

PEOPLE DIRECTORATE RISKS FEBRUARY 2023

Key: Likelihood: **A** Very high **B** High **C** Significant **D** Low **E** Almost impossible.Impact: **I** Catastrophic **II** Major **III** Moderate **IV** Minor.

Risk Ref	Risk	Inherent risk (before controls)	Current Controls	Current risk (after controls)	Proposed / Further Controls / Treatment Action	Target risk (after further action)
SR09B	<p>Failure to meet the needs of children and young people</p> <p>In line with statutory guidance and social care practice, the needs of children, young people, and their families are considered on a case-by-case basis. Following an assessment to ascertain whether a threshold has been reached, officers are able to indicate when a child, young person or family might need support and the appropriate level of support on the continuum of services that Children's Services provide, whether it be Universal (no additional needs), Targeted (with additional needs), or Complex/Specialist (with multiple needs or in need of protection). However, in a landscape of constricting budgets and support from government, lack of recruiting social workers, and Ofsted regulation, there is a risk that the council may not be able to deliver its statutory responsibilities to the vulnerable children and young people of Medway.</p>	BII	<ul style="list-style-type: none"> Ensure a stable and competent workforce Delivery of the Improvement Plan Ensure sufficiency of provision 	BII	<ul style="list-style-type: none"> Rethink services and ways of working with families. Managing demand for services. Management of foster care and the residential market. Medium term financial sustainability. Finalise and implement refreshed practice standards. Simplify practice expectations – focus on children's lived experiences and on promoting quality and consistency of recording to evidence purposeful planning and intervention. Continue our evaluation work in respect of the application of thresholds so that we can be confident that children are supported at the right level. Continue the work already underway to strengthen the effectiveness of our intervention with children in need. 	DIII
SR39	<p>Financial Pressures on SEN Budgets</p> <p>Pressures from increasing demand on specialist provision places financial pressure on the High Needs Budget, which could result in us not being able to afford to meet our statutory educational duties for children and young people (CYP) aged 0-25 who have Special Educational Needs and Disabilities (SEND) or running at a significant deficit on the High Need block</p>	CII	<p>The current deficit is subject to a statutory override for the next 3 years, which means it is held separately from the general fund for this period, however will revert to it in April 2026.</p> <p>The council have secured additional funding from the DfE for an agreed 4 yr 'safety valve' plan (due to end in March 2026) which when implemented should have brought the council into operating in a positive in-year balance and have removed the current deficit.</p>	DII	<p>There is regular robust monitoring of the plan with tri-annual reporting to the DfE. A comprehensive risk register is in place for the plan detail, each with clear mitigation activity. There is strategic stakeholder governance of the plan to ensure shared ownership and collective responses to any necessary intervention action required.</p> <p>£3m financial contingency in place from general fund</p>	EII
DR02a	<p>Workforce (Non-Social Work Staff)</p> <p>Difficulty in recruiting and retaining staff across non-social work roles including those in:</p> <ul style="list-style-type: none"> ASC Business Operations and Provider Services 	BII	Working with the Guardian to develop a recruitment campaign to attract people to Medway.	CII	<p>ASC Restructure will review teams and whether current structures are appropriate</p> <p>Right sizing to ensure adequate resource</p>	CIII

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	<ul style="list-style-type: none"> - Financial Assessment - Family Support Workers and Youth Workers (Children's Services) <p>Consequence – resulting in a loss of income and reputational risk</p>		<p>Review individual roles and ranges to ensure they are competitive with the local market.</p> <p>We will review the role and range to ensure that it is comparable to the local area.</p>		<p>Review the FA role and range to ensure that it is comparable to other LA's to support recruitment.</p> <p>Explore online assessment options and in the interim we will cost the support from a contracted agency provider.</p>	
DR02b	<p>Workforce (Social Workers) Insufficient staff available to deliver statutory and non-statutory responsibilities. There is a problem nationally with the recruitment and retention of Social Workers and this is an issue in Medway Council. This will increase pressures on budgets as locums are more costly than permanent staff It will also impact on staff morale</p>	BII	<ul style="list-style-type: none"> • Monitoring of absence (C&A) • Monitoring of caseloads to ensure staff have manageable caseloads. CSC Feed into the regional work on the review of the Memorandum of Cooperation (MoC) at the MoC Governance Group and Regional DCS. CSC • Continue work to Grow our Own – recruiting NQSWs to stabilise the workforce in the longer term. CSC • Commissioned project teams to resolve issues with social work capacity. CSC • Running an extensive recruitment campaign in the Guardian to attract new social workers to Medway. C&A • The social work offer increased on 1 October 2022 to reflect a £3,000 increase in the annual market allowance. CSC • PDS offer workshops to social workers who are considering submitting their portfolio as part of the career progression scheme. CSC • Secured funding from DfE to support investment in activity to support workforce retention. CSC • Signposting staff to Care First services where required. C&A 	BII	<ul style="list-style-type: none"> • Review the offer to social workers (for CSC only) • Review of MedPay. • Review of PDR process to support retention of staff. CSC • Council wide review of mileage payments. CSC • Review of Parklands pay. CSC • Scope options as to whether unqualified staff from across Children's Social Care that could be redirected to support social workers to deliver intervention CSC • Work with our HRBP on the Medpay review - developing the competency and career progression framework. (ASC) • Restructure planning is underway (ASC) • Right sizing resource proposed to reduce caseloads ASC • Move to named worker model ASC • Review of recruitment campaign CSC 	CII

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			<ul style="list-style-type: none"> Family solutions redirect work across all four hubs to support allocations, given staffing pressures within certain hubs CSC CSC OTs in the 0-25 service are included in the first tranche of MedPay Review and salaries will be benchmarked to ensure parity. (CSC) ASC Social Workers (SW2) and OT are included in the first tranche of the MedPay review and salaries will be benchmarked to ensure parity. (ASC) 			
DR04	<p>Insufficient availability of placements across all settings (In House Foster, Independent Foster Care, residential and supported accommodation)</p>	BII	<ul style="list-style-type: none"> Regular communication to Foster Carers, Independent Foster Carers and Providers Supervising social workers relationship with individual carers Continue to enforce the 28 day notice period for all placements to ensure that any necessary moves are planned and children are supported. Continuing recruitment activity through in house fostering. Working with providers regarding positive contact and trends/ challenges experienced. Managing the relationships with providers Review plans of all care leavers in supported accommodation Working with Housing to identify supply of accommodation for care leavers Implementation of the Sufficiency Strategy New IFA framework considers capacity across the framework providers. 	BII	<ul style="list-style-type: none"> Engagement workshops with foster carers to openly manage any emerging issues Foster Carer workforce intelligence, including age profile of carers, likely retirement National Fostering Campaign Commissioning of Respite/medium term foster care provision Commissioning new additional provision Pursuing proposal to re-open Eden House residential provision Develop improved relationships and network building events Work with Housing to identify supply of accommodation for care leavers 	BIII

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			<ul style="list-style-type: none"> Actively managing the provider market Assurance of home choice applications and “move-on” plans in place for care leavers 			
DR05	<p>Failure to Deliver the High Needs Budget Recovery Plan</p> <p>In March 2022, the HNB was in deficit by 20.5m, with an in-year overspend of Approx £9m. The Council are working with the DfE and the ESFA to take part in the Safety Valve Programme which supports the council to pay off the deficit whilst bring the in-year spend into a positive balance. The plan is based on 5 key areas of activity: 5 key areas of focus:</p> <ul style="list-style-type: none"> Appropriately manage the demand for Education, Health and Care Plans (EHCPs), ensuring EHCP requests are timely and appropriate and supported by education and health professionals. Increase the proportion of children and young people with SEND who receive high quality education and achieve their potential in mainstream schools. Ensure the use of appropriate and cost-effective provision. Sufficiency of provision Sustainability of governance, management and delivery <p>Failure to deliver this plan would result in the additional support and funding being withdrawn from the DfE/ESFA and the deficit being transferred to the Council’s General Fund. (pending the ending of the statutory override)</p>	BII	<ol style="list-style-type: none"> There is a detailed action plan for each of the 5 key areas. A comprehensive risk log and control mechanisms is in place for all the activity outlined in the plan. The DfE/ESFA monitor progress quarterly. Modernisation of SEN services is included as part of the plan to ensure a sustainable system that operates within an in year balance moving forward. Including (i) Improved (joint) commissioning (ii) Improved processes and decision making (iii) Improved quality and assurance. £3m financial contingency in place from general fund 	DIV	Nothing further scoped.	DIV
DR06	<p>Insufficient School Places</p> <p>The Council has a statutory duty to provide sufficient high quality school places – failure to deliver such places would mean the Council is failing to meet its obligations. Risks include: Insufficient funding, non-guaranteed s106 receipts. Delays to the delivery of or failure to deliver Free Schools Unexpected increases in the pupil population, including inward migration, other authorities are placing children into Medway schools, refugee or asylum seekers.</p>	BII	<p>Regular monitoring of birth-rate, migration, housing developments and accuracy of forecasting. Ensure that where borrowing against future section 106 funding is agreed that the receipt is likely to be received and avoid borrowing against any agreements that may not be honoured. Monitor all applications to the Secretary of state and work with DfE to influence outcomes of Free schools applications</p>	DIII	Create a surplus of growth funding so that there is appropriate contingency if needed. Longer term programme.	EIV

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			to suit and fit in with the Council's wide place planning strategy. Retain a certain level of flexibility within the system to meet unexpected inward movement of children requiring a school place.			
DR07	<p>Failure to meet the councils statutory duties in relation to children with SEND</p> <p>The council (with health and other stakeholders) has statutory duties, policies and procedures under the SEND Code of Practice relating to Part 3 of the Children and Families Act 2014 and associated regulations. These duties apply to children and young people with special educational needs (SEN) and disabled children and young people, aged 0 to 25. Risks to non-delivery from the LA include: Lack of financial stability and an increasing reliance on independent provision. Staffing shortages, especially in specialist fields. Stakeholder engagement in solutions Systems and processes – Strategic management.</p>	BII	<p>Financial Stability – see SR39 – delivery of plan. The plan is based on 5 key areas of activity:</p> <ul style="list-style-type: none"> • Appropriately manage the demand for Education, Health and Care Plans (EHCPs), ensuring EHCP requests are timely and appropriate and supported by education and health professionals. • Increase the proportion of children and young people with SEND who receive high quality education and achieve their potential in mainstream schools. • Ensure the use of appropriate and cost-effective provision. • Sufficiency of provision • Sustainability of governance, management and delivery <p>Market premia added to key posts.</p>	CII	<p>Modernisation of SEN services including: Restructure to create front facing area teams in the community, with clear progression routes for staff and linked CPD (grow your own model) Update of IT systems and cleaning of data. - Synergy Revision of Alternative provision offer to support inclusion, following DfE SEND and AP improvement plan release March 2023.</p>	DII
DR14 (PH09)	<p>Re-Commissioning Children's Nursing Service</p> <p>Recommissioning of services is destabilising for the workforce. Even when TUPE applies staff often leave at time of tender due to concerns about the unknown, often outcomes can deteriorate at the time of retendering. At present there are also the lowest number of recorded health visitors with some areas experiencing between 30 and 50% vacancies. The combination of these two factors makes it a very risky time to go out to commission a new service - the council could end up with a new provider with no staff, or even no provider at all. This would have a major impact on early help, social care, childhood development and school readiness.</p>	All	<p>Procurement board have only approved a 9 month extension - this means we need to go out to market immediately and will have the destabilising effect detailed in the inherent risk. Risk remains high</p>	All	<p>Looking at legal options for extending contract.</p>	DIV