

From: Richard Long, Cabinet Member for Education and Skills.  
Sue Chandler, Cabinet Member for Integrated Children's Services.

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To: Children, Young People and Education Cabinet Committee –  
9 March 2021

Subject: **Risk Management: Children, Young People and Education**

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** None

**Electoral Division:** All

**Summary:**

This paper presents the strategic risks relating to the Children, Young People and Education Cabinet Committee, comprising of five risks featuring on the Corporate Risk Register for which the Corporate Director is the designated "Risk Owner" on behalf of the Corporate Management Team; plus, a summary of key risks within the directorate.

**Recommendation(s):**

The Cabinet Committee is asked to consider and comment on the risks presented.

**1. Introduction**

- 1.1 Risk management is a key element of the Council's internal control framework and the requirement to maintain risk registers ensures that potential risks that may prevent the Authority from achieving its objectives are identified and controlled.
- 1.2 Directorate risks are reported to this Cabinet Committee annually and comprise of strategic or cross-cutting risks that potentially affect several functions across the Children, Young People and Education directorate, and often have wider potential interdependencies with other services across the Council and external parties.

- 1.3 Corporate Directors also lead or coordinate mitigating actions in conjunction with other Directors across the organisation to manage risks featuring on the Corporate Risk Register.
- 1.4 The majority of these risks, or at least aspects of them, will have been discussed in depth at the relevant Cabinet Committee(s) throughout the year, demonstrating that risk considerations are embedded within core business.
- 1.5 A standard reporting format is used to facilitate the gathering of consistent risk information and a 5x5 matrix is used to rank the scale of risk in terms of likelihood of occurrence and impact. Firstly, the current level of risk is assessed, taking into account any controls already in place to mitigate the risk. If the current level of risk is deemed unacceptable, a ‘target’ risk level is set, and further mitigating actions introduced with the aim of reducing the risk to a tolerable and realistic level.
- 1.6 The numeric score in itself is less significant than its importance in enabling categorisation of risks and prioritisation of any management action. Further information on KCC risk management methodologies can be found in the risk management guide on the KNet intranet site.

**2. CYPE led Corporate Risks**

2.1 The Corporate Director for the Children, Young People and Education directorate is the lead Director for six of the council’s corporate risks. A brief summary of changes over the past year are outlined below, with full details contained in the risk register attached at appendix 1.

Risk reference	Risk description	Current score	Target score
<b>CRR0044</b>	High Needs Funding shortfall (including SEND)	20 (High)	16 (High)
The increase in High Needs Funding in 2020-21 from Government is welcome but insufficient to meet the expected demand and the cumulative deficit is expected to increase further during 2020-21 based on current trends. The publication of the government’s review into the provision for children with special educational needs and disabilities (SEND) has been delayed until early 2021.			
<b>CRR0001</b>	Safeguarding – protecting vulnerable children	20 (High)	15 (Medium)
The risk level was raised during the initial ‘lockdown’ period to reflect the potential for ‘hidden harm’ and pent-up demand, given that referrals to children’s services dropped			

considerably. Since children returned to school in autumn 2020 referral rates were returning to pre-lockdown levels, although the nature of referrals began to change, with more complex and serious cases being investigated. There are similar concerns regarding the impact of the latest school closures (except for vulnerable children or children of key workers) that are due to last until 8<sup>th</sup> March at the earliest.

<b>CRR0010</b>	Suitable accommodation and funding for Unaccompanied Asylum-Seeking children (UASC)	20 (High)	12 (Medium)
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As of 7<sup>th</sup> December, KCC was confident it could safely resume receiving new arrivals into its care, although it has been clear to central Government that a long-term solution still needs to be implemented to avoid overwhelming Kent services again. Until this national solution is found, this risk remains high.

<b>CRR0016</b>	Delivery of new school places is constrained by capital budget pressures and dependency upon the Basic Need allocation and the Education and Skills Funding Agency (ESFA)	20 (High)	12 (Medium)
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The impact of Covid-19 delays on school places has been assessed, which has led to some delays and additional cost pressures. Operational delivery risk for 2021 is being mitigated, although the medium-term risk remains. The financial aspect of the risk remains high, with continued shortfall in Basic Need grant.

<b>CRR0047</b>	Adequacy of support for children with Special Educational Needs and Disabilities (SEND) – implementation of Kent Local Area SEND Written Statement of Action	20 (High)	10 (Medium)
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Progress has been made in implementing a new structure to add capacity to the programme team and improve integration between workstreams and delivery plans going forward. A local area SEND Strategy has been developed in collaboration with partners, which goes beyond the Written Statement of Action, to enable sustained improvement and transform Kent's SEND offer. The new strategy is due to launch in April, after public consultation.

<b>CRR0007</b>	Resourcing implications arising from Children's Services demand	16 (High)	12 (Medium)
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This risk links to the safeguarding risk CRR0001 above. After a reduction in demand through the initial lockdown period and no obvious reduction in need, the risk of a demand 'spike' was raised, with consequent resourcing implications and impact on service. In order to aid service planning, modelling of pent-up demand took place. Demand has been returning to pre-Covid levels, although there are indications that a greater proportion of cases are more complex and serious in nature, with the latest national lockdown giving the potential for more uncertainty in demand profile in the coming months.

The risk rating has recently been reduced to reflect the fact that the revenue budget is underspent this year, but the risk remains for future years.

### 3. Children, Young People and Education risk profile

3.1 The current risks in the CYPE directorate risk register are shown below.

Risk reference	Risk description	Direction of travel since 2020	Current score	Target score
<b>CY0009</b>	Children not in full time education may not be receiving a suitable education	↑	12 (Medium)	6 (Low)
<p>This risk relates to the duty for the local authority to make arrangements to enable it to establish (so far as it is possible to do so) the identities of children in the area who are not receiving a suitable education and monitor those identified, the risk being that the relevant professionals involved are not aware of such children.</p> <p>There has been a noted increase in cases in recent months and the impact of Covid-19 has meant visits are having to take place virtually. The current lockdown has increased the level of the risk.</p> <p>As an example of mitigation, work is taking place with schools regarding the children that are on a “Reduced Timetable” in order to mitigate this risk.</p>				
<b>CY0038</b>	Potential increase in NEETs following Covid-19	Not scored in 2020	12 (Medium)	TBC
<p>Current levels of NEETs are fairly stable due to work being undertaken by schools with young people identified as at risk, but with some increase on last year’s figures.</p> <p>Controls in place include work being undertaken by The Education People and also support being put in place to support mental health and wellbeing for young people.</p>				
<b>CY0034</b>	Business continuity and resilience	↔	12 (Medium)	8 (Medium)
<p>The CYPE Directorate must ensure its services have robust contingency plans to reduce the impact of high impact incidents and emergencies that take place in the County. While this is core business, a risk was added to the register to provide additional focus, particularly in relation to the Covid-19 pandemic and severe winter weather, alongside the potential for disruption to KCC services identified in relation to the UK leaving the EU. This is in addition to more generic business continuity risks associated with severe weather.</p> <p>A directorate resilience group is in place and has coordinated comprehensive reviewing and refreshing of service continuity plans, with representation from</p>				

corporate functions to consider interdependencies. The group has met regularly during this period.				
<b>CY0032</b>	Information Governance. Management of personal data	↔	9 (Medium)	6 (Low)
There is significant inherent information governance risk in the directorate due to the large volume of personal data held in order to conduct its business effectively and the potential for increased risk linked to staff working from home. However, there are a number of controls in place and continued work required to reduce data breaches overall. This includes feeding information governance considerations into the directorate business support review to ensure consistent operational checks and balances are applied.				
<b>CY0030</b>	Management of the CYPE Directorate in year budget	↓	6 (Low)	6 (Low)
Recent revenue and capital budget monitoring presented to Cabinet on 25 <sup>th</sup> January 2021 showed the CYPE directorate revenue variance as -£0.7m (excluding Covid related spend). There has been a delay in achieving the expected Change for Kent Children savings.				

3.2 The following three risks have been removed from the CYPE directorate risk register since last year:

- CY0035: Implementation of new management information system – risk closed as Power BI is now up and running and provides relevant and accurate reports.
- CY0007: Schools moving into a potential deficit budget position – the risk level reduced with only six schools potentially affected by a deficit budget position.
- CY0037: Performance of case management systems – the risk level was previously reduced and de-escalated to the relevant divisional risk register. However, discussions are taking place with the relevant Officers as to whether a risk of this nature needs to be re-escalated to the directorate risk register.

#### 4. Divisional Risks

4.1 The corporate and directorate risks are underpinned by risks at a divisional level that receive regular Directorate Management Team oversight. In CYPE, these currently include those relating to:

- Impact of Covid on demand and services
- Costs associated with Children in Care and Care Leaver placements.
- Social worker recruitment and retention
- Availability of specialist providers for Disabled Children

## 5. Recommendation

### **Recommendation:**

The Committee is asked to consider and comment on the risks presented in this report.

## 6. Background Documents

- 6.1 KCC Risk Management Policy and associated risk management toolkit on KNet intranet site.  
<https://kentcountycouncil.sharepoint.com/sites/KNet/Pages/managing-risk-.aspx>

## 7. Contact details

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