

# Education Children and Families Committee

10:00, Tuesday, 13 December 2016

## Communities and Families Senior Management Team Risk Update

Item number 8.5

Report number

Executive/routine

Wards

### Executive Summary

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The risk information attached is the Communities and Families Senior Management Team (SMT) prioritised risks as at November 2016. It reflects the current highest priority risks of the service along with the key controls in place to mitigate these risks.

The attached risk summary paper has been challenged and discussed by the Communities and Families SMT and a plan has been developed for further review and scrutiny.

The risk register is a dynamic working document and is updated regularly to reflect the changing risks of the service.

The work to refresh the risk management process further enhances the capture and treatment of risk in the service through the quarterly Communities and Families SMT Risk Committees.

### Links

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Coalition Pledges [P1, P2, P4, P5, P6, P30](#)

Council Priorities [CP1,2,3,4,5,6 and 25](#)

Single Outcome Agreement [SO3](#)

## Communities and Families Senior Management Team Risk Update

### 1. Recommendations

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- 1.1 That the Committee notes the content of the risk register and requests that the risk register is presented to Committee on an annual basis.

### 2. Background

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- 2.1 The purpose of this report is to provide an annual update.

### 3. Main report

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- 3.1 The Communities and Families SMT risk summary attached in Appendix 1 reflects the current priority inherent risks of the service and demonstrates the controls to mitigate the risks. The top 12 of 21 risks are shown.

New risks identified since the previous March 2015 report are as follows; Essential Learning (face to face training), Playground Safety (natural playgrounds), Contest, Community Access to Schools, Impact of Brexit, Delivery Plan for Scotland.

- 3.2 Communities and Families has a Risk Management steering group (RMSG) which includes representation of Business Partners, Operational Managers, Establishment Managers and Headteachers. Risk issues discussed at the group are escalated to the quarterly Communities and Families SMT Risk Committees. The Principal Risk Manager for Communities and Families also provides a quarterly risk update report to the SMT, this includes an overview of Health and Safety dashboards for the quarter by the Council Health and Safety Manager.
- 3.3 The Communities and Families Self Assurance programme is underway for 2016/17. The Self Assurance pack was sent to establishments on 1 November 2016, a return date of the 1 February 2017 is required.
- 3.4 All Communities and Families establishments are included in the 2016/17 process. Internal Audit are auditing 15 establishments across the service to the Self Assurance questionnaire. Specialists (Health and Safety/Information Governance colleagues) are auditing respective areas.

3.5 This year refinements have been made to the process. The questionnaire has new sections, Equalities/ Facilities Management, Health and Safety and Food Hygiene have been added. The questionnaire is designed to include risk areas relevant to the service Risk Universe. A Survey Monkey format is being used to manage the return to enhance reporting mechanisms. Headteachers and Establishment Managers are encouraged to use the questionnaire with an annual planner template to seek assurance on specific areas throughout the year, this builds risk management into management processes.

3.6 The heat map on appendix 1 shows the inherent and residual risk scores.

#### **4. Measures of success**

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4.1 Fully embedded risk management practices should ensure that key risks of the Council are prioritised and relevant action plans are put in place to mitigate these risks to tolerable levels.

#### **5. Financial impact**

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5.1 There may be a financial component to the controls which require to be put in place to mitigate identified risks and to support the effective planning and delivery of core business processes as well as key initiatives and work streams.

#### **6. Risk, policy, compliance and governance impact**

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6.1 Risk registers are a key management tool to help mitigate risks and to implement key strategic projects of the Council.

#### **7. Equalities impact**

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7.1 None.

#### **8. Sustainability impact**

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8.1 There is no direct sustainability impact arising from the report's contents.

#### **9. Consultation and engagement**

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9.1 The attached risk summary has been challenged and discussed by the Communities and Families SMT and a plan has been developed for further review and scrutiny.

## 10. Background reading/external references

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None.

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## 11. Links

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<b>Coalition Pledges</b>	<p>P1 – Increase support for vulnerable children, including help for families so that fewer go into care</p> <p>P2 – Hold the maximum P1 class size at 25 and seek to reduce class sizes in line with Scottish Government recommendations</p> <p>P4 – Draw up a long-term strategic plan to tackle both over-crowding and under use in schools</p> <p>P5 – Seek to ensure the smooth introduction of the Curriculum for Excellence and that management structured within our schools support the new curriculum</p> <p>P6 – Establish city-wide co-operatives for affordable childcare for working parents</p> <p>P30 - Continue to maintain a sound financial position including long-term financial planning Council outcomes CO25 - The Council has</p>
<b>Council Priorities</b>	<p>CO1 – Our children have the best start in life, are able to make and sustain relationships and are ready to succeed</p> <p>CO2 – Our children and young people are successful learners, confident individuals and responsible citizens making a positive contribution to their communities</p> <p>CO3 – Our children and young people at risk, or with a disability, have improved life chances</p> <p>CO4 – Our children and young people are physically and emotionally healthy</p> <p>CO5 – Our children and young people are safe from harm or fear of harm, and do not harm others within their communities</p> <p>CO6 – Our children’s and young people’s outcomes are not undermined by poverty and inequality</p> <p>CO25 - The Council has efficient and effective services that deliver on objectives</p>
<b>Single Outcome Agreement</b>	<p>SO3 – Edinburgh’s children and young people enjoy their childhood and fulfil their potential</p>
<b>Appendices</b>	<p>Appendix 1 – Communities and Families SMT Prioritised Inherent risks at May 2016</p>

# Appendix 1 – Communities and Families prioritised inherent risks heat map

## 1. Integrated Property Facilities Management

Risk that lack of properly resourced and effective Integrated Property Facilities Management resulting in shortcomings in service delivery.

## 2. Local Development Plan – Educational Infrastructure

Risk that insufficient funding will be secured from developer contributions to fully fund the educational infrastructure requirements.

## 3. Balance of Care (New Risk)

Much of the cost of care of children and young people is demand-led and relies on expensive external providers. If the balance of care does not stay at the right level the Council may not be able to sustain adequate levels of service.

## 4. Health and Safety Compliance

Risk that proportionate risk based systems which allow us to perform safely as an organisation and within defined statutory responsibilities fail leading to employee/service user injury and/or regulatory fines.

## 5. Budget Management

Risk that inadequate management of current budgets / future budgets results in inability to maintain and deliver statutory, education and care service obligations with consequent impacts on service users.

## 6. Organisational change

Risk that significant organisational change has negative impact on staff.

## 7. Infection Control

Risk that infection is not prevented or in the case of an outbreak not adequately controlled – or that cleaning regimes are reduced or inadequate - across the network of schools and establishments. Risk that an infection control outbreak is not recognised quickly enough to control effectively.

## 8. Fraud

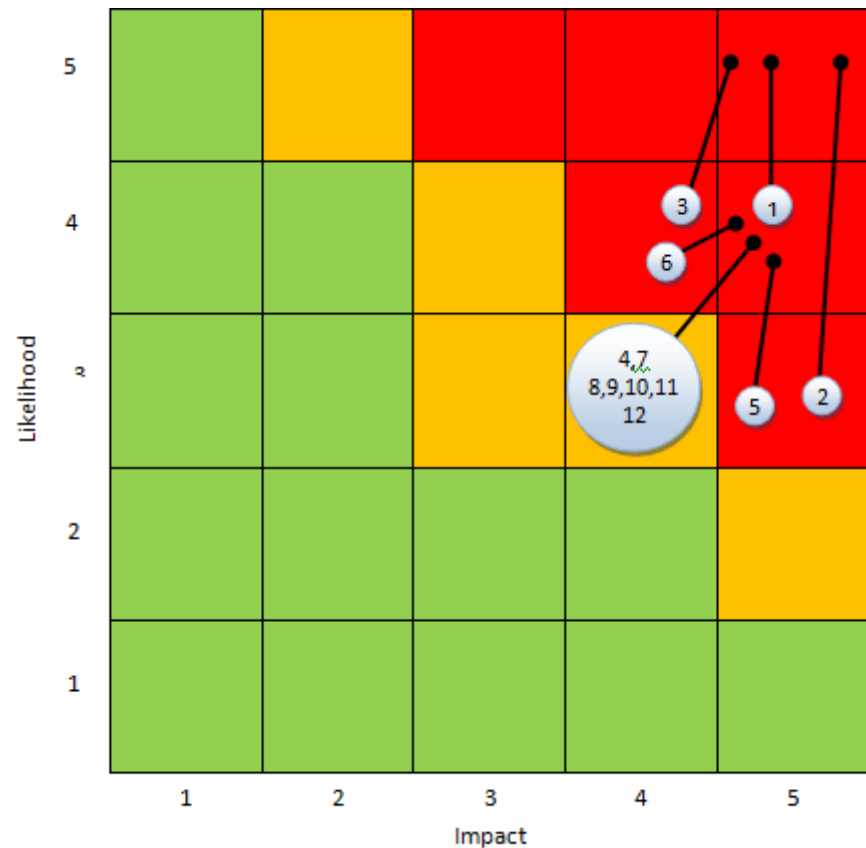
Risk of financial loss and reputational damage as a result of significant fraud/bribery/corruption.

## 9. Essential Learning (New Risk)

Risk that approaches to essential learning are not proportionate, robust or standardised to levels required resulting in training not being in place to manage risks.

## 10. Contest Strategy (New Risk)

Risk that there is not a robust enough approach to ensure awareness of Contest and the associated Police Scotland Prevent strategy.



## 11. Playground Safety (New Risk)

Lack of guidance and definition on roles and responsibilities (inadequate controls) lack of corporate oversight leads to inadequate management of playground and subsequent Health & Safety incident affecting pupil/service user.

## 12. Community Access to Schools (New Risk)

Lack of clarity around roles and responsibilities relating to Community Access to schools (LETS).

# Communities and Families prioritised inherent risks with mitigating actions

Category	Risk Description	Inherent		Current Key Mitigating Controls	Residual		Further Actions
		I	L		I	L	
1 Operational	<p><b>Integrated Property Facilities Management</b></p> <p>Risk that lack of properly resourced and effective Integrated Property Facilities Management resulting in shortcomings in service delivery.</p>	5	5	<ul style="list-style-type: none"> <li>Monthly C&amp;F Property Facilities Management Group is chaired by Corporate Facilities Management to focus on managing operational property issues and risks. The group has cross departmental representation to provide operational and strategic expertise.</li> <li>Asset maintenance programme targeted at priority sites</li> <li>Investment requirements routinely reviewed and subject to Council approval</li> <li>Corporate Asset Management Plan regularly reviewed</li> </ul>	5	4	<ul style="list-style-type: none"> <li>Corporate Property Facilities Management Joint Review of Services</li> <li>SLAs to be agreed and finalised,</li> <li>Continued investment across the estate</li> </ul>
2 Financial	<p><b>Local Development Plan - Educational Infrastructure</b></p> <p>Risk that insufficient funding will be secured from developer contributions to fully fund the educational infrastructure requirements which would be required to support the additional pupils generated from the significant housing development identified in the second Local Development Plan.</p> <p>There is also an additional financial risk relating to the additional revenue costs arising from this new infrastructure for which there is currently no provision in the Council's Long Term Financial Plan.</p>	5	5	<p>Revised governance arrangements are being established led by Planning to oversee the delivery of the second Local Development Plan including:</p> <ul style="list-style-type: none"> <li>(i) Identifying and costing the actions required to deliver the Local Development Plan</li> <li>(ii) Identifying the level of developer contributions that can be achieved while retaining an effective housing land supply</li> <li>(iii) Identifying the level of shortfall that requires alternative funding mechanism.</li> </ul> <p>Ensuring that the risks associated with the delivery of infrastructure are understood and properly managed.</p> <ul style="list-style-type: none"> <li>Strong engagement with elected members.</li> </ul>	5	3	<ul style="list-style-type: none"> <li>Revised statutory guidance going to Planning Committee in December 2016</li> <li>Report to Resources Committee early 2017 on funding gaps</li> </ul>
3 Operational	<p><b>Balance of Care</b></p> <p>Much of the cost of care of children and young people is demand-led and relies on expensive external providers. If the balance between enabling and commissioning levels of care is not optimal the Council may not be able to sustain adequate levels of service.</p>	5	5	<ul style="list-style-type: none"> <li>Looked After and Accommodated (LAAC) over and under 12s assessment panels to assess individual requirements of children</li> <li>Strategy and Insight produce regular figures on LAAC population, including benchmarking and trend analysis, regular reporting to CLT/Committee (Education Children &amp; Families) to assist decision making</li> <li>Regular review of LAAC statistics at Children's Service SMT informing managerial decision</li> </ul>	4	4	<ul style="list-style-type: none"> <li>LAAC Transformation report to Education Children &amp; Families Committee, Dec 2016.</li> </ul>

Category	Risk Description	Inherent		Current Key Mitigating Controls	Residual		Further Actions
		I	L		I	L	
4 Hazard	<p><b>Health and Safety compliance</b></p> <p>Risk that proportionate risk based systems which allow us to perform safely as an organisation and within defined statutory responsibilities fail leading to employee/service user injury and/or regulatory fines.</p>	5	4	<ul style="list-style-type: none"> <li>Health and Safety policy is available to all staff through the Orb and is reviewed (and updated if required) annually by the SMT</li> <li>Health and Safety Joint Working Group meet every 8 weeks and maintain a Risk Management Action Log</li> <li>Quarterly risk report featuring Health &amp; Safety on C&amp;F SMT agenda</li> <li>Departmental Joint Consultative Committees (DJCC) and Local Negotiating Committee Teaching (LNCT) H&amp;S action log is maintained and reviewed by DJCC/LNCT</li> <li>H&amp;S internal audits are completed and recommendations arising are addressed and actioned by the H&amp;S Joint Steering Group</li> <li>Mandatory Health &amp; Safety training for C&amp;F staff available on Orb</li> <li>Improved Corporate Health &amp; Safety management information (quarterly service area reports)</li> <li>Ongoing engagement with Trades Union to increase Health &amp; Safety representation</li> <li>SMT review of establishment audits</li> <li>Self assurance programme rolled out across service</li> <li>Communities &amp; Families Risk Management steering group (meets monthly)</li> <li>Expertise of Corporate Health &amp; Safety Advisors</li> </ul>	4	3	<ul style="list-style-type: none"> <li>Development and ongoing embedding of SHE Health &amp; Safety incident reporting database</li> <li>The C&amp;F Self Assurance exercise will further inform Health &amp; Safety risk maturity across the estate.</li> <li>Refinement of Essential Learning in terms of Council wide approach towards assurance, communicating, recording, reporting</li> <li>Review of Corporate H&amp;S policy to define Head of Establishment/Corporate Property H&amp;S roles and responsibilities</li> <li>Recent Health &amp; Safety risk profiling exercise will highlight risk issues</li> </ul>
5 Financial	<p><b>Budget management</b></p> <p>Risk that inadequate management of current budgets / future budgets results in inability to maintain and deliver statutory, education and care service obligations with consequent impacts on service users</p>	5	4	<ul style="list-style-type: none"> <li>Revenue and Capital budget is approved annually by SMT/CMT and reviewed monthly by the SMT</li> <li>Efficiency plan is approved by SMT/CMT each year and reviewed monthly by the SMT</li> <li>Responsibilities of Budget Managers are written into the job description for each staff member in the role</li> <li>Budget Managers review weekly budget reports and report directly to the Head of Service</li> <li>Workforce planning is reviewed by SMT monthly to ensure vacant posts are managed appropriately and in line with budgets and savings plans</li> <li>Each efficiency saving has a clearly aligned service manager responsible for delivery</li> <li>Each saving has a clear plan for delivery (implementation plan) including, where appropriate, targets and performance data</li> <li>Where the saving involved staff reductions there is a clear strategy/plan for achieving reductions</li> <li>C&amp;F SMT meet fortnightly to monitor budget in addition to ongoing discussions at weekly management meetings</li> <li>The C&amp;F SMT will look at services/financial demand as part of regular budgetary monitoring</li> </ul>	5	3	<ul style="list-style-type: none"> <li>Keep under review</li> </ul>

Category	Risk Description	Inherent		Current Key Mitigating Controls	Residual		Further Actions
		I	L		I	L	
6 Operational	<p><b>Organisational change</b></p> <p>Risk that significant organisational change has negative impact on staff and:</p> <ul style="list-style-type: none"> <li>• increases sickness absence</li> <li>• decreases output/activity</li> <li>• increases staff turnover and loss of expertise with associated negative impact on service users and potential increased financial costs to the organisation</li> </ul>	5	4	<ul style="list-style-type: none"> <li>• The Absence Management Policy and Procedure sets out the controls in relation to the management of short/long term absence and is approved annually</li> <li>• All managers monitor sickness absence MI each month through MyPeople</li> <li>• HR Representative manages and reviews performance absence monthly and reports to the SMT</li> <li>• Regular communication on Transformation from the top of the organisation with focus on engagement in decision making process</li> <li>• Roll out Future Engagement Deliver programme highlights importance of leading and managing staff effectively</li> <li>• Regular team meetings, change discussion on agenda, team building for new and existing teams</li> </ul>	4	4	<ul style="list-style-type: none"> <li>• Fortnightly meeting HR Partner/ Acting Executive Director of C&amp;F</li> <li>• Fortnightly budget monitoring includes workforce component</li> <li>• Succession planning for key posts</li> </ul>
7 Hazard	<p><b>Infection control</b></p> <p>Risk that infection is not prevented or in the case of an outbreak not adequately controlled – or that cleaning regimes are reduced or inadequate - across the network of schools and establishments. Risk that an infection control outbreak is not recognised quickly enough to control effectively.</p>	5	4	<ul style="list-style-type: none"> <li>• Infection Control Arrangements are available to all staff through the Orb , C&amp;F Emergency Hub and 365 site for schools</li> <li>• Debriefs undertaken following outbreaks to look at lessons learned and enhance procedures</li> <li>• C&amp;F Infection Control procedure updated and cascaded regularly to head teachers and Managers</li> <li>• Head teachers and Establishment Managers asked prior to winter to work through infection control scenario with teams to consider management of situation, roles/responsibilities (as part of Noro Virus toolkit)</li> <li>• Continued liaison with NHS Public Health to enhance preparedness/work together</li> <li>• Noro Virus toolkit rolled out to C&amp;F establishments Nov 2015 with associated roles and responsibilities checklist/scenarios. Updated and circulated November 2016.</li> </ul>	4	3	<ul style="list-style-type: none"> <li>• Regular debriefs</li> <li>• Awareness raising</li> <li>• Essential that there is no decrease in cleaning regime across the estate</li> </ul>
8 Hazard	<p><b>Fraud</b></p> <p>Risk of financial loss and reputational damage as a result of significant fraud/bribery/corruption</p>	5	4	<ul style="list-style-type: none"> <li>• Corporate policies and procedures embedded throughout the Council are reviewed and approved annually</li> <li>• Use of Manager toolkits</li> <li>• Escalation of sensitive/high profile risk matters to HoS/Director/CMT as per Council policy</li> <li>• Action plans are maintained to respond to findings from Best Value reviews</li> <li>• Monthly hospitality register reminder cascaded to Head Teachers and Establishment Managers/Managers</li> <li>• Regular agenda item at C&amp;F Risk Management Steering Group</li> <li>• Guidance included within Essential Reading</li> </ul>	4	3	<ul style="list-style-type: none"> <li>• Annual sign off process for Essential Learning handbook</li> </ul>



Category	Risk Description	Inherent		Current Key Mitigating Controls	Residual		Further Actions
		I	L		I	L	
9 Legal	<p><b>Essential Learning</b></p> <p>Risk that approaches to essential learning are not proportionate, robust or standardised to levels required resulting in training not being in place to manage risks.</p> <p>Management of essential learning and the tools to assist this need to be fit for purpose to manage the risk.</p>	5	4	<ul style="list-style-type: none"> <li>ITrent management of course attendance (through sign in sheets)</li> <li>Signatures from attendees taken at end of course not beginning</li> </ul>	4	3	<ul style="list-style-type: none"> <li>Matrix to be reviewed (C&amp;F)</li> <li>Council wide controls being looked at by HR</li> </ul>
10 Reputation al	<p><b>Contest Strategy</b></p> <p>Risk that there is not a robust enough approach to ensure awareness of Contest and the associated Police Scotland Prevent strategy to ensure staff know how to identify potential or actual radicalisation</p>	5	4	<ul style="list-style-type: none"> <li>The Council Contest Group chaired by Mary-Ellen Lang Council Resilience Manager includes representation from across the Council to embed controls. This group ensures that Council colleagues are kept up to date on Contest at a national level</li> <li>Regular updates are provided to the Council Leadership Group on these matters</li> <li>Council links with Police Scotland/other</li> </ul>	4	3	<ul style="list-style-type: none"> <li>The Resilience Unit have delivered WRAP (Workshop to Raise Awareness of Prevent) training to Headteachers and Business Managers (October 2016).</li> <li>Actions from the Internal Audit report on Contest Strategy (November 2016) to be actioned within required timelines.</li> </ul>
11 Legal	<p><b>Playground Safety</b></p> <p>Lack of guidance and definition on roles and responsibilities (inadequate controls) lack of corporate oversight leads to inadequate management of playground and subsequent Health &amp; Safety incident affecting pupil/service user</p>	5	4	<ul style="list-style-type: none"> <li>Daily risk assessments undertaken by school staff/Service Support Officer</li> <li>Annual maintenance and inspection programme (organised by Corporate Property)</li> </ul>	4	3	<ul style="list-style-type: none"> <li>Set out mandatory H&amp;S controls for natural playgrounds</li> <li>Develop action plan to implement mandatory controls for all natural playgrounds (with actionees and timescales)</li> <li>Implement oversight arrangements to ensure adequate H&amp;S controls implemented (at Corporate level)</li> <li>Regular reporting on playground management to the Communities &amp; Families Health Safety and Wellbeing Committee</li> <li>Scott Robertson providing project manager</li> <li>Council Strategic Division to consider the level of Risk to be tolerated in view of Scottish Government guidance on Risk based play</li> </ul>
12 Legal	<p><b>Community Access to Schools</b></p> <p>Lack of clarity around roles and responsibilities relating to Community Access to schools (LETS)</p>	5	4	<ul style="list-style-type: none"> <li>LETS contract which specify expectations/roles and responsibilities</li> <li>Management of LETS by schools</li> </ul>	4	3	<ul style="list-style-type: none"> <li>Guidelines outlining Health &amp; Safety roles during a let in final draft (currently with Legal Services)</li> <li>Legal Services advice sought</li> </ul>

# Guidance for assessing Impact and Likelihood of risk

Likelihood	1 – Rare	2 – Unlikely	3 – Possible	4 – Likely	5 – Almost Certain
Probability	0-15%	16-35%	36-60%	61-80%	81-100%
Chance of Occurrence	Hard to imagine, only in exceptional circumstances	Not expected to occur, unlikely to happen	May happen, reasonable chance of occurring	More likely to occur than not	Hard to imagine not happening
Timeframe	Greater than 10 years	Between 5-10 years	Likely between 3-5 years	Likely between 1-3 years	Likely within 1 year

Impact	1 – Negligible	2 – Minor	3 – Moderate	4 – Major	5 - Catastrophic
Effect on outcomes	Minimal effect	Minor short term effect	Part failure to achieve outcomes	Significant failure to achieve obligations	Unable to fulfil obligations
Financial effect	Corporate: up to £250k Services: up to £100k	Corporate: £250k - £750k Services: £100k - £300k	Corporate: £750k - £5m Services: £300k - £1m	Corporate: £5m - £20m Services: £1m - £5m	Corporate: £20m + Services: £5m +
Reputational damage	None	Minor	Moderate loss of confidence and embarrassment	Major loss of confidence and adverse publicity	Severe loss of confidence and public outcry

<b>Likelihood</b>	<b>5 – Almost Certain</b>	Low	Medium	High	High	High
	<b>4 – Likely</b>	Low	Low	Medium	High	High
	<b>3 – Possible</b>	Low	Low	Medium	Medium	High
	<b>2 – Unlikely</b>	Low	Low	Low	Low	Medium
	<b>1 – Rare</b>	Low	Low	Low	Low	Low
		<b>1 – Negligible</b>	<b>2 – Minor</b>	<b>3 – Moderate Impact</b>	<b>4 – Major</b>	<b>5 - Catastrophic</b>