

CITY OF
WOLVERHAMPTON
COUNCIL

Audit and Risk Committee

March 2023

Report title	Strategic Risk Register Update	
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Report to be/has been considered by	SEB	21 February 2023

Recommendations for noting:

The Audit and Risk Committee is asked to note:

1. The latest summary of the Council's Strategic Risk Register, as at Appendix A.

1.0 Purpose

- 1.1 To keep members of the Audit and Risk Committee aware of the key strategic risks faced by the Council and how it can gain assurance that these risks are being mitigated.

2.0 Background

- 2.1 The Council is no different to any organisation and will always face risks in achieving its objectives and priorities. Sound risk management can be seen as the clear identification and management of such risks to an acceptable level.
- 2.2 The Cabinet remain the owners of the strategic risk register, with the Audit and Risk Committee maintaining oversight of, and providing an independent level of assurance on the adequacy of the risk management processes that underpin it.
- 2.3 The strategic risk register was last presented to the Committee in November 2022. Since that time the risk register has been reviewed in conjunction with risk owners and reviewed by SEB. This has seen the risk relating to Charging Reform and the fair cost of care being de-escalated from the register following the announcement in the Autumn Statement, of a two-year delay in the implementation of the Charging Reform. Two new strategic risks have also been escalated to the register, these being Employee recruitment and retention, and the Energy from Waste contractual arrangements.
- 2.4 The strategic risk register does not include all the risks that the Council faces. It represents the most significant risks that could potentially impact on the achievement of the Council's corporate priorities. Other risks are captured within directorate, programme, project or partnership risk registers in line with the Council's corporate risk management framework.
- 2.5 A summary of the strategic risk register is included at Appendix A of this report which sets out the status of the risks as at February 2023. These risks are reviewed on an on-going basis and can be influenced by both external and internal factors and as such, may fluctuate over time.
- 2.6 At its September 2022 meeting, the Committee requested further information regarding the strategic risks relating to Adult Social Care. The risk owner has provided the following further information on these risks and will also be attending the meeting to discuss the risks in more detail.

Risk 3 – Safeguarding Adults

- 2.7 Safeguarding Adults is a statutory duty for local authorities where there is reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):
- a. has needs for care and support (whether or not the authority is meeting any of those needs),
 - b. is experiencing, or is at risk of, abuse or neglect, and

- c. as a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

The local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.
"Abuse" includes financial abuse.

- 2.8 Safeguarding Adults Boards – Each local authority must establish a Safeguarding Adults Board: Wolverhampton Safeguarding together partnership hosts Wolverhampton Safeguarding Adults Board. The Board works together with Children's too so that a Families approach is supported
- 2.9 The Wolverhampton Safeguarding Adults Board is well established and provides strategic leadership for Adult Safeguarding work to ensure there is a consistently high standard of professional response to situations where there is actual or suspected harm. There are currently fifteen partner agencies represented on the Safeguarding Adults Board, there are several representatives from several other partner agencies who act as advisers / observers. The Board meet four times per year and have a development event which is usually in March, June, September and December. In addition to WST, six monthly safeguarding assurance reports are presented to the Leader, Cabinet Member for Adults, Chief Executive, Deputy Chief Executive, and Executive Director for Families
- 2.10 The strategic plan for 2022-2024, sets out WST's Executive Board's strategic vision, ambition, purpose, principles, and safeguarding priorities for 2022-24. The Strategic priorities for 2022-2024 have been agreed in response to national requirements, regional developments, and local need. They have taken account of the outcomes from the annual events in June 2021 and November 2021 as well as learning from Child Safeguarding Practice Reviews and Safeguarding Adult Reviews.
- 2.11 The Scrutiny and Assurance Co-ordination Group takes responsibility for monitoring the delivery of this Strategic Plan and formally report to the Executive Working Group quarterly. Each of the Priority Groups, Learning and improvement group and the Communities Engagement Groups have a delivery/work plan which will underpin the delivery of these priorities:

Priority	Aim	Activity
Priority 1: Exploitation	To improve the effectiveness of multi-agency practice in response to the exploitation of vulnerable people, including: Criminal Exploitation: County lines. Child Sexual Exploitation: children affected by gangs and youth violence, modern slavery and trafficking.	Scrutinise and challenge partner's multi-agency practice.
Priority 2: Early Help and Prevention	To improve the effectiveness of multi-agency Early Help and Prevention work for both children and adults whose needs do not warrant a statutory social care intervention.	Evaluate multi-agency practice, and promote best practice
Priority 3: Mental Health	To explore mental health services offer, and improve the safeguarding of children and adults living with poor mental health, or those who live in a family where mental ill health is a feature.	Develop rigorous approaches to monitoring and evaluating the provision and delivery of mental health services and multi-agency practice where poor mental health is a feature. Introduce timely and robust methods to learn from audits and case reviews and disseminate the lessons learned

2.12 The priority aims are being delivered through:

Priority	What do we need to do?	How are we going to do it?
<p>Priority 1: Exploitation WST will provide scrutiny and challenge to partners to evaluate:</p> <ul style="list-style-type: none"> • The effectiveness of pathways that are in place. The level of understanding re the impact of childhood trauma on the lives of young people / adult at risk of exploitation. • The effectiveness of transition from exploited child to exploited adult. • The access to support services available. 	<p>Identify whether current pathways are understood and effective.</p> <p>Look at and review current pathways in place to identify whether they are effective.</p> <p>Create a space for children / adult social workers to share information in readiness for transition to adulthood.</p> <p>Look at transition pathways for children and young people</p>	<p>Create a space for children / adult social workers to be able to share information on children transitioning to adulthood.</p> <p>Create and implement a transition pathway for children turning 18 years to ensure support continues and develop a pathway for adult MACE.</p> <p>Gather feedback and engage children and families regarding the exploitation process and support.</p> <p>Create young person/child and parent/ carers consultations and feedback forms for families with a MACE plan. This will promote participation and influence service delivery.</p> <p>Identify exploitation intervention services across Wolverhampton for adult social care to signpost those who do not have care and support needs and are deemed low risk</p>
<p>Priority 2: Early Help and Prevention</p> <p>Provide scrutiny and challenge to partners to evaluate effectiveness of multi-agency practice in response to Early Help and</p>	<p>Understand how widely embed the Early help and prevention offer is embed across the workforce</p> <p>Assure WST that the correct threshold is consistently met</p>	<p>All agencies to adhere to the Thresholds Document.</p> <p>Monitoring through local audit (S11 / Care Act / JTAI) and the MASH deep dive audits.</p>

<p>Prevention in both children and adult services, for those whose needs do not warrant a statutory social care intervention</p>	<p>Assure WST of the impact and quality of the work being undertaken to prevent escalating risk to children, young people and adults with care and support needs</p> <p>Agencies to provide presentation at WST event to obtain assurance of early help being embedded within their service.</p> <p>Obtaining data for an understanding of the current position of the use of the WeCAN tool</p>	<p>Promotion via the partnership website Obtain update in terms of progress for: Family front door project / website / social media</p> <p>Adult's redesign (EH&P) Short event</p> <p>What early help means to the agency?</p> <p>Aims / objectives</p> <ul style="list-style-type: none"> • How they've achieved embedding EH • Case studies • Plan for next 12 months • Data • Feedback Data to be presented via the early help and prevention dashboard to the group. • Assurance from agencies that the WeCAN tool is embed into practice. • Neglect forms / concern meetings / hoarding to be considered as part of the adult redesign
<p>Priority 3: Mental Health</p> <p>How effective and equitable is early access to mental health provision across Wolverhampton?</p>	<p>We need to scope the mental health offer in Wolverhampton within a safeguarding and multi-agency context.</p> <p>Establish current services offered around early access to Mental Health Services and identify any gaps.</p> <p>Mapping Report – Identify what is already in place, what the route to support is, how support is accessed and by who.</p>	<p>Scope of the Mental Health offer in Wolverhampton within a safeguarding and multi-agency context. Establish current services offered around early access to Mental Health services across Wolverhampton. This will allow the partnership to identify any gaps in services Is this transition effectively managed – appropriate and effectiveness of the transition between services A further qualitative review of multi-agency safeguarding</p>

	Service User Engagement	practice; specifically, what do single agencies already do well to ensure inclusive safeguarding and what might be improved? This could include review of multi or single agency training and content relevant to Inclusive Safeguarding and or equalities
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2.13 The core to all our activities within adult safeguarding as the **Six key principles**:

Empowerment:	people being supported and encouraged to make their own decisions and give informed consent.
Prevention	it is better to act before harm occurs.
Proportionality	the least intrusive response appropriate to the risk presented.
Protection	support and representation for those in greatest need. Partnership – local solutions through services working with their communities.
Communities	have a part to play in preventing, detecting and reporting neglect and abuse.
Accountability	accountability and transparency in delivering safeguarding.

- 2.14 **Total number of Safeguarding Concerns** Within Wolverhampton, there were 3,806 safeguarding concerns reported during 2021/22, equivalent to an increase of approximately 9.3% year on year compared to 2020/21 (3,482)
- 2.15 **s42 Enquiries** Of the 3,806 concerns reported during 2021 - 2022, some 440 cases led to s42 enquiries (or 11.5% of total concerns reported). During the period under review, there was a reduction of 5.58% v's 2020 / 2021.
- 2.16 **The age range bandings re concerns** The highest number of concerns reported within age bandings during the period under review were within the banding 80 – 89 years of age – 599.
- 2.17 Adult Services redesign will further support the pathway into the MASH through a redesign of the Frontdoor and Early Help Offer, ensuring that inappropriate referrals are not made into the MASH and system improvements will allow partners and adult services to screen referrals, enabling appropriate sign posting and responses
- 2.18 An additional £192,000 has been invested in the MASH since April 2022 to support the increase in contacts and referrals coming into the service. Demand within the MASH remains higher than pre-pandemic levels.

2.19 In early January 2023 Adult Services appointed a Social Work Unit Manager to respond specifically to concerns regarding exploitation, this will create additional capacity in the Adult MASH to give management oversight and assessment of risk

Risk 5 – Social Care Providers

2.20 The provision of a sustainable care market is a legal duty of the local authority under section 5 of the Care Act 2014 to promote the effective and efficient operation of Adult Social Care markets. This risk needs to be managed in conjunction with the legal duty of setting a balanced budget

2.20.1 The Council is required to provide appropriate care and support services to meet the statutory requirement and needs of its residents. To support this, the Council undertakes an annual fee review exercise which considers factors such as:

- Provider feedback
- Increases to the National Living Wage (NLW)
- Benchmarking against neighbouring local authorities, comparator authorities and CIPFA (the Chartered Institute of Public Finance and Accountancy)
- The potential impact of COVID-19 on sufficiency within the market
- The rate of inflation

2.21 Local authority support for long term placements in residential and nursing homes shows a downward trajectory over the last 5 years with the exception of nursing care - enhanced needs, which has increased over the same time period.

2.22 Whilst overall demand in residential care isn't increasing, the needs of individuals are changing as it is predicted that demand for dementia care will grow by 12% by 2030; this is in the context of 72% of residential placements already supporting people with dementia.

2.23 Indications are that there will be an increased need for high quality dementia homes as well as nursing homes providing care for people with complex needs.

2.24 **Sufficiency of Supply** Data through a capacity tracker and brokerage information through the local authority Personalised Support Team (PST / Brokerage) indicate sufficiency of supply across the care home market, with minimal number of people waiting for care. There have been provider failures over the last two years, however appropriate contingencies and market capacity were in place to ensure continuity of care.

2.25 **Care Provider Characteristics** There are 50 care homes across the city, 32 of which are registered to provide residential care and the remaining 18 nursing. The residential market is largely dominated by local providers (25) however there is a relatively even distribution based on bed capacity which supports sufficiency as there is not an over

reliance on particularly small providers or at the other end of the spectrum one or two large providers.

- 2.26 **Commissioning and Care Costs** funded placements are made on a spot purchase basis, brokered centrally through our Personalised Support Team (PST). Individual contracts and rates are established based on the needs of the person.
- 2.27 **Workforce** Recruitment and retention of care staff has and continues to be a long-term issue as pay terms are not attractive in comparison to other markets such as retail and there is an ever-increasing pressure being felt in the care sector. More recently, providers have reported increased difficulties citing numerous reasons including increases in staff sickness, the effect on the market following Brexit and covid vaccinations.
- 2.28 **Key Headlines and Market Challenges** Although there has been sufficiency in the market to date, there is a risk if the following challenges are not addressed:
- Provider revenue is insufficient to offset increasing costs due to inflation and the general cost of living. This is forecasted to worsen in the short term and where costs can't be managed, areas such as quality, training and investment will likely suffer.
 - Lack of a high-quality workforce supply due to ongoing recruitment and retention issues which could lead to provider failure and risk continuity of care.
 - Quality, particularly across nursing providers that could lead to sustained periods of provider suspension, the inability to accept new placements and worse care provider failure which may prove difficult to manage and could significantly destabilise the market.
- 2.29 **Home Care Market Demand:** Demand for home care in the short to medium term is projected to gradually increase.
- 2.30 **Sufficiency of Supply** Sufficiency is continuously monitored across the Adult Social Care Pathway on a weekly basis across internal departments and with contracted providers monthly and quarterly. Where issues have been raised, they have been responded to and resolved however financial factors for inflation and cost of living present significant risk for market sufficiency.
- 2.31 Whilst there are backlogs and waiting times for people who require care and support, the volume is not of significant concern and has been on a downward trajectory of the last 6-12 months.
- 2.32 **Care Provider Characteristics** There are currently 23 active providers on the local authority's home care framework.
- 2.33 **Commissioning and Care Costs** CWC operate a home care framework covering home care, home based respite, rapid response and reablement. A tiered system is in place with tier 1 providers delivering the full scope, 3 of which are "lead" providers aligned to CWCs parliamentary constituencies, and tier 2 providers delivering home care only.

Framework providers operate city wide. Other providers operate on a spot purchase basis to flex with any changes in demand.

- 2.34 **Workforce** Over recent years, workforce issues have become increasingly concerning for home care providers as they struggle to recruit and retain and offer attractive pay terms. Competing markets (i.e., retail) and fuel prices have been cited by providers, who have noted the direct loss of care staff because of the cost of living as well as an increase in staff complaints and concerns.
- 2.35 **Key Headlines and Market Challenges.** Although there is sufficiency in the market to date, there is a risk if the following challenges are not addressed:
- Levels of inflation and the cost-of-living crisis exacerbating existing, ongoing workforce issues could lead to provider failure, the hand back of care packages and the inability to accept new packages. This could ultimately lead to market failure and the inability to keep Wolverhampton residents safe and for CWC to meet its statutory duty.
 - Recruitment and retention of care staff with providers reporting that the current workforce market is the most difficult experienced in recent times. The risk of provider failure and sufficiency is a growing concern for both providers and CWC.
- 2.36 Aside from the direct use funding through the 2023/4 Fee review, the local authority is currently mobilising a significant change across Adult Services. The local authority's Transforming Adult Services Programme (TASP) aims to deliver a holistic system change (that will impact care markets) over the next three years by:
- Supporting practitioners to prevent, reduce and delay long term support provision
 - Improving outcomes for individuals
 - Reducing social care dependence and maximise people's resilience and independence by supporting them in meeting their needs in a timely way and potentially alternative ways
 - Enabling residents to know what support there is to independently access resources within communities and online
 - Offer a coordinated and accessible front door offer
- 2.37 Scoping and design activity cannot be pre-empted but identified opportunities that will impact markets include:
- Embedding technology enabled care and digital
 - Maximising reablement outcomes
 - Developing the approach to hospital discharge
 - Developing a co-production approach
 - Developing a new approach to Commissioning
- 2.38 The programme also has a strong interdependency with Integrated Care Systems (ICS) which is designed to promote more joined-up services focussing on improving both health and social care services.

2.39 In addition to plans for the medium to long term, the following shorter terms plans and actions will be implemented:

- Exploring local, regional and national responses to workforce issues and how the local authority can better support providers with recruitment and retention
- Incorporating cost of care exercises and/or strengthening market engagement in the annual fee review process, already progressed with 2023/4 with significant proposed increases in the Fee Review
- Ongoing communication and market engagement, particular maintaining relationships through the implementation of the charging reforms and supporting providers to understand impacts at an individual level.

Risk 18 - Charging Reform and Fair cost of care

2.40 On 17 November 2022 in the Autumn Statement, the Government announced a two-year delay in the implementation of the Charging Reform. The Annex B Fair Cost of Care was published as required on 1 February 2022 and the Market Sustainability Plan is due for publication before 27 March 2023. **This risk is now closed**

3.0 Progress, options, discussion

3.1 The strategic risk register will be updated as required and presented at approximately quarterly intervals to the Committee. The strategic risk register does not include all the risks that the Council faces. It represents the most significant risks that could potentially impact on the achievement of the corporate priorities. As stated above, other risks are captured within directorate, programme, project or partnership risk registers in line with the Council's corporate risk management framework.

4.0 Financial implications

4.1 There are no financial implications associated with the recommendations in this report as Councillors are only requested to note the risk register summaries. Financial implications may arise from the implementation of strategies employed to mitigate individual risks, but these will be evaluated and reported separately if required.
[CN/24022023/A]

5.0 Legal implications

5.1 Although there may be some legal implications arising from the implementation of the strategies employed to mitigate individual risks, there are no direct legal implications arising from this report.
[DP/24022023/A]

6.0 Equalities implications

6.1 There will be equalities implications arising from the implementation of a number of the strategies employed to mitigate individual risks. These equalities implications will be addressed, where appropriate, through the various mechanisms taken to manage each risk.

7.0 All other implications

7.1 Although there may be implications arising from the implementation of the strategies employed to mitigate individual risks, there are no direct implications arising from this report.

8.0 Schedule of background papers

Appendix A – Strategic Risk Register.