

Report

Report to:	Social Work Resources Committee
Date of Meeting:	6 March 2024
Report by:	Director, Health and Social Care

Subject:	Social Work Resource Risk Register - Update
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ provide an update on risk management arrangements and the Risk Register for Social Work Resources

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the contents of the report be noted; and
- (2) that the set of top risks for Social Work Resources be approved.

3. Background

3.1. The Council's Risk Management Strategy promotes consideration of risk in service delivery, planning and decision-making processes. The Strategy requires resources to record and review risks and control actions regularly. Social Work Resources follows the guidance in developing, monitoring and updating the Risk Register, scoring risks in accordance with the Council's corporately agreed scoring mechanism - Appendix 1.

3.2. From a risk appetite and tolerance perspective, the Council aims to be risk embracing, in that it will accept a tolerable level of risk in seeking service efficiencies and in agreeing control measures. The level of risk facing the Council is measured both before (inherent risk) and after (residual risk) consideration of controls. The Council should both avoid a very high residual risk exposure (as this would be indicative of instability) and a low residual risk exposure (as this could indicate lack of innovation).

3.3. The Council's universal risk tolerance levels are outlined within the Council's Risk Management Strategy 2020. The current ideal risk profile is defined as:-

- ◆ no more than 10 per cent of residual risks at a very high level
- ◆ no more than 15 per cent of risks at a high level
- ◆ around 50 to 60 per cent of residual risks at a medium level
- ◆ no more than 30 per cent of residual risks at a low level

3.4. Each Resource has a Resource Risk Management Group which has responsibility for the promotion and management of risk. The Social Work Resources' Risk Management Group provides operational oversight of all risks impacting on the delivery of social care services reporting to the Resource's senior management team.

4. Update

4.1. The top risks presented to the 6 December 2023 meeting of the Committee have been reviewed. The risk descriptors have been updated as have the controls – Appendix 2. The format of the Resource’s Risk Register has also been reviewed and updated and a revision of residual risk scores has been completed as follows:-

- ◆ meeting Public Protection and legislative duties – reduced from 20 (very high) to 16 (very high)
- ◆ winter pressures – reduced from 20 (very high) to 9 (high)
- ◆ achieve standards and scrutiny levels identified by regulatory bodies – reduced from 20 (very high) to 12 (high)
- ◆ refugee resettlement and asylum seeker dispersal programme – reduced from 12 (high) to 9 (high)

4.2 The top five risks are now detailed in Table 1, with the addition of Cost of Living Crisis following the reduction of the residual risk score for Winter Pressures.

Table 1 – Social Work Resources Top Risks

	Top Risk	Risk Level
1.	Funding and Budgetary Pressures	Very high
2.	Workforce Availability and Capacity	Very high
3.	Market and Provider Capacity	Very high
4.	Cost of Living Crisis	Very high
5.	Public Protection and Legislative Duties	Very high

4.3. Whilst these top risks are the primary focus of the Resource, there are a wider suite of areas that are also subject to proportionate monitoring, mitigation and review (Appendix 3). A number of these are wider organisational risks that require consideration and responses across the Council.

4.4. The implications arising from the National Care Service (NCS) Bill in terms of risk to the Council are of particular interest to the Resource and to the Committee. As reported to the 21 February 2024 meeting of the Council’s Executive Committee, in June 2023 the Scottish Government reached an initial agreement with local government and the NHS about accountability arrangements for the NCS. The agreement aimed to establish who will be responsible for people’s care once the NCS is established, with overall legal accountability to be shared between the Scottish Government, the NHS and local government. It also included the default position that local authorities retain legal responsibility for the delivery of social care and social work functions, as well as retaining staff and assets. On 17 January 2024, the Scottish Parliament agreed and the Scottish Government confirmed that consideration of the NCS Bill at Stage 1 would be extended to 1 March 2024.

4.5. The Resource’s risk profile is detailed in Table 2, in respect of the risks described in Appendices 2 and 3. The profile currently exceeds the ideal universal risk exposure levels defined above (3.3). This is reflective of the uncertain and highly demanding environment which the Resource currently operates within and mirrors the highest level risks currently facing the Council.

Table 2 – Social Work Resources Top Risks Profile

Risk category	Risk rating	Number of risks	% of risks
1	Very high (15-25)	6	35%
2	High (8-12)	11	65%
3	Medium (4-6)	0	0
4	Low (1-3)	0	0

4.6. The Year End Risk Management Report (2022/2023) and Review of Council's Top Risks (2023/2024) was approved by the Risk and Audit Scrutiny Committee on 31 October 2023. Resources continue to demonstrate full compliance with the Risk Management Strategy. Two additional very high risks were added to the top risk register:-

- ◆ failure to comply with or meet the expected standards, scrutiny levels or improvement as identified by regulatory bodies
- ◆ changes in response to automatic fire alarms by the Scottish Fire and Rescue Service (SFRS) within the Council's non-domestic estate

4.7. Within Social Work Resources, thirteen partnerships have been identified. Notable risks for these partnerships include significant financial challenges and workforce supply availability.

4.8. The South Lanarkshire Integration Joint Board (IJB) has an approved risk management strategy; and a risk register which is subject to regular review, updating and reporting. That risk register focuses on those very high and high strategic risks directly impacting on the responsibilities of the IJB. The current risks within the IJB risk register are as follows (scores below reflecting risk scoring after mitigation):

- financial sustainability – very high
- workforce availability and capacity – very high
- performance delivery – very high
- failure to meet public protection and legislative requirements – high
- performance reporting does not capture performance across the whole health and social care system – medium
- winter pressures – medium

5. Employee Implications

5.1. There are no direct employee implications associated with the Resource's risk management process.

5.2. Workforce Availability and Capacity is identified as a very high risk on the Register.

6. Financial Implications

6.1. There are no direct financial implications associated with the Resource's risk management process.

6.2. Funding and Budgetary Pressures is identified as a very high risk on the Register.

7. Climate Change, Sustainability and Environmental Implications

7.1. Sustainable development issues are included within the Council's top risk register linked directly to the Council Plan objective 'make communities safer, stronger and sustainable.

8. Other Implications

8.1. Failure to demonstrate that risk is actively considered and managed can undermine statutory delivery, service performance, financial sustainability, workforce certainty and stakeholder (including public) confidence in the Resource and in the Council.

8.2. Reports presented to the Committee show the correlation and read across with the top risks to demonstrate, where possible and reasonable within available resources, appropriate contributions towards the mitigation of risks.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. This report does not introduce a new policy, function or strategy or recommend a change to existing policy, function or strategy and, therefore, no impact assessment is required.
- 9.2. The content of the risk register reflects ongoing dialogue and regular interaction with key stakeholders.

Professor Soumen Sengupta
Director, Health and Social Care

14 February 2024

Link(s) to Council Values/Priorities/Outcomes

- ◆ Accountable, effective and efficient

Previous References

- ◆ Executive Committee (21 February 2024): National Care Service – Update

List of Background Papers

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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Appendix One – Risk scoring matrix, likelihood and impact definitions

Likelihood

Score	1	2	3	4	5
Description	Rare	Unlikely	Possible	Likely	Almost certain
Likelihood of occurrence	1 in 10 years	1 in 3 years	1 in 2 years	Annually	Monthly
Probability of occurrence	The event may occur in certain circumstances	The event could occur	The event may occur	The event will probably occur	The event is expected to occur or occurs regularly

Impact

	Reputation	Financial	Service delivery/ Time to recover	Compliance	Safety
1 Negligible	Public concern restricted to local complaints	<£50,000 per annum	No impact to service quality; limited disruption to operations.	No external interest	Minor injury – no lost time
2 Minor	Minor adverse local/public/media attention and complaints	£50,000-£250,000 per annum	Minor impact to service quality; minor service standards are not met; short term	Very minor attention from legislative/regulatory body	Minor injury – resulting in lost time
3 Moderate	Adverse national media Public attention	£250,000 to £500,000 per annum	Significant fall in service quality; major partnership relationships strained; serious disruption in service standards	Short-term attention from legislative/regulatory body	Major injury or ill health resulting in lost time
4 Major	Serious negative national or regional criticism	£500,000 to £1million per annum	Major impact to service delivery; multiple service standards are not met; long term disruption to operations; multiple partnerships affected	Medium-term attention from legislative/regulatory body	Fatality; Or injuries to several people
5 Catastrophic	Prolonged international, regional and national condemnation	>£1million per annum	Catastrophic fail in service quality and key service standards are not met; long term catastrophic interruption to operations; several major partnerships are affected	National impact with rapid intervention of legislative/regulatory body	Multiple fatalities; Or injuries to large number of people

The assessments for impact and likelihood combine to provide an overall inherent risk score on the scale of between 1 and 25, using the council's recognised risk matrix.

Risk matrix

Likelihood	5 Almost Certain	5	10	15	20	25
	4 Likely	4	8	12	16	20
	3 Possible	3	6	9	12	15
	2 Unlikely	2	4	6	8	10
	1 Rare	1	2	3	4	5
		1 Negligible	2 Minor	3 Moderate	4 Major	5 Catastrophic
		Impact				

The risk score is calculated as follows:

Likelihood score x Impact score = Risk Score

Risks scored 15 to 25 are considered to be very high risks and risks scored 8 to 12 are considered to be high risks. Very high and high risks are monitored closely.

Appendix Two - Social Work Resources Risk Register: Top Risks (February 2024)

	Risk Category	Key Risk	Inherent Risk Score	Sample of Controls	Residual Risk Score
1	Very High (15-25)	<p>Funding and budgetary pressures</p> <ul style="list-style-type: none"> • There is a risk that expenditure exceeds available budget given cost and demand pressures alongside the requirement to address budget deficits given the volatile financial landscape. This could undermine sustainable performance delivery; create uncertainty for service users/patients and staff; and compromise the delivery of statutory functions (notably public protection). • There is a particular risk for Children's Social Work due to significant cost pressures in relation to residential placements, fostering and kinship care. 	Very High 25	<ul style="list-style-type: none"> • South Lanarkshire Council financial procedures • Revenue and capital budget monitoring reports to SW Resources Committee • Regular monitoring and reporting of financial performance to Resource's senior management team and Council's corporate management team. • Prioritisation of expenditure across Children's Services to manage current overspend with development of budget recovery actions and proposals. 	Very High 20

2	Very High (15-25)	Workforce Availability and Capacity There is a risk that availability of required workforce not sufficient to meet current service models, given workforce supply challenges locally and nationally. This could undermine sustainable performance delivery; create uncertainty for service users/patients and staff; and compromise the delivery of statutory functions (notably public protection), registration requirements and obligations (notably the provisions of the Health and Care [Staffing] [Scotland] Act 2019).	Very High 25	<ul style="list-style-type: none"> • Social Care Workforce Plan. • Child and Family service transformation has commenced in order to mitigate future risks • Modernising and redesign of Fieldwork and locality based Social Work services • Workforce monitoring reports to SW Resources Committee • Regular monitoring and reporting to Resource's senior management team and Council's corporate management team • Personnel targeted recruitment campaigns • Lanarkshire Care Academy 	Very High 20
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3	Very High (15-25)	Market and Provider Capacity <ul style="list-style-type: none"> • There is a risk of market instability due to demands upon and fragility amongst independent sector providers within context of the increasingly challenging financial environment faced by both the sector and local authorities. This could undermine sustainable performance delivery; create uncertainty for service users/patients; and potentially contribute to assurance concerns in respect of registration requirements and obligations (notably the provisions of the Health and Care [Staffing] [Scotland] Act 2019). • As advised by COSLA there is a particular risk concerning the sustainability of the National Care Home Contract, given that Scottish Care do not intend to participate in negotiations on the 2024/25 rate, and have requested that COSLA make an unnegotiated offer to the sector. There is then the risk of providers declining to continue to be part of the NCHC in its entirety and providers seeking to revert to locally negotiated rates. 	Very High 25	<ul style="list-style-type: none"> • Care Inspectorate regulation of all care services. • Oversight of all South Lanarkshire based registered care services is maintained by the Resource senior management team • Procurement Network Oversight meetings in place • Mapping tool developed in support of Care at Home service • Social Work Scotland Care Market intelligence shared. • Support to and engagement with COSLA and Scotland Excel. 	Very High 20
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4	Very High (15-25)	Cost of living crisis There is a risk that Social Work Resources is unable to meet increased demand to support those most vulnerable within our communities who are impacted by the cost-of-living crisis.	Very High 25	<ul style="list-style-type: none"> • Participation in South Lanarkshire Community Planning Partnership to deliver the Child Poverty Commitment • Child Protection Committee and Adult Protection Committee meetings held to discuss public protection issues and to ensure statutory responsibilities are being met • Prioritisation of those with critical and substantial needs through the Social Work assessment and support planning process • Referrals to a range of support services including Money Matters Advice Service, South Lanarkshire Debt Helpline, Scottish Welfare Fund and Community Grants provided by VASLAN to Third Sector • Support from Unpaid Work Service to help people access registered foodbanks • Support for unpaid carers through Lanarkshire Carers • South Lanarkshire Employee Assistance Programme • 	Very High 20
5	Very High (15-25)	Meeting Public Protection and Legislative Duties <ul style="list-style-type: none"> • There is a risk that financial and workforce instability alongside demand pressures compromises the ability to meet statutory functions (notably public protection), registration requirements and obligations (notably the provisions of the Health and Care [Staffing] [Scotland] Act 2019). 	Very High 25	<ul style="list-style-type: none"> • Child and Family service transformation has commenced in order to mitigate future risks • Modernising and redesign of Fieldwork and locality based Social Work services • Ongoing quality assessment framework for risk assessments for service users • Child Protection Committee and Adult Protection Committee meetings held to discuss public protection issues and to ensure statutory responsibilities are being met under the oversight by Public Protection Chief Officers Group • Inspection activity by Care Inspectorate • Mental Welfare Commission Reviews 	Very High 16

Appendix Three - Social Work Resources Additional Risks

No.	Risk	Social Work Residual Risk Score	SLC Residual Risk Score
1	Deliver Strategic Commissioning Plan Outcomes required by IJB	16	16
2	Achieve standards and scrutiny levels identified by regulatory bodies (New)	12	20
3	Business continuity, response and recovery	12	12
4	IT developments and functionality	12	9
5	Fraud, theft organised crime and cyber attacks	12	12
6	National Care Service (NCS)	12	12
7	Sustainable development and climate change objectives	12	15
8	Historic Child Abuse	12	12
9	Disruption to council services due to industrial action	12	16
10	Refugee resettlement and asylum seeker dispersal programme	9	16
11	Winter Demand Pressures	9	-
12	Implications of the SFRS Unwanted Fire Alarm Signals Policy (New)	8	16