received good assessment reports from the Inspection Agencies, which should help in attracting high calibre staff.</p> <p>Briefing sessions, specialist training and support are in place. Provision of a coherent suite of policies and criteria to ensure consistent practice. Procedures guidelines and policy development updates are published to allow staff to access the information.</p> <p>Completion of Personal Development Plan, focusing on specific and agreed development needs.</p> <p>There is a Code of Practice for Employers of Social Service Workers which sets down the</p>	3	4	12	<p>Ensure the budget for accommodating vulnerable children meets the needs of the children.</p> <p>Ensure budget is adequate to recruit sufficient Social Workers, Foster Carers and Kinship Carers to protect vulnerable children.</p> <p>Action Plan following on from Child Protection and ISLA inspections in place and these have been further developed post-approval of service for children post-inspection improvement plan in May 2014 and key child protection improvement actions included in a refreshed EL Child Protection Improvement Plan, incorporating Signs of Safety Strategic Implementation Plan, approved by the Public Protection Committee in June 2014; all will be overseen by the Children's Strategic Partnership and the SoS Steering Group, with the overall aim of improving assessment and planning.</p> <p>We will monitor the implementation</p>	3	4	12	Critical Services Oversight Group Head of Children's Wellbeing	April 2015 (Review quarterly)	4, 5, 6, 7	Risk reviewed and refreshed by SMG in April 2014. Risk score reduced from 16 to 12 thanks to measures in place.

Risk ID No.& Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
		<p>responsibilities of employers in the regulation of social service workers. Managers ensure that staff are up-to-date with changes in legislation, practice guidelines etc.</p> <p>To ensure adequate staffing in the Service Performance Improvement Group on an ongoing basis.</p> <p>PVG Checks carried out.</p> <p>Comprehensive ongoing training programmes are in place.</p> <p>The duty of care is reinforced through support and supervision arrangements as well as professional development case management carried out so that the duty of care and risk are central to the care planning process. Work is also monitored through internal and external review groups.</p> <p>The development of a multi-agency Signs of Safety Model Development of an overall learning culture, use of Action Learning Sets and promotion and development of skills such as "Giving and Receiving Feedback" and "Coaching".</p> <p>Frameworkki used to identify/record risk.</p> <p>Any Significant Case Reviews are discussed at multi-agency meetings, as and when required. CW has operational procedures in place to maintain 'protection' arrangements in compliance with legislation and inspection regimes. Action Plan in place following on from Child Protection and SWIA/Care Inspectorate inspections. Follow up of service user feedback.</p> <p>CAMHS support co-ordinated for all children who need it, in particular those with the most complex needs as a result of trauma, abuse and parental difficulties.</p> <p>Practice Supervisory Groups in place.</p>				<p>of the new ELBEG Procedures as amended in agreement with the Child Protection Committee/CSOG for EL implementation in conjunction with SoS deployment in CP Case Conferences.</p> <p>Frameworkki is being developed to improve the ways cases are recorded and risks identified.</p> <p>Development of an overall learning culture.</p> <p>Introducing a new Public Protection Unit and performance and quality improvement sub-group in June 2014.</p> <p>Further development of Practice Supervisory Groups guidance and working papers being issued.</p>							

Risk ID No.& Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
CW 4	A lack of a sufficient qualified staff resource or the unexpected loss of a key employee or employees may reduce the quality and scope of the service resulting in children's lives and safety being put at risk.	<p>Competitive salaries and working conditions in place, recruitment and selection procedures adhered too.</p> <p>High professional standards, reputation and innovation are maintained while the service has an excellent record among professional workers which all helps attract high calibre staff.</p> <p>A number of checks and balances are in place in relation to the recruitment and selection process e.g. staff recruitment and selection training, case by case consultation of appropriate salary placement, interview panels, job and employee outlines, screening of application forms, interview selection process, quality assurance checks, timescales for processing recruitment paperwork/adverts etc.</p> <p>Prioritise maintenance of adequate staffing levels of Child Protection and work with vulnerable children.</p> <p>Development of an overall learning culture, use of Action Learning Sets and promotion and development of skills such as "Giving and Receiving Feedback" and "Coaching".</p>				<p>Seek to ensure Foster Carers allowances and fees are competitive with neighbouring Councils and Independent Fostering Agencies.</p> <p>Continue to regularly publicise a need for Foster Carers.</p> <p>Celebrate Foster Carer Communitiy achievements annually.</p> <p>Annual review of feedback from Employee Engagement Survey and development/implementation of action plan.</p> <p>Professional Development Programme and commitment to ongoing Social Work practice of "Development of Growing our Own" (promoting staff from within).</p>				Head of Children's Wellbeing	April 2015 (Review quarterly)	7	Risk reviewed and refreshed by SMG in April 2014.
			3	4	12	2	4	8					

Risk ID No. & Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
CW 5	<p>Not carrying out disclosure/PVG checks or errors being made whilst carrying the checks out could put children's lives, safety and increase the risk of abuse.</p> <p>This would result in inspection through the Care Inspectorate, regulation for workers through the Scottish Social Services Council, possible staff conduct/discipline issues, and more stringent checks by external regulatory bodies. Additionally, the professional reputation of the service/Council would be damaged.</p>	<p>HR policy in place on procedures laid down by Disclosure Scotland and Protecting Vulnerable Groups scheme and training sessions are in place for all managers and staff to make them aware of the policy and processes to be followed to comply with the PVG scheme.</p> <p>Children's Wellbeing implementing the Recruitment/Disclosure/PVG Policy Corporate Guidance.</p> <p>Details of the posts which are subject to the Disclosure process are published on Council intranet.</p> <p>Each Looked After Child has a plan and the allocated SW regularly updates this.</p> <p>Each Foster Care Family has an approved 'Safer Care policy' which is regularly updated.</p> <p>Employees' contractual mutuality of obligation and requirement for trust and confidence in the working relationship between the employee and the council require that where an employee is convicted of a criminal offence which is likely to adversely affect their work/working relationship with the Council, they must advise their Depute Chief Executive or Head of Service.</p> <p>Worker 'Registration' in certain defined occupations requires to be validated/evidenced prior to an individual being engaged onto the council's workforce e.g. Social Workers and Children's Residential Care Officers, and must be maintained thereafter.</p> <p>Foster Carers and Supervising Social Workers develop a risk assessment for the child which is reviewed and updated.</p>				<p>People who work with children and protected adults will each have a 'scheme record' that will be subject to continuous updating, to help ensure that these groups are not exposed to individuals who might do them harm.</p> <p>Carers are receiving training and advice about helping children using the internet safely.</p> <p>The E&M Public Protection Committee are developing e-safety policy/procedure/guidelines during 2014/15.</p> <p>Post implementation of the 2014 Service Review new manager/team leaders in new roles are developing skills and competence with delivery of an HR 'line manager' policy/procedure awareness programme.</p>				Head of Children's Wellbeing	April 2015 (Review 6 monthly)	4, 5, 6, 7	Risk reviewed and refreshed by SMG in April 2014.
			3	4	12	2	4	8					

Risk ID No. & Status S/C/N (same, changed, new)	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion / Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood (Probability)	Impact (Severity)	Risk Rating		Likelihood (Probability)	Impact (Severity)	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
CW 6	The replacement Lothian Villa Meadowmill Young Person's Residential Unit is delayed beyond the expected completion date of December 2015 due to planning permission not being granted on account of opposition from other residents in the area.	Fortnightly contact with planners involving residential services manager where appropriate. Project plan and new-build timetable reviewed weekly.	3	3	9	Renegotiation of the existing contract with Lothian Villa landlord, seeking occupancy extension to dovetail with new build timetable. Elected members and Community Councils to be alerted to the intention to submit planning application. There will be some community engagement events prior to the submission of the planning request. Current residents will be kept up to date of progress.	3	2	6	Head of Children's Wellbeing	December 2015	4, 5, 6, 7	New risk created October 2014.
CW 7	Children's lives and safety put at risk due to a failure by staff to record or access salient information or a lack of understanding of the functions of Frameworki which could also lead to a regulation through the Care Inspectorate, regulation for workers through the Scottish Social Services Council, possible staff conduct/disciplinary issues and more stringent checks by external regulatory bodies. Failure to share appropriate chronologies and risk information with partner agencies. Risk to CW case transfers from other LAs failing to provide the appropriate information on the child/family.	Ongoing updates made to Frameworki while back-up database available within a few hours. Foster Carers undertake their own recording and this is communicated to relevant professionals. Training on Frameworki and support is given, especially for new staff. East Lothian recording guidelines require that all Child Protection and other files are reviewed by the line manager every six months. All files received from other LAs checked and where possible the LA is visited.	2	4	8	Senior managers to review a sample of these cases annually, reporting any improvements required for general team awareness. Frameworki continues to be developed to improve case recording and ensure best use of information in risk areas. GIRFEC multi-agency development explaining shared protocol for information sharing. Olivebank Children & Families Centre to be given access to Frameworki.	2	4	8	Head of Children's Wellbeing	April 2015 (Review quarterly)	4, 5, 6, 7	Risk reviewed and refreshed by SMG in April 2014.

Original date produced (V1)	16th December 2011		
File Name	Children's Wellbeing Risk Register		
Original Author(s)	S Kennedy		
Current Revision Author(s)	S Kennedy		
Version	Date	Author(s)	Notes on Revisions
Original	16th December 2011	S Kennedy	Children's Services Risk Register Operational Risks including merged Corporate Risks.
2	11th May 2012	S Kennedy	Children's Services changed to Children's Wellbeing as well as job titles updated.
3	19 th November 2012	S Kennedy	Refreshed following update to Risk Strategy
4	08 March 2013	S Kennedy	Updated by Children's Wellbeing Management Team.
5	9 th April 2014	S Kennedy	Lone Working Risk updated as per Corporate Risk update
6	April/May 2014	S Kennedy	Register reviewed and updated by CW SMG then finalised.
7	August 2014	S Kennedy	Risk CW1 reviewed and content updated by SMG.
8	October 2014	S Saunders/SMG	Planned risk control measures updated and new risk inserted re-provisioning of Pathway YP Residential Unit

Risk Score	Overall Rating
20-25	Very High
10-19	High
5-9	Medium
1-4	Low

Appendix 2
East Lothian Council
Risk Matrix

Likelihood Description

Likelihood of Occurrence	Score	Description
Almost Certain	5	Will undoubtedly happen, possibly frequently >90% chance
Likely	4	Will probably happen, but not a persistent issue >70%
Possible	3	May happen occasionally 30-70%
Unlikely	2	Not expected to happen but is possible <30%
Remote	1	Very unlikely this will ever happen <10%

Impact Description

Impact of Occurrence	Score	Description						
		Impact on Service Objectives	Financial Impact	Impact on People	Impact on Time	Impact on Reputation	Impact on Property	Business Continuity
Catastrophic	5	Unable to function, inability to fulfil obligations.	Severe financial loss (>5% budget)	Single or Multiple fatality within council control, fatal accident enquiry.	Serious - in excess of 2 years to recover pre-event position.	Highly damaging, severe loss of public confidence, Scottish Government or Audit Scotland involved.	Loss of building, rebuilding required, temporary accommodation required.	Complete inability to provide service/system, prolonged downtime with no back-up in place.
Major	4	Significant impact on service provision.	Major financial loss (3-5% budget)	Number of extensive injuries (major permanent harm) to employees, service users or public.	Major - between 1 & 2 years to recover pre-event position.	Major adverse publicity (regional/national), major loss of confidence.	Significant part of building unusable for prolonged period of time, alternative accommodation required.	Significant impact on service provision or loss of service.
Moderate	3	Service objectives partially achievable.	Significant financial loss (2-3% budget)	Serious injury requiring medical treatment to employee, service user or public (semi-permanent harm up to 1yr), council liable.	Considerable - between 6 months and 1 year to recover pre-event position.	Some adverse local publicity, limited damage with legal implications, elected members become involved.	Loss of use of building for medium period, no alternative in place.	Security support and performance of service/system borderline.
Minor	2	Minor impact on service objectives.	Moderate financial loss (0.5-2% budget)	Lost time due to employee injury or small compensation claim from service user or public (First aid treatment required).	Some - between 2 and 6 months to recover.	Some public embarrassment, no damage to reputation or service users.	Marginal damage covered by insurance.	Reasonable back-up arrangements, minor downtime of service/system.
None	1	Minimal impact, no service disruption.	Minimal loss (0.5% budget)	Minor injury to employee, service user or public.	Minimal - Up to 2 months to recover.	Minor impact to council reputation of no interest to the press (Internal).	Minor disruption to building, alternative arrangements in place.	No operational difficulties, back-up support in place and security level acceptable.

Risk	Impact				
	None (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	5	10	15	20	25
Likely (4)	4	8	12	16	20
Possible (3)	3	6	9	12	15
Unlikely (2)	2	4	6	8	10
Remote (1)	1	2	3	4	5

Key

Risk	Low	Medium	High	Very High
------	-----	--------	------	-----------

