Governance, Risk and Best Value Committee

10.00, Thursday, 17 December 2015

Health and Social Care Risk Register Update

Item number	7.4
Report number	
Executive/routine	
Wards	

Executive summary

The register attached as Appendix 1 shows the prioritised risks for Health and Social Care as at November 2015, as well as key controls in place and further action required to mitigate these risks.

The risk register is challenged quarterly at the Health and Social Care Performance Improvement Meeting and the quarterly Health and Social Care Risk and Assurance Committee meeting.

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

Links

Coalition pledges	P30
Council outcomes	CO25
Single Outcome Agreement	

Report

Health and Social Care Risk Register Update

Recommendations

1.1   The Corporate Leadership Team is recommended to review the Health and Social Care risk register attached at Appendix 1.

Background

2.1   The Council's Governance, Risk and Best Value Committee is responsible for monitoring the effectiveness of the Council's risk management arrangements, including monitoring internal financial controls. The purpose of this report is to provide an update on the key risks faced by Health and Social Care.

Main report

3.1   The Health and Social Care risk register reflects the current key risks and demonstrates the controls to mitigate these.

3.2   One of the highest risks is failing to let a fit for purpose Care at Home contract, which would be significant for Edinburgh's older citizens and their families, the Council, NHS Lothian and the Integration Joint Board. For this reason, the proposed contract renewal arrangements have been the subject of significant internal and external scrutiny, including by the Corporate Leadership Team, before being referred to the Finance and Resources Committee for decision on 26 November.

3.3   The Council's Transformation Programme locates public protection within the Council, under the direct leadership of the Chief Executive and the associated risks have therefore been removed from the Health and Social Care register and are articulated elsewhere, under the responsibility of the Council's Chief Social Work Officer.

3.4   The integration of Health and Social Care is a major change programme, with a separate risk register reported to the Integration Joint Board (IJB). An integrated Risk Management Strategy, with associated risk register is being developed for the IJB.

3.5   The Health and Social Care Risk and Assurance Committee meeting commissioned the Council's Internal Audit to carry out a review of staff's access to the social care data system: SWIFT. Recommendations from the review are being prioritised by the SWIFT Governance Group.

3.6   An indicator has been assigned to each risk to show whether it is escalating or decreasing as a result of recent activity.

3.7 The risk register is a dynamic working document and is updated regularly to reflect the changing risks for Health and Social Care.

3.8 Members are aware of the very significant pressures on the care system in terms of both reducing resources and sharply rising demand. An emphasis on prevention, demand management and organisational efficiency is critically important to our being able to address these pressures, and a great deal of work is underway in relation to these issues.

3.9 We are, however, nearing the point at which we can demonstrate optimum efficiency. At that point – and when similar assurances are available from within the health system – there will need to be a more overt recognition that the social care system is not sufficiently resourced in Scotland to meet the needs of very vulnerable and/or frail people or our expectations in terms of minimum standards of service and basic human rights. Further dialogue with the Scottish Government will be needed to begin to address this issue.

Measures of success

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.

Financial impact

5.1 None.

Risk, policy, compliance and governance impact

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

Equalities impact

7.1 None.

Sustainability impact

8.1 There is no sustainability impact arising from this report.

Consultation and engagement

9.1 The attached risk summary has been challenged and discussed at the Health and Social Care Risk and Assurance Committee Meeting and the Health and Social Care Performance Improvement Meeting.

Background reading/external references

10.1 [Developing risk management, report to the Integration Joint Board 20 November 2015](#)

Rob McCulloch-Graham

Chief Officer

E-mail: rob.mcculloch-graham@edinburgh.gov.uk | Tel: 0131 553 8201

Links

Coalition pledges	P30 - Continue to maintain a sound financial position including long-term financial planning Council outcomes CO25 - The Council has
Council outcomes	CO25 - The Council has efficient and effective services that deliver on objectives
Single Outcome Agreement	
Appendices	Appendix 1 – Health and Social Care prioritised inherent risks as at November 2015

Appendix 1 – Health and Social Care Prioritised Risks Heat Map

1. Service delivery
Failure to procure a new fit for purpose Care at Home contract during 2015/16

2. Integration
Interim management arrangements for the Integration Joint Board put at risk the effective delivery of safe services; the achievement of agreed savings targets and the constructive engagement of staff

3. Service delivery
Reduced service budgets and increasing volume of demand and complexity mean we cannot meet all the assessed needs of the people of Edinburgh

4. Service delivery
Care at Home contract payment rate is insufficient to allow for recruitment/ retention of care staff in numbers required to meet demand. Resulting lack of capacity will lead to increases in levels of unscheduled care, delayed discharge from hospital and increases in community waiting lists

5. Service delivery
Risk of harm to communities and individuals caused by failure to provide effective care and protection to people receiving health and social care service

6. Health and Safety
Personal injury or loss arises out of failure to meet Health and Safety requirements

7. ICT and Data Protection
The responsibilities of the IJB under the Data Protection Act 1998 have not yet been clarified. This may represent a risk to the security of data. If governance and the design of controls around the ICT infrastructure (including disaster recovery planning) are not fit for purpose, information may not be easily accessible or retrievable and data may not be protected

Profile
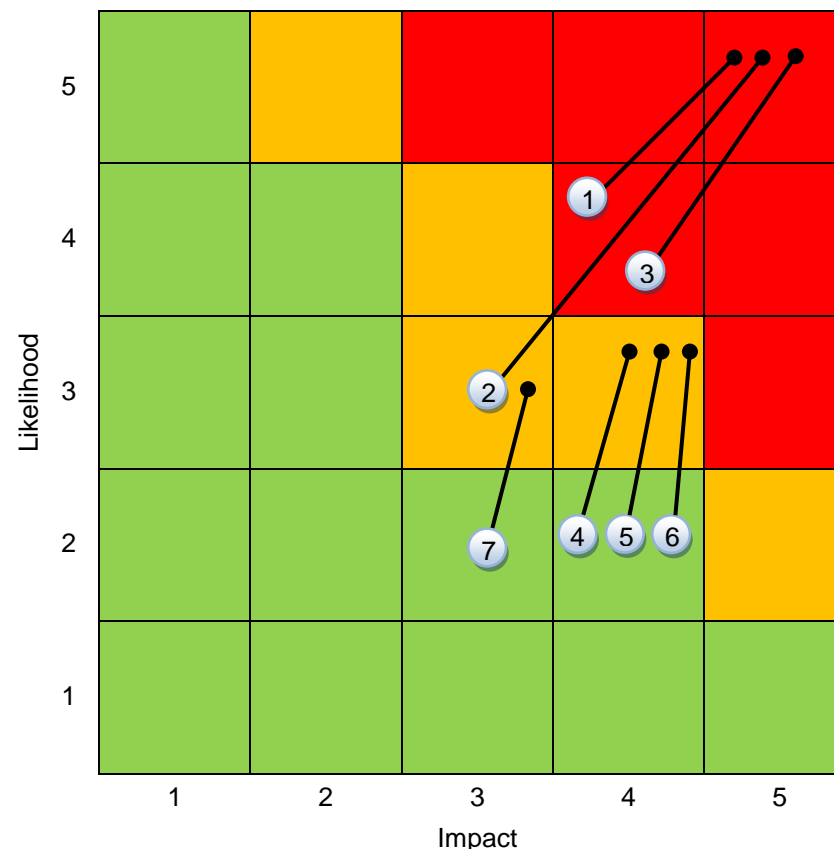
HSC Prioritised Inherent Risks with Mitigating Actions

	Risk Description	Inherent		Current Mitigating Actions	Residual		Further Actions
		I	L		I	L	
1.	*Service delivery* Failure to procure a new fit for purpose Care at Home contract during 2015/16	5	5	• Independent 'health checks' of proposed new contract arrangements • Project risk management and reporting in place • Contract operating model supported by new localities model	4	4	• Develop communications strategy
2.	*Integration* Interim management arrangements for the Integration Joint Board put at risk the effective delivery of safe services; the achievement of agreed savings targets and the constructive engagement of staff	5	5	• Chief Officer in post • Interim Locality Managers appointed • Council programme under development for transformation and budget savings – to be agreed and underway by 31/12/15 • Council management controls in place for operations • Staff engagement sessions planned	3	3	Tolerate
3.	*Service delivery* Reduced service budgets and increasing volume of demand and complexity mean we cannot meet all the assessed needs of the people	5	5	• Those most in need of services are prioritised • Regular monitoring of budgets, efficiency programmes and financial planning • Prevention strategy for Edinburgh in place • Decision taken on devolving budgets to frontline services	4	4	• Transformation and efficiency programme resourced and underway • Budget savings programme established • Develop contribution based charging policy

	Risk Description	Inherent		Current Mitigating Actions	Residual		Further Actions
		I	L		I	L	
4.	*Service delivery* Care at Home contract payment rate is insufficient to allow for recruitment/ retention of care staff in numbers required to meet demand. Resulting lack of capacity will lead to increases in levels of unscheduled care, delayed discharge from hospital and increases in community waiting lists.	4	3	• Contract cost model recommendations to be considered by Finance and Resources Committee in November 2015 • Workforce Strategy project team established • Bi-monthly multi-agency quality assurance meetings for residential care and care at home	4	2	• Contract renewal arrangement in place and ready to be implemented subject to Corporate and Committee decision making processes • Implement short to medium term actions within workforce strategy for older people's services, including development of a Career in Care campaign running up to the award of care at home contracts. • Refreshed service specification and new contract structure being developed, which will link to new Council locality areas; provide for improved liaison between the council and its providers and allow for the prioritisation of service user needs. • Work with 3rd sector to increase its contribution to care at home services from 0.5% in 2014 to 5% in 2016
5.	*Service delivery* Risk of harm to communities and individuals caused by failure to provide effective care and protection to people receiving health and social care service.	4	3	• Customer feedback procedures in place and monitored • Public protection campaign underway • Procurement and contracts monitoring reviewed annually • Providers standards and performance monitored regularly • External inspections, multi-agency committees and quality monitored regularly	4	2	• Develop quality assurance processes within SDS AIS system • Oversee implementation of People Plan • Further develop QA system including contracts compliance
6.	*Health and Safety* Personal injury or loss arises out of failure to meet Health and Safety requirements.	4	3	• HSC Health and Safety Committee monitors initiatives and compliance • Essential Learning For Care Programme supplements Health and Safety related issues	4	2	• Arrange workshop to identify all risks associated with health and safety • Embed Health and Safety is Everyone's Business! • Embed Health and Safety audits within registered services

	Risk Description	Inherent		Current Mitigating Actions	Residual		Further Actions
		I	L		I	L	
7.	*ICT and Data Protection* The responsibilities of the IJB under the Data Protection Act 1998 have not yet been clarified. This may represent a risk to the security of data. If governance and the design of controls around the ICT infrastructure (including disaster recovery planning) are not fit for purpose, information may not be easily accessible or retrievable and data may not be protected securely.	3	3	• Disaster recovery within office hours • Contingency database • Business continuity plan regularly updated • Procedures in place to guide staff when there is consideration of adult protection/child protection issues • Confidentiality and data protection instructions to staff • SWIFT access reviews • Internal audit commissioned	3	2	• Controls to be reviewed under new ICT contract • Implementing recommendations of SWIFT Access Review and of internal audit review

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

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

Impact