

From: Shellina Prendergast, Cabinet Member for Education and Skills
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To: Children, Young People and Education Cabinet Committee –
1 March 2022

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 four 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 four 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
CRR0044	High Needs Funding shortfall (including SEND)	20 (High)	16 (High)
Parental demand for Special Educational Needs and Disability (SEND) support is rising and there is currently a significant deficit on the DSG reserve. There are also linked pressures being felt on other SEND related budgets such as SEN Home to School Transport. Forecasting demand and therefore costs in future years is very challenging. Some are challenges to the national SEND system felt everywhere, and some are Kent specific factors, such as relatively low levels of inclusion in mainstream schools.			
CRR0001	Safeguarding – protecting vulnerable children	20 (High)	15 (Medium)
There has been some increase in more complex cases, with later referrals coming through, linked to the after-effects of Covid-19 ‘lockdown’ restrictions. Reduced capacity of partner agencies such as health, delays in Family Court proceedings, and			

the lack of availability of good quality placements as a result of Covid are all contributing to cases being held longer by social work teams, leading to rising caseloads. New government requirements around unregistered and unregulated placements are also contributing to complexity around placements and market sufficiency, as is recruitment by Independent Foster care providers.

During Lockdown some children were absent from school and some partners were less visible, undertaking fewer home visits to vulnerable children, increasing demand on statutory children's services. As a result, there has been an increase in the risk to children under 5.

CRR0010	Suitable accommodation and funding for Unaccompanied Asylum-Seeking children (UASC)	12 (Medium)	6 (Low)
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The National Transfer Scheme has now been mandated and transfers have begun to other Local Authorities who are being required to take new arrivals directly from Kent and from the Port of arrival. The risk rating has been reduced.

CRR0047	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 SEND Improvement Programme, which includes delivery of requirements detailed in the Written statement of Action, covers five key workstreams.

2.2 Two corporate risks for which the Corporate Director for the Children, Young People and Education directorate was lead Director for have been incorporated into other corporate risks:

- CRR0007 – Resourcing implications arising from serious and complex Children's Services demand is incorporated within the corporate risk relating to Future Financial and Operating Environment for Local Government.
- CRR0016 – Delivery of new school places is constrained by Basic Need allocation and the Education and Skills Funding Agency (ESFA) is incorporated within the risk relating to Impact on Statutory Duties of Capital Programme Affordability.

3. Children, Young People and Education risk profile

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

Risk	Risk description	Direction of travel	Current	Target
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reference		since 2020	score	score
CY0030	Management of the CYPE Directorate in year budget	↑	20 (High)	12 (Medium)
Recent revenue and capital budget monitoring presented to Cabinet on 9 th December 2021 showed the CYPE directorate revenue variance as £6.8m.				
CY0040	Availability of Specialist providers for Disabled Children and Children with Complex Needs	NEW RISK	16 (High)	12 (Medium)
This risk has been escalated from Divisional risk registers due to the further impact of EU Transition on the availability of providers and in addition to impacting on the Disabled Children service, it also impacts on children with complex needs.				
CY0038	Potential increase in NEETs following Covid-19	↔	12 (Medium)	12 (Medium)
Current levels of NEETs are fairly stable due to work being undertaken by schools with young people identified as at risk. Controls are in place which include work being undertaken by The Education People and also support being put in place to support mental health and wellbeing for young people.				
CY0034	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. This risk relates to the additional impacts of the Covid-19 pandemic and severe winter weather.</p> <p>A directorate resilience group is in place and has coordinated comprehensive reviewing and refreshing of service continuity plans, with representation from corporate functions to consider interdependencies. The group continues to meet regularly.</p>				
CY0009	Children not in full time education may not be receiving a suitable education	↔	12 (Medium)	6 (Low)
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.				
CY0032	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.

CY0039	Performance of the Liberi and EHM Business Applications	NEW RISK	8 (Medium)	8 (Medium)
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This risk was escalated from Divisional risk registers due to concerns relating to the hosting arrangements and the County-wide ICT outage in January 2021.

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:

- Costs associated with Children in Care and Care Leaver placements.
- Social worker recruitment and retention
- EHCP demand and capacity

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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