

**ADULT SOCIAL CARE AND HEALTH RISKS INCLUDED ON THE CORPORATE RISK REGISTER
(AS AT 24 OCTOBER 2016)**

APPENDIX B

KEY:

| | | | | | |
|-----------------------------|--------------------------|------------------------|----------------|--------------------|-----------------|
| Mitigating Controls: | Over due review | Red | Amber | Green | Completed |
| Risks: | Review over due 0+ (Red) | Very High 21+ (Purple) | High 13+ (Red) | Medium 10+ (Amber) | Low 1+ (Yellow) |

| Risk Code and Status: | Scope of Risk: | Current position/actions taken/accountable officer: | | | |
|---|--|--|--|--|--|
| KS14: Deprivation of Liberties Safeguards (DoLS) and Court of Protection (CoP) | Supreme Court ruling presents a significant financial risk due to the increase in numbers of individuals requiring DoLS assessments, CoP applications and associated legal costs. This impacts both Adults and Children's Services as requirement to seek authorisation from age 16. The risk to individual vulnerable people is unauthorised deprivation of their liberty and or actions undertaken that may not be in the individuals best interest. | Risk Owner: | Sarah MacKereth | | |
| Inherent Risk: 25 | | Accountable Officer: | Keri Storey | | |
| Current Risk: 20 | | | | | |
| Mitigating controls (including RAG rating): | | Direction of Travel: | Additional comments (if appropriate): | | |
| Amber | a) Prioritised plan in place in adult services using ADASS guidance to address residential /nursing/hospital and community deprivations | ↔ | | | |
| Amber | b) CLT endorsed approach and additional posts | ↔ | | | |
| Amber | c) On-going review of performance at SLT and Scrutiny on request | ↔ | | | |
| Amber | d) Law Commission review due to report by end of 2016. Realistically DCC is unlikely to authorise any significant proportion of the outstanding residential/nursing or community deprivations prior to legislation/policy change | ↔ | | | |

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|--|--|--|---|--|--|
| KS19: Continuing Health Care | Without mitigating actions there is risk that: <i>significant delays in assessments and determinations of CHC eligibility leading to operational inefficiencies, possible clinical risk if people with primary care needs are not being appropriately case managed by NHS professionals; and financial risk to the Council as well as impact on individuals and families</i> | Risk Owner: | Keri Storey | | |
| Inherent Risk: 30 | | Accountable Officer: | Jennie Stephens | | |
| Current Risk: 25 | | | | | |
| Mitigating controls (including RAG rating): | | Direction of Travel: | Additional comments (if appropriate): | | |
| Amber | a) Issues escalated to NEW Devon CCG and some actions agreed which may mitigate | ↑ | This is a key area of work for the NEW Devon Success Regime. Adult social care exploring opportunities to be part of this work including discussions about new models of care for discharge which focus on supporting people back home, and consideration of joint commissioning arrangements to enable co-ordinated discussions with care market | | |
| Amber | b) Formal disputes being raised and Disputes Protocol in use | ↔ | | | |
| Amber | c) Further training for staff planned in PPAC. | ↔ | | | |
| Amber | d) Completed move of the NHS Learning Disabilities nurses back to NHS management to simplified the | ↑ | | | |
| Amber | e) Discussions underway with CCG to consider future 4 week funding arrangements | ↔ | | | |
| Amber | f) NEW Devon supporting work on 2015-16 cases that were delayed in assessment or panel decisions. | ↔ | | | |

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| KS20: Care Management capacity and effectiveness | Without mitigating actions there is risk that: <i>Potential that pressures currently experienced by the care management services impact adversely on service user experience and ability to deliver financial recovery strategies</i> | Risk Owner: | Keri Storey | | |
| Inherent Risk: 25 | | Accountable Officer: | Jennie Stephens | | |
| Current Risk: 25 | | | | | |
| Mitigating controls (including RAG rating): | | Direction of Travel: | Additional comments (if appropriate): | | |
| Amber | a) Demand management work underway with a proof of concept operating in Northern Devon to manage incoming work differently. Subject to formal review and roll out from January 2017. | ↔ | | | |

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| Amber | b) Productivity work - 5 initial 'tactical' actions prioritised with front line staff to look at more effective practice / process changes to relieve bureaucracy burden. In operation from August - December 2016 | | | ↔ | | |
| Amber | c) Additional capacity in extended hours has been deployed through Saturday working | | | ↔ | | |

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| TG11: Market capacity adult social care | Without mitigating action there is risk that: <i>the supply of personal care of the right quality is currently stretched in some parts of Devon increasing the risk that we cannot maintain all people who require it safely in their own homes, achieve safe discharge from hospital and with potential to increase admissions to residential and nursing care.</i> | Risk Owner: Tim Golby |
| Inherent Risk: 30 | | Accountable Officer: Jennie Stephens |
| Current Risk: 24 | | |
| Mitigating controls (including RAG rating): | Direction of Travel: | Additional comments (if appropriate): |
| Green a) Reprourement of personal care via new framework: contracts awarded in March, transition to new arrangements in June. | ↔ | New framework contracts in place. On-going work with providers to secure immediate supply with regular monitoring of position. Above inflationary award issued for current year. Launching a promotional campaign with providers to encourage workforce recruitment and retention across the sector. |
| Amber b) Refresh of Adult Social Care Market Position Statement | ↔ | |
| Green c) Provider Engagement Network | ↔ | |
| Amber d) Performance monitoring of call off against the framework agreement | ↔ | |
| Amber e) Work with providers to address capacity shortfall | ↔ | |
| Amber f) Investigations of new solutions/new way of working | ↔ | |
| Green g) Weekly SITREPS and escalation | ↔ | |
| Amber h) Provider of last resort option | ↔ | |

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|---|--|---|
| TG15: Reduction in Government funding affects service delivery | Without mitigating actions there is risk that: <i>potential loss of funding affecting DCC service delivery in the event of changes made in the Comprehensive Spending Review and subsequent Local Government Settlement given inflationary pressures in market and demographic growth.</i> | Risk Owner: Tim Golby |
| Inherent Risk: 30 | | Accountable Officer: Jennie Stephens |
| Current Risk: 30 | | |
| Mitigating controls (including RAG rating): | Direction of Travel: | Additional comments (if appropriate): |
| Green a) Options on 2% precept | ↔ | The current risk remains assessed at 30 (VERY HIGH) as a result of the on-going financial pressures being experienced by NEW CCG. The Success Regime and national focus on Devon is still being worked through and remains a very high risk to the Local Authority. |
| Amber b) Increase in BCF funding | ↔ | |

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| TG20: Market Capacity (Residential & Nursing) | Without mitigating actions there is risk that: <i>the supply of residential and nursing care of the right quality is currently stretched in some parts of Devon increasing the risk that we cannot achieve safe discharge from hospital. Difficulties in recruiting care staff further increases this risk.</i> | Risk Owner: | Tim Golby |
| Inherent Risk: 30 | | Accountable Officer: | Jennie Stephens |
| Current Risk: 30 | | | |
| Mitigating controls (including RAG rating): | Direction of Travel: | Additional comments (if appropriate): | |
| Amber | a) Capital investment programme led by BR team to increase capacity in areas of highest need | ↑ | Accommodation Strategy to support future commissioning arrangements for Care Homes, Extra Care Housing, Supported Living and Shared Lives nearing completion. |
| Amber | b) New care homes contract including block bed provisions 2017-18 | ↑ | |
| Amber | c) Working with CCGs re. intermediate care to ensure fit to contract | ↑ | |
| Amber | d) Improving relationship with the market via sector lead to increase market engagement | ↑ | |
| Green | e) Fee uplift has stabilised market failure | ↑ | |
| Amber | f) Workforce development programme being extended to private sector | ↑ | |

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|--|--|---|-----------------------|
| TG29: Budget Management | Without mitigating actions there is risk that <i>a broader corporate overview of timing, impact or scope of service or policy changes gives rise to review or reconsideration of proposals</i> | Risk Owner: | Tim Golby/Keri Storey |
| Inherent Risk: 25 | | Accountable Officer: | Jennie Stephens |
| Current Risk: 20 | | | |
| Mitigating controls (including RAG rating): | Direction of Travel: | Additional comments (if appropriate): | |
| Amber | a) Thoroughness of consultation of proposals | ↔ | |
| Amber | b) Thorough risk assessment of plans and policy changes | ↔ | |