

From: Rory Love, Cabinet Member for Education and Skills  
Sue Chandler, Cabinet Member for Integrated Children's Services

Sarah Hammond, Corporate Director for Children, Young People and Education.

To: Children, Young People and Education Cabinet Committee –  
27 February 2025

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 **two** risks featuring on the Corporate Risk Register which fall within the relevant Cabinet portfolios, and 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:**

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. The process of developing the registers is therefore important in underpinning service delivery planning, performance management and operating standards.
- 1.2 Directorate Risks are reported to this Cabinet Committee annually and contain strategic or cross-cutting risks that potentially affect several functions across the Children, Young People and Education directorate (CYPE), and often have wider potential interdependencies with other services across the Council and external parties.

- 1.3 Children, Young People and Education 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) and other forums throughout the year, demonstrating that risk considerations are embedded within core business.

**2. CYPE-Led Corporate Risks**

- 2.1 The CYPE Directorate currently leads on **two** of the council’s corporate risks which are tabled below including summaries and indicators displaying the direction of travel (DOT) the risk profile has taken since March 2024. Full detail of each risk can be seen in Appendix 1.

Risk ID	Risk Title	Current Risk Rating	Target Risk Rating	DOT
NEW	Delivery Against Safety Valve Agreement	High	Medium	NEW
NEW	SEND Delivery Improvement	Medium	Medium	NEW
<p>As previously reported and endorsed by Cabinet on 9 January 2025, while there was a strong rationale previously to combine the aspects of SEND improvement and High Needs Funding Block deficit, these have now been separated across two risks in order to reflect their evolution and differentiate between their current risk profiles. Significant progress is being made from a SEND improvement perspective, evidenced by the Improvement Notice being removed, but financial concerns and the imperative of meeting Safety Valve targets are still prevalent in their own right. Work is underway to complete the creation of these standalone corporate risks with their expected ratings reflected above.</p>				
CRR0063	Capacity to accommodate and care for Unaccompanied Asylum-Seeking (UAS) Children	Medium (12)	Medium (12)	↓
<p>This is an area of risk where significant progress has been made to reduce the level of risk faced by the Council, working in partnership with external agencies such as the Home Office and Department for Education. Now that funding agreements are in place, accommodation has been sourced to receive those coming into our care, and improvements in the operation of the National Transfer Scheme (NTS) are being experienced, the risk rating has been reduced from High to Medium. However, it is recognised that certain factors e.g. volumes arriving in Kent and ongoing effectiveness of NTS, are still outside of the Council’s direct control and will therefore require continued vigilance.</p>				

2.2 These risks are reviewed regularly throughout the year and were presented to Cabinet along with the rest of the corporate risk register on 9<sup>th</sup> January 2025, and Governance & Audit Committee on 23<sup>rd</sup> January. The corporate risks are detailed in Appendix 1.

### 3. Children, Young People and Education Directorate Risk Profile

3.1 In addition to regular review of CYPE-led corporate risks, the Directorate Management Team regularly reviews risks at directorate level. The current risks in the CYPE directorate risk register are summarised below.

Risk ID	Risk Title	Current Risk Rating	Target Risk Rating	DOT
CY0040	Availability of Specialist providers for Disabled Children and Children with Complex Needs	High (16)	Medium (12)	↔
<p>There is a risk there will be insufficient specialist (Ofsted registered) providers and services to meet the needs of children and young people, and personalised care and support for families to live as independently as possible. This is a multiple provider, complex supply market, however, the number of providers is extremely limited, and the costs associated with this level of care and support continues to rise year on year.</p> <p>This could lead to a practice risk relating to a lack of choice and delays in being able to access specialist provision, with insufficient placements being created, thus increasing the likelihood of children being placed in higher cost placements. This risk is being mitigated through several actions including the development of in-house children’s residential placements.</p>				
CY0030	Management of the CYPE Directorate in year budget	Medium (15)	Medium (12)	↓
<p>A net forecast Q3 underspend of £9.9m was reported to Cabinet on 30 January 2025, evidencing this risk has been reduced to a tolerable level. The projection is formed from several variances, including underspends on community-based services for young adults with disabilities and less than anticipated costs in Home to School Transport.</p> <p>The risk rating was reduced October 2024 from High to Medium due to positive forecasts, although caution remains given some areas of overspending is counterbalanced by underspends.</p>				
CY0048	Safeguarding – protecting vulnerable children	Medium (15)	Medium (15)	↔
<p>The risk rating was reduced to its target medium rating in 2022 following the assurance from Ofsted via the outcome of ‘Outstanding’ for Children’s Services, although it is recognised that there is a significant level of risk inherent in this area. It has been agreed the risk is reported at Directorate level, with escalation to the Corporate register if required.</p>				

CY0045	Growing demand and limited supply of affordable accommodation – Children’s Services	Medium (12)	Low (6)	↔
<p>There are challenges relating to increasing demand, changing needs and limited placement choice, with the potential for affordable demand to outweigh supply, particularly children with high complexity. The risk of insufficient provision available for individuals can then result in higher costs for placements or young people moving outside the County.</p> <p>KCC is working with partners to identify areas for collaboration and joint commissioning. Plans for a Regional Care Cooperative are being developed.</p>				
CY0049	Providers struggling to achieve Supported Accommodation registration with Ofsted - Children’s Services	Medium (12)	Low (4)	NEW
<p>Data indicates it will be necessary for Kent to increase its sourcing of Supported Accommodation given rising numbers of children in care and unpredictable numbers of UAS children arrivals. Providers have found it challenging to successfully complete Ofsted registration due to their own limited resources, inexperience with the inspection and registration process and recruiting qualified registered managers. This could lead to insufficient availability of fully registered supported accommodation providers.</p> <p>The risk is being mitigated by controls including provider training and developing strategic partnerships with providers.</p>				
CY0042	Home to School Transport Cost Pressures	Medium (12)	Medium (12)	↓
<p>The combined effect of high numbers of children and young people with EHC Plans and a greater number of these children attending non-local schools have contributed to increased eligibility for home to school transport, leading to budget pressures. Agreed actions taken to mitigate this risk have demonstrated benefits are being seen, and the risk profile has recently been revised downwards from High to its target position of Medium.</p>				
CY0009	Children not in full time education not receiving a suitable education	Medium (12)	Low (6)	↔
<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. The Bill to create a national register for children not in school receives its second House of Commons reading in February 2025.</p>				
CY0046	Quality in Care – Children’s	Medium (9)	Low (6)	↔
<p>There is a risk poor Ofsted outcomes or the raising of quality concerns requiring an immediate response could lead to rapid placement changes for children, potentially resulting in sub-optimum provision and unplanned costs from using alternative providers.</p> <p>The risk is being mitigated by a number of controls including Protocols and Risk Assessments. A multi-agency review of provision quality has also been completed and presented to CYPE DMT.</p>				

CY0032	Information Governance. Management of personal data	Medium (9)	Low (6)	↔
<p>While the CYPE directorate faces significant inherent Information Governance (IG) risk given the volume of personal data held across operations and systems, there is an established suite of controls and processes to mitigate its exposure.</p> <p>Work continues to reduce data breaches including the application of record retention schedules to key systems and the development of an IG Improvement plan which is pending final approval.</p>				
CY0034	Business Continuity and Resilience	Medium (8)	Low (4)	↔
<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. A directorate resilience group is well established and has coordinated comprehensive reviewing and refreshing of service continuity plans, with representation from corporate functions to consider interdependencies.</p> <p>KCC's new Business Continuity Management System (Meridian) has commenced roll-out to all directorates and, post-successful implementation, is anticipated to positively impact this risk profile.</p>				

### 3.2 WITHDRAWN RISK

CY044: Use of unregulated providers for 16+ semi-independent living provision.  
 Risk withdrawn May 2024 as the regulatory body had become established and a greater understanding of the regulation had been developed. At the time of withdrawal, a new risk CY0049 (Providers struggling to achieve Supported Accommodation registration with Ofsted -Children's Services) was concurrently added to the register to manage the evolution of this risk.

3.3 The risk register has been reviewed and amended during the year with quarterly reporting into the Directorate Management Team, with the most recent review and discussion taking place on 22 January 2025.

## 4. Recommendation

### Recommendation:

The Committee is asked to **CONSIDER** and **COMMENT** on the risks presented in this report.

## 5. Background Documents

5.1 KCC Risk Management Policy and associated risk management toolkit on KNet intranet site: [Link to KCC Risk Management Toolkit](#)

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