East Lothian Council

REPORT TO:	Audit and Governance Committee
MEETING DATE:	15 September 2015
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

3 BACKGROUND

3.1 The Risk Register has been compiled by the Children's Wellbeing LRWG. 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 4 High risks, 1 Medium risk and 1 Low risk.

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	3 September 2015	

Children's Wellbeing Risk Register v10

Date Reviewed: 03 September 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 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.	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.

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.

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.

Comprehensive training is being carried out to show Social Workers the full capabilities of Frameworki.

Single Foster Carers have a robust family support network and have more intensive support from their Supervising SW and Community Responders.

Alarms are installed in those rooms that are used by Social Workers to interview Clients.

Audit of users via Contact Centre. | 3 | 5 | 15 | Lone Working policy and procedures continue to embed within Children's Wellbeing. Managers and admin staff ensure that front line employees adhere to Lone Working controls and Register to use the corporate Lone Working System.

Senior Management Group will take over functions of Lone Working Group in monitoring use and reviewing current procedures.

The service will monitor all staff's registrations with the Contact Centre

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.

Senior Management Group will take over responsibility from Lone working Group of monitoring staff's registration with Contact Centre | 2 | 5 | 10 | Head of Children's Wellbeing | September 2015 then review every 6 months | 7 | Risk reviewed and refreshed April 2014 with Current Risk Score reduced from 20 to 15 and further updated August 2014.

Risk further reviewed and refreshed June 2015. |

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CW 2	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.

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.

Amendments to the Service Review of January 2014 have been put in place, taking account of new demands.

The implications of the Health and Social Care Integration agenda are currently being considered. | Specialist staff within East Lothian Council and its partners closely monitor policy changes.

Kinship Care and Fostering Strategy in place for ELC.

Various inspections and reviews carried out by external regulatory bodies resulting in reports which CW puts improvement plans in place to adhere to.

Briefing sessions, specialist training and support are in place.

Provision of a coherent suite of policies and criteria to ensure consistent practices are held on ELNet and NIMBUS databases.

Procedures guidelines and policy development updates are published to allow staff to access information.

Competitive salaries and working conditions in place, recruitment and selection procedures adhered to.

The Community Planning Partnership is responsible for developing and monitoring the Integrated Children's Services Plan (ICSP).

Ensure high professional standards/reputation/innovation is maintained to attract high calibre professionals.

Ensure budget is adequate to recruit sufficient SWs to protect vulnerable children. CW has no efficiency targets for 2016. | 3 | 4 | 12 | Developing partnership service and resources to supplement core services.

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).

CW has been included as part of the Health and Social Care Integration agenda

Review ICSP at Children's Strategic Partnership and in its supporting Planning & Delivery Groups.

CW is subject to Financial Measures | 2 | 4 | 8 | Depute Chief Executive – Resources and People Services | 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.

Further refreshed in March 2015 with Residual Risk score reduced from 12 to 8.

Further refreshed in June 2015 by SMG. |
| CW 3 | 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.

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.

Amendments to the Service Review of January 2014 have been put in place, taking account of new demands. | We prioritise maintenance of adequate staffing levels for Child Protection and other work with vulnerable children.

Briefing sessions, specialist training and support are in place.

Action Plan following on from Child Protection and ISLA inspections in place with relevant partnership structures progressing improvements

Completion of Personal Development Plan, focusing on specific and agreed development needs. | 3 | 4 | 12 | Regarding Duties re-Care and After Care, CW are investing additional staffing to meet requirements of C&YP Act and continue dialogue with colleagues in housing re-provision for vulnerable young homeless people.

We will monitor the implementation 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.

Frameworki is being developed to improve the ways cases are recorded and risks identified. | 1 | 4 | 4 | Critical Services Oversight Group

Head of Children's Wellbeing | 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.

Further refreshed in March 2015 with Residual Risk score reduced from 12 to 8.

Further refreshed in June 2015 with Residual Risk score reduced from 8 to 4. |

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		CW adheres to the SSSC Code of Practice for Employers of Social Service. PVG Checks carried out. Comprehensive ongoing training programmes are in place. The duty of care is reinforced through support and supervision arrangements as well as professional development case management. 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". Frameworki used to identify/record risk. Any Significant Case Reviews are discussed at multi-agency meetings, as and when required. Follow up of service user feedback. Practice Supervisory Groups in place. Further development of guidance and working papers being issued. Ensure the budget for accommodating vulnerable children meets the needs of the children. Ensure budget is adequate to recruit sufficient Social Workers, Foster Carers and Kinship Carers to protect vulnerable children. Introducing a new Public Protection Unit and performance and quality improvement sub-group in June 2014.											
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. Government policy re-Kincare parity places potential additional financial burden on budgets. Competing with private sector and adjacent local authorities to recruit	Competitive salaries and working conditions in place, recruitment and selection procedures adhered too. 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. Professional Development Programme and commitment to	3	4	12	Seek to ensure Foster Carers allowances and fees are competitive with neighbouring Councils and Independent Fostering Agencies. We have begun exploring implications of ELC's policy of recruitment to first point of pay scales, as part of our overall succession planning.	2	4	8	Head of Children's Wellbeing	Review quarterly	7	Risk reviewed and refreshed June 2015 by SMG.

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	Foster Carers. Less staff and greater demand for services while there is also a lack of budget for pay rises.	ongoing Social Work practice of "Development of Growing our Own" (promoting staff from within). Checks and balances are in place in relation to the recruitment and selection process. Prioritise maintenance of adequate staffing levels of Child Protection and work with vulnerable children. 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". The Council regularly publicise the need for Foster Carers and celebrate Foster Carers Community achievements annually. Feedback from Employee Engagement Survey and development/implementation of action plan is reviewed annually.											
CW 5	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. Control measures re inter-authority transfers in relation to Child Protection Protocol are in place. All files received from other LAs checked and where possible the LA is visited. GIRFEC multi-agency development explaining shared protocol for information sharing. Olivebank Children & Families Centre have access to Frameworki.	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 and will also be updated to Mosaic in December 2015. Launching new file audit system which will ensure closer scrutiny and subsequent improvement in practice.	2	3	6	Head of Children's Wellbeing	Review quarterly	4, 5, 6, 7	Further refreshed March 2015 with Residual score reduced from 8 to 6. Risk further reviewed and refreshed by SMG in June 2015.

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CW 6	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.

This would result in inspection through the Care Inspectorate, regulation for workers through the Scottish Social Services Council (SSSC), possible staff conduct/discipline issues, and more stringent checks by external regulatory bodies.   Additionally, the professional reputation of the service/Council would be damaged.

All Social Workers should be registered with the SSSC. Failure to register and follow the code of conduct could result in dismissal leading to a shortage of Social Workers. | Managers and staff aware of the policy and processes to be followed to comply with the PVG scheme and requirements for staff registration.

Each Looked After Child has a plan and the allocated SW regularly updates this including a risk assessment for the child

Each Foster Care Family has an approved 'Safer Care policy' which is regularly updated.

Carers are receiving training and advice about helping children using the internet safely.

The E&M Public Protection Committee have developed e-safety policy/procedure/guidelines.

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. | 1 | 4 | 4 | | 1 | 4 | 4 | Head of Children's Wellbeing | | 4, 5, 6, 7 | Risk further reviewed and refreshed July 2015 by SMG with current risk score reduced from 12 to 4 and residual risk score from 8 to 4 given all possible measures are now in place. |

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

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

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	19th November 2012	S Kennedy	Refreshed following update to Risk Strategy
4	08 March 2013	S Kennedy	Updated by Children's Wellbeing Management Team.
5	9th 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
9	March 2015	S Saunders/SMG	All risks refreshed and updated where necessary.
10	July 2015	S Kennedy	Minor updated by SK following SMG meeting, further updates carried out by SMG including removal of risk relating to Lothian Villa following Council decision to purchase St.Josephs.

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				
Likelihood	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