

**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**AUDIT COMMITTEE**

**3 December 2024**

**Director of Finance**

**Overview of Adult Social Care & Health Risks**

**1. Purpose**

- 1.1 This report provides background information for the Audit Committee's review of risk management in the Adult Social Care & Health (ASCH) department.

**2. Information and Analysis**

- 2.1 The Audit Committee is conducting a rolling review of departmental risk management arrangements with Executive Directors.
- 2.2 The meeting will be attended by Simon Stevens, Executive Director of ASCH and Ellie Houlston, Director of Public Health (DPH), to discuss the effectiveness of risk management arrangements and principal risks in the department. Simon and Ellie will give a short overview of the arrangements in the department, followed by questions and discussion with the committee members.
- 2.3 ASCH owns one risk on the strategic risk register. The risk is listed below with full details, updated to 2024-25 Quarter 2 (including the risk owners' last four quarterly commentaries), provided in Appendix 2:
- Safeguarding of adults at risk
- 2.4 There is also a specific risk on the ASCH departmental risk register which captures the responsibilities of the Director of Public Health:

- Inability to meet Director Public Health's statutory responsibility to protect the population.

2.5 An abridged version of the full ASCH risk register is provided in Appendix 3. The register is updated to 2024-25 Quarter 2. A full version of the register with all data held on APEX can be provided to the committee if required.

### **3. Alternative Options Considered**

3.1 This is a regular rolling review of departmental risk management by the Audit Committee.

### **4. Implications**

4.1 Implications are discussed in Appendix 1.

### **5. Consultation**

5.1 No formal consultation was undertaken in the preparation of this report. The risk register was prepared for the committee by the CST Risk & Insurance team.

### **6. Background Papers**

6.1 Electronic files are held by Risk and Insurance, Finance Division, County Hall and on the APEX corporate risk database.

### **7. Appendices**

7.1 Appendix 1 – Implications

7.2 Appendix 2 – ASCH strategic risk (on strategic risk register)

7.3 Appendix 3 – ASCH full risk register (abridged version)

### **8. Recommendations**

That the Audit Committee:

a) Reviews the information provided in this paper for discussion with Simon Stevens and Ellie Houlston.

### **9. Reasons for recommendations**

9.1 The Audit Committee is charged with providing risk management assurance within the Council.

**Report Author:**

**Tony Kearsy**  
Finance Officer (Corporate Risk)

**Contact details:**

tony.kearsey@derbyshire.gov.uk

## **Implications**

### **Financial**

- 1.1 Financial implications are noted in the strategic and departmental risks where applicable in Appendix 2 and Appendix 3.

### **Legal**

- 2.1 Legal implications are noted in the strategic and departmental risks where applicable in Appendix 2 and Appendix 3.

### **Human Resources**

- 3.1 Human resources implications are noted in the strategic and departmental risks where applicable in Appendix 2 and Appendix 3.

### **Information Technology**

- 4.1 Information technology implications are noted in the strategic and departmental risks where applicable in Appendix 2 and Appendix 3.

### **Equalities Impact**

- 5.1 Equalities impact implications are noted in the strategic and departmental risks where applicable in Appendix 2 and Appendix 3.

### **Corporate objectives and priorities for change**

- 6.1 The strategic risk register, departmental risk registers and corporate risk management strategy underpin the successful delivery of the Council's objectives and deliverables set out in the Council Plan and service delivery plans.
- 6.2 The council's corporate risk management strategy is designed to strengthen risk management arrangements to underpin improved performance across the Council, and to deliver greater public value from its work.

### **Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

- 7.1 All other implications are noted in the strategic and departmental risks where applicable.

**Strategic Risk Register**

**2024-25 Quarter 2 (30 September 2024)**

**Extract – ASCH risk**

**Safeguarding of adults at risk**

Failure to protect the most vulnerable in our society could lead to significant fines; special measures; litigation; decreased staff morale; reputational damage. An Adult Social Care (ASC) Quality Assurance Strategy has been developed which is the foundation from which we will ensure that all ASCH functions drive the delivery of high-quality services for the people of Derbyshire and work to continuously improve quality based on a clear understanding of expectations and requirements. This strategy has been incorporated into policy and is being driven by an overarching Quality Assurance Board. A specific Quality Assurance Framework is applied across all the directly provided services such as residential care, homecare, shared lives, supported living and day care activity.

APEX Unique Risk Number (URN): 469

**Risk Owner:** Simon Stevens, Executive Director of Adult Social Care & Health

**Assessment history:**

<b>Target</b>  Green (9) by 27/06/24	Likelihood: Possible (3)	<b>2023- 24 Q2</b>	<b>2023- 24 Q3</b>	<b>2023- 24 Q4</b>	<b>2024- 25 Q1</b>	<b>2024- 25 Q2</b>	Likelihood: Possible (3)
	Impact: Moderate (3)	Red (20)	Red (20)	Amber (15)	Amber (15)	Amber (15)	Impact: Substantial (5)

**Reputation impact assessment:** High

**Financial impact assessment:** Band 4 (Loss between £1 million and £3 million)

**APEX quarterly commentaries:**

Quarter ending	Progress commentary (by risk owner)
30 September 2024	Following our recent CQC assessment, we were rated 'Requires Improvement' for the Safeguarding. We are taking feedback from the assessment and building this learning into our improvement plan. Additional capacity funded via targeted investment of market sustainability and improvement fund continues to deliver increased capacity for managerial assurance activity, including supervision and management of safeguarding work, and activity to reduce waiting lists. Impact of this resource is currently under review to determine future action. DSAB continues to deliver a partnership workplan to improve safeguarding performance and reduce risk for individuals. DCC ASC and ADASS tools being used in assurance activity.

30 June 2024	Additional capacity funded via targeted investment of market sustainability and improvement fund continues to deliver increased capacity for managerial assurance activity, including supervision and management of safeguarding work, and activity to reduce waiting lists. DSAB continues to deliver a partnership workplan to improve safeguarding performance and reduce risk for individuals. DCC ASC and ADASS tools being used in assurance activity.
31 March 2024	Additional capacity funded via targeted investment of market sustainability and improvement fund is delivering increased capacity for managerial assurance activity, including supervision and management of safeguarding work, and activity to reduce waiting lists. The DoLS waiting list has reduced by 20% as a result. DCC ASC and ADASS tools being used in assurance activity.
31 December 2023	Additional capacity funded via investment of market sustainability and improvement fund is delivering increased capacity for managerial assurance activity, including supervision and management of safeguarding work, and activity to reduce waiting lists. DCC ASC and ADASS tools being used in assurance activity.

Risk severity matrix and tables

Risk severity matrix

<b>Impact Score</b>	Substantial	5	Blue	Green	Amber	Red	Red
	Significant	4	Blue	Green	Amber	Amber	Red
	Moderate	3	Blue	Green	Green	Amber	Amber
	Minimal	2	Blue	Blue	Green	Green	Green
	Negligible	1	Blue	Blue	Blue	Blue	Blue
			1	2	3	4	5
			Rare	Unlikely	Possible	Probable	Almost certain
			<b>Likelihood Score</b>				

## Impact scoring

The highest scoring area (the 'primary impact') used to assess risk severity.

	Impact grading	Public and employee health, safety and wellbeing	Community	Economy	Environment	Service Disruption	Skills capability	Legal	Contracts and Partnerships	Information Security
5	<b>Extremely high</b>	Substantial level of harm to the health, safety and wellbeing of the community, members of the public or employees	Substantial disadvantage to large parts of the community and/or many vulnerable residents	Substantial negative impact on the County's economy, including hard infrastructure	International and/or national environmental damage	Substantial external or internal disruption and/or loss of service (more than seven days)	Substantial under-performance from skills gaps and/or shortages	Substantial legal action, claims and/or penalties against or by the Council	Substantial impact on service delivery from a contract and/or partnership failure	Substantial breach; Information Commissioner Office (ICO) fine; loss of ISO 27001 certification
4	<b>High</b>	Significant level of harm to the health, safety and wellbeing of the community, members of the public or employees	Significant disadvantage to large parts of the community and/or some vulnerable residents	Significant negative impact on the County's economy, including hard infrastructure	Significant regional environmental damage and/or failure to meet all or most internal climate change targets	Significant external or internal disruption and/or loss of service (between three to seven days)	Significant under-performance from skills gaps and/or shortages	Significant legal action, claims and/or penalties against or by the Council	Significant impact on service delivery from a contract and/or partnership failure	Significant external breach with no loss of sensitive data; or minor external breach with loss of sensitive data



	<b>Impact grading</b>	<b>Public and employee health, safety and wellbeing</b>	<b>Community</b>	<b>Economy</b>	<b>Environment</b>	<b>Service Disruption</b>	<b>Skills capability</b>	<b>Legal</b>	<b>Contracts and Partnerships</b>	<b>Information Security</b>
<b>3</b>	<b>Moderate</b>	Moderate level of harm to the health, safety and wellbeing of the community, members of the public or employees	Moderate disadvantage to large parts of the community and/or some vulnerable residents	Moderate negative impact on the County's economy, including hard infrastructure	Moderate regional and/or major local environmental damage and/or failure to meet many internal climate change targets	Moderate external or internal disruption and/or loss of service (between 24 to 48 hours)	Moderate under-performance from skills gaps and/or shortages	Moderate legal action, claims and/or penalties against or by the Council	Moderate impact on service delivery from a contract and/or partnership failure	Significant internal breach with no loss of sensitive data; or minor internal breach with loss of sensitive data
<b>2</b>	<b>Low</b>	Minimal level of harm to the health, safety and wellbeing of the community, members of the public or employees	Minimal disadvantage to the community and/or some vulnerable residents	Minimal negative impact on the County's economy, including hard infrastructure	Minimal regional and/or local environmental damage and/or failure to meet some internal climate change targets	Minimal external or internal disruption and/or loss of service (less than 24 hours)	Minimal under-performance from skills gaps and/or shortages	Minimal legal action, claims and/or penalties against or by the Council	Minimal impact on service delivery from a contract and/or partnership failure	Minor external or internal breach with no loss of sensitive data
<b>1</b>	<b>None</b>	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact	No impact

## Likelihood scoring

5	<b>Almost certain</b>	The event is expected to occur every year
4	<b>Probable</b>	The event could occur every year
3	<b>Possible</b>	The event could occur every two years
2	<b>Unlikely</b>	The event could occur every five years
1	<b>Rare</b>	The event could occur every 10 years or longer

## Reputation impact assessment

<b>Extremely High</b>	Lasting or permanent national/local brand damage resulting from adverse comments in national press and media. Members/Officers almost certainly forced to resign.
<b>High</b>	Temporary national/local brand damage lasting up to two years from coverage in national and/or regional press/media. Members/Officers potentially forced to resign.
<b>Moderate</b>	Temporary local brand damage lasting up to one year from extensive coverage in regional press/ media.
<b>Low</b>	Temporary local brand damage lasting up to a few weeks from minor adverse comments in regional press/social media.
<b>Extremely Low</b>	Negligible local brand damage from limited adverse comments with minimal press/social media.

## Financial impact assessment

Each risk is assessed for the potential range of capital and/or revenue loss to the Council if the risk materialised.

<b>Band 8</b>	Loss over £20 million
<b>Band 7</b>	Loss between £10 million and £20 million
<b>Band 6</b>	Loss between £5 million and £10 million
<b>Band 5</b>	Loss between £3 million and £5 million
<b>Band 4</b>	Loss between £1 million and £3 million
<b>Band 3</b>	Loss between £100,000 and £1 million
<b>Band 2</b>	Loss between £50,000 and £100,000
<b>Band 1</b>	Loss under £50,000
<b>Band 0</b>	No financial loss

## ASCH RISK REGISTER 2024-25 (ABRIDGED VERSION)

Risk	Statutory Duty	Reputational Risk Assessment	Financial Impact Assessment	Target Rating	Mar 2024 Rating	Jun 2024 Rating	Sep 2024 Rating
Safeguarding of Adults at Risk	Yes	High	Band 4	Green (9)	Amber (15)	Amber (15)	Amber (15)
Failure to transform and achieve savings targets	Yes	Moderate	Band 7	Green (9)	Amber (12)	Amber (12)	Amber (12)
Adult Social Care budget is overspent	Yes	Low	Band 6	Green (9)	Red (20)	Red (20)	Red (20)
Existing Adult Social Care statutory duties are not met	Yes	Moderate	Band 4	Green (9)	Red (20)	Amber (16)	Amber (12)
Failure to respond to and manage emergency situations	Yes	Moderate	Band 6	Green (9)	Green (10)	Green (10)	Green (10)
Managing the Market - purchasing budget impact	Yes	Moderate	Band 5	Green (9)	Green (6)	Amber (15)	Amber (15)
New statutory duties are not met	Yes	Moderate	Band 4	Green (9)	Green (8)	Green (8)	Green (8)
Older people's wellbeing and independence outcomes are not met	Yes	Moderate	Band 5	Green (9)	Blue (4)	Blue (4)	Blue (4)
0-19 Service is currently not sustainable and provider is managing a financial gap	Yes	Moderate	Band 3	Green (9)	Blue (3)	Blue (3)	Blue (3)
Additional cost pressures from pay rises for NHS and local government staff	No	Low	Band 4	Green (9)	Blue (3)	Blue (3)	Amber (12)
Inability to meet Director of Public Health's statutory responsibility to protect the population.	Yes	High	Band 2	Green (9)	Green (6)	Green (6)	Green (6)
Long-term uncertainty of the Public Health Ring Fenced Grant	Yes	Moderate	Band 4	Green (9)	Amber (15)	Amber (15)	Amber (15)

<b>Risk</b>	<b>Statutory Duty</b>	<b>Reputational Risk Assessment</b>	<b>Financial Impact Assessment</b>	<b>Target Rating</b>	<b>Mar 2024 Rating</b>	<b>Jun 2024 Rating</b>	<b>Sep 2024 Rating</b>
Serious incident arising from gaps and inadequacies in Public Health safeguarding processes	Yes	Moderate	Band 2	Green (9)	n/r	Amber (12)	Amber (12)
Staff wellbeing due to service pressures	No	Extremely Low	Band 0	Green (9)	Green (9)	Green (9)	Green (9)