

Appendix One – ASCH led Corporate Risks

Risk ID	CRR0015	Risk Title	Sustainability of the social care market			
Source / Cause of Risk	Risk Event	Consequence	Risk Owner	Current Likelihood	Current Impact	
Local Authorities have a statutory duty to provide a viable and sustainable social care market to meet the needs of the local population who meet Care Act eligibility.	Social Care market not sustainable.	Gaps in the care market for certain types of care or in geographical areas meaning difficulty in placing some service users.	Richard Smith, Corporate Director ASCH	V. Likely (5)	Major (5)	
The main risks associated with care market instability are:	Inability to obtain the right kind of provider supply at affordable prices.	Unable to offer care packages immediately leading to delays with discharging from Health Services	Responsible Cabinet Member(s):	Target Residual Likelihood	Target Residual Impact	
Financial – As a result of the increasing cost and complexity of demand for services and constrained local authority budgets compounded by recent inflation.	Increases in hand backs of care.	Reduction in quality of care provided due to workforce pressures.	Dan Watkins, Adult Social Care and Public Health	Possible (3)	Major (5)	
Workforce - inflation running at a high level and cost of living crisis affecting adult social care workforce, which is paid less favourably than comparative sectors leading to high vacancy levels, and high staff turnover rates particularly in the home care sector.	Providers choose not to tender for services at Local Authority funding levels or accept service users with complex needs.	Significant numbers of care home closures or service failures.				Timescale to Target 3+ years
There are particular challenges in Kent in the residential sector.						

<p>Recovery from the Covid-19 pandemic has added additional pressures, further threatening sustainability of the market. Latent demand and a reduction in access to health care has led to an increase in clients presenting with more complex needs. There is increased demand for care and support, and pressures arising from hospital discharges.</p>	
Control Title	Control Owner
KCC is part of local and regional Quality Surveillance Groups that systematically bring together the different parts of the health and care system to share information, identify and mitigate risks to quality, including those relating to care providers.	Simon Mitchell, Assistant Director for Adults Commissioning
Ongoing monitoring of Home Care market and market coverage. Commissioners and operational managers review the capacity of the Home Care market with a view to developing a strategy to ensure market coverage.	Simon Mitchell, Assistant Director for Adults Commissioning
Ongoing Contract Monitoring, working in partnership with the Access to Resources team.	Simon Mitchell, Assistant Director for Adults Commissioning
Opportunities for joint commissioning and procurement in partnership with key agencies (i.e., Health) being regularly explored, including joint work regarding the provision of dementia nursing beds.	Simon Mitchell, Assistant Director for Adults Commissioning
Regular engagement with provider and trade organisations	Richard Ellis, Director of Adult & Integrated Commissioning
Older Persons Accommodation Strategy refreshed, which analyses demand and need and sets the future vision and direction for accommodation to support vulnerable Kent residents alongside the Adult Social Care Strategy - Your Life, Your Wellbeing	Richard Smith, Corporate Director ASCH

Ensuring contracts have indexation clauses built-in, managed through contract monitoring.	Michael Bridger, Commercial and Procurement Standards and Improvement Manager	
Analytics function utilises data to inform decision making before moving commissioning activity forward.	Matt Wagner, Interim Chief Analyst	
Analytical work is being conducted on assessments and reviews in adult social care to help inform key commissioning activity, including winter planning.	Matt Wagner, Interim Chief Analyst	
Daily risk assessment for people in the community awaiting packages of care and short-term bed provision for those at high risk	Sydney Hill, Interim Director ASCH	
Adult Social Care Pressures Plan 2022/23 - outlining the strategic and operational response to a range of factors including, vacancies in the health and social care workforce, waiting lists for care and support, winter pressures and budgetary pressures.	Richard Smith, Corporate Director for Adult Social Care and Health	
Continue to work innovatively with partners, including health services, districts and boroughs, and providers to identify any efficiencies across the wider sector.	ASCH Divisional Directors	
Quarterly market pressure reports to ASCH DMT	Simon Mitchell, Assistant Director for Adults Commissioning	
Pipeline prioritisation tool is in place for Strategic Commissioning projects, shared with DivMT and Director of Strategy Policy, Relationships and Corporate Assurance	Chris Wimhurst, Commercial and Procurement Standards and Improvement Manager	
Analytics of the current market, and potential future market to ensure appropriate provision for regulated/unregulated care. Three sets of performance data to be triangulated (Analytic/Performance Data/Budget)	Simon Mitchell, Assistant Director for Adults Commissioning	
Development of micro providers market with partner Community Catalysts. Quarterly contract management reviews take place including focus on performance against targets (engagement and set up).	Paula Parker, Head of Portfolio Management, ASCH	
Engagement with ICB around joint commissioning opportunities	Richard Ellis Director of Integrated Commissioning	
Action Title	Action Owner	Planned Completion Date
ASCH Commissioning Intentions document being drafted.	Simon Mitchell	30th May 2024
External consultant engaged to review existing commissioning arrangements, including cost of care assessment	Simon Mitchell/Richard Smith	30th March 2024

Undertake a co-production and engagement exercise with people with lived experience, partners and providers to inform how we commission	Mei Antony/Paula Parker	30 th May 2024
Following Commissioning redesign a review of existing locality quality monitoring arrangements	Simon Mitchell/ASCH Directors	30 th May 2024

Risk ID	CRR0064	Risk Title	Risk of Failing to Deliver Effective Adult Social Care Services			
Source / Cause of risk	Risk Event	Consequence	Risk Owner	Current Likelihood	Current Impact	
<p>The Council is at risk of failing to deliver effective Adult Social Care services and there is the potential to not meet requirements of statutory services under the Care Act 2014, the Mental Health Act 1983, the Mental Capacity Act 2005 and associated legislation, and the regulatory requirements of the Care Quality Commission.</p> <p>The Council has been impacted by:</p> <ul style="list-style-type: none"> - continual reduction in Central Government funding - Demographic changes - Increased demand for services - Demand led statutory services which can be difficult to predict - Increasing costs due to increasing complexity of health and social care needs. - Increasing costs due to cost of living pressure/inflation/interest rates/utilities. - increasing costs from social care market providers - recruitment and retention of staff - recovering from the impacts of the Covid-19 pandemic on the sector, including the NHS Recovery Plan 	<p>Impact on outcomes for people who draw on care and support and unpaid carers</p> <p>Potential that people will come to harm and the Council will be unable to ensure that their safeguarding statutory duty under S.42 of the Care Act 2014 will be fully met.</p> <p>Non-compliance with Care Act 2014, the Mental Health Act 1983, the Mental Capacity Act 2005 and associated legislation, and the regulatory requirements of the Care Quality Commission.</p>	<p>Failure to fulfil our duty of care could result in serious harm or detriment or in extremely rare cases death to a person with significant impact on families, carers and support networks. This could in turn result in prosecution, having to pay compensation and a negative impact on the reputation of the Council.</p> <p>Reputational impact. Public perception of the council being willing to accept poor standards of care. Low public confidence in social care.</p> <p>A loss of trust in the Council's ability to safeguard people who live in Kent.</p>	<p>On behalf of CMT:</p> <p>Richard Smith Corporate Director</p> <p>Adult Social Care and Health (ASCH)</p> <p>Responsible Cabinet Member(s):</p> <p>Dan Watkins, Adult Social Care and Public Health</p>	<p>Likely (4)</p> <p>Target Residual Likelihood Possible (3)</p>	<p>Major (5)</p> <p>Target Residual Impact Major (5)</p> <p>Timescale to Target Within 1 year</p>	

	Overspending on the budget which may impact the wider council.	
Control Title		Control Owner
1. Enhanced governance and assurance arrangements to increase oversight and control of issues relating to performance, finance and operational challenges.		ASCH Directors
2. Targeted plans to deliver sustainable adult social care budget <ul style="list-style-type: none"> • Reprofile of targets to deliver savings • Phase 2 of the ASC restructure • Activity and outcomes in terms of people and finance tracked to ensure all system work is concluded and any identified savings can be realised at the earliest opportunity.		ASCH Directors
Recruitment of a time limited Data Quality officer to identify and resolve DQ issues on Mosaic and improve accuracy of performance and financial reporting.		ASCH Directors
Action Title	Action Owner	Planned Completion Date
Ongoing review of workstreams across the Directorate to ensure that all available resources are directed towards the delivery of statutory functions, savings and efficiency plans and all non-essential work is stepped down. Review of operational escalation levels process.	Mark Albiston ASCH Director	30th March 2024
Phase three of the workforce deployment, review of team size, and composition in terms of skills to ensure we are achieving the full benefit of the restructure,	Mark Albiston ASCH Director	30 th April 2025
Plans developed with HROD to ensure we maintain a highly skilled and effective workforce through specific recruitment and retention activity	Mark Albiston ASCH Director	30 th March 2024
External consultancy analysis of the opportunities to work to prevent, delay, and reduce need for care and support to inform our preventative strategy	Mark Albiston ASCH Director	30 th March 2024

Risk ID	CRR0061	Risk Title	CQC Assurance			
Source / Cause of risk	Risk Event	Consequence	Risk Owner	Current Likelihood	Current Impact	
As part of the Health and Care Act 2022 the CQC have new regulatory powers to oversee the quality and performance of both Local Authorities and Integrated Care Systems (ICS) using as single assessment framework alongside the existing assurance assessment responsibilities they hold for providers of regulated activity.	Negative assurance report from CQC impacting the reputation of the Authority	The Health and Care Act 2022, introduces a new power for the Secretary of State to intervene when it is considered that a Local Authority is failing to meet its duties.	On behalf of CMT: Richard Smith Corporate Director Adult Social Care and Health (ASCH)	Possible (3)	Major (5)	
	Insufficient capacity and capability of available resource and funding within project and operational teams to deliver reform changes in required timescales.	Negatively impacting relationships with providers and partners - loss of confidence		Target Residual Likelihood Unlikely (2)	Target Residual Impact Major (5)	Timescale to Target within 1 year
The CQC will apply the Local Authority Assurance Assessment framework and the reviews will focus on how well KCC is meeting its duties under Part One of the Care Act.	Insufficient funding to support the reform and policy changes are unachievable.	Unable to meet the requirements of 18 (3) of the Care Act 2014.	Responsible Cabinet Member(s): Dan Watkins, Adult Social Care and Public Health			
The assessment framework will look at:	Failure to embed the Kent Story into practice and delivery.	Negative assurance report from CQC impacting the reputation of the Authority.				
<ul style="list-style-type: none"> how KCC works with people how support is provided to people how KCC ensures safety the leadership across adult social care. 	Person's voice is not reflected in decision making regarding their care.	Negatively impacting relationships with customers, carers and families - loss of confidence.				
Formal assessments will start from December 2023 with the		Interdependencies between ASCH and CYPE could be impacted should the				

<p>aim to undertake all local authority assessments within two years.. It is not known when the Kent formal assessment will be and a period of 9-11 weeks will be given. Following the Kent formal assessment, an overall rating will be given, and a rating for each quality statement will be provided. This will be supported by a summary of areas of improvement and strength.</p>	<p>Regulator issue a negative assurance report.</p> <p>A negative assurance report may impact the ability to recruit.</p>
Control Title	Control Owner
Southeast Region ADASS self-assessment is subject to ongoing review and is refreshed on a quarterly basis.	Sydney Hill Interim Director Adult Social Care
Continued embedding of the Practice Framework and Quality Framework to drive improvements to 'be the best we can be'	Sarah Denson Assistant Director
Programme of training events including the 10 Core Skills Topics identified to support with the embedding of the Practice Framework to support practitioners to develop knowledge and skills as part of continuing professional development.	Sarah Denson Assistant Director
Regular communication to the ASCH workforce on work in progress to support preparations for CQC assurance	Vicki Minkiewicz Principal Social Worker
Locality Commissioners meet regularly with Local Inspectors of the CQC. Strategic Commissioning also meet with Care Quality Commission and Public Health to share intelligence	Simon Mitchell, Assistant Director for Adults Commissioning
Regular engagement with Head of Finance (Policy, Planning & Strategy) and Revenue Manager.	Michelle Goldsmith Finance Business Partner
Adult Social Care Pressures Plan - outlining the strategic and operational response to a range of factors including COVID-19, vacancies in the health and social care workforce, waiting lists for care and support, ASCH	Richard Smith Corporate Director

winter pressures and budgetary pressures.	
KCC is a statutory partner to the Kent & Medway Safeguarding Adults Board – a statutory service which exists to make sure that all partner agencies are working together to help and protect adults with care and support needs in the Kent and Medway area who may be experiencing, or are at risk of, abuse or neglect, and unable to protect themselves. The Board has an independent Chair and its work carried out by a number of working groups.	Sarah Denson Assistant Director/David Whittle Director SPRCA
KCC Safeguarding Competency Framework in place, including Mental Capacity Act requirements.	Sarah Denson Assistant Director
Attendance at the Southeast region ADASS networking groups where information is shared from LGA, DHSC, and opportunities to share intelligence/best practise	Richard Smith Corporate Director ASCH
Assurance Board is to receive and monitor all information and activity across the County pertaining to Quality, Performance and Culture to provide confidence in the consistency and approach of practice across locality teams. Finance will be a key theme that runs through all 3 key areas of 'Assurance'	Richard Smith Corporate Director ASCH
CMT and Cabinet Members have been engaged and briefed on ADASS self assessment output	Sydney Hill Interim Director Adult Social Care
Weekly/Fortnightly Project Team meetings to review progress, risks and blockers for escalation to DMT	Sydney Hill Interim Director Adult Social Care
Regular progress report to DMT including any escalations	Sydney Hill Interim Director Adult Social Care
Engagement with CYPE to share lessons learned/best practice, including a joint dashboard of activities which is continually reviewed to ensure it contains relevant and useful information.	Sydney Hill Interim Director Adult Social Care
Any relevant actions from Internal Audit audits on ASCH operational activities are shared with CQC project	Sydney Hill Interim Director Adult Social Care
Business case determining resource requirements to support CQC related activity agreed and funded through Strategic Reset programme Board for a one year fixed period.	Sydney Hill Interim Director Adult Social Care
Continuous improvement plan has been developed following self-assessment and is a live monitored document to support and prioritise improvement activity.	Sydney Hill Interim Director Adult Social Care
Transitions Panel with stakeholders from Childrens and Adult social care to be developed as the access point for all young people entering into adult services. Currently in place for East Kent and occurs bimonthly. Panels to be established in North and West Kent	Susan Ashmore Assistant Director
CQC assurance project reports progress to Strategic Reset Programme, projects within this programme are led by CMT, and are priority change projects which focus on the Council's most critical, complex and high-risk change programmes to support them to be delivered successfully	Richard Smith Corporate Director for Adult Social Care

Ongoing focus on culture development across ASCH workforce	Richard Smith /Jan Hawkes	
Monthly highlight reports to SRPB	Jade Shepherd CQC Assurance Lead	
Continuation of improvement plan which references sustainability and integration, CQC assurance is embedded within ASCH business plan. Activities to improve ASCH sustainability also documented within SPR delivery plans for 2024/25.	Sydney Hill Interim Director Adult Social Care	
Communications and engagement plan for the ASCH workforce in place in regards to CQC assurance	Jade Shepherd CQC Assurance Lead	
Staff events facilitated by Local Government Association to support front line workers with example questions and responses from CQC assurance reviews. Themes from the workshops are to be factored into Self-assessment.	Jade Shepherd CQC Assurance Lead	
Action Title	Action Owner	Planned Completion Date
Test of Assurance Peer Review facilitated by LGA been signed off with a focus on three key areas of assurance.	Jade Shepherd CQC Assurance Lead	31st March 2024
Terms of Reference currently under development for CQC steering group to monitor and process assurance activity.	Sydney Hill Interim Director Adult Social Care	29 th February 2024
Principal Social worker and CQC Assurance Lead attending all adults team meetings to discuss CQC assessment process and the opportunity to engage and support staff.	Vickie Minkiewicz Principle Social Worker	30 th April 2024
Communication and engagement plan under development to ensure effective engagement methods with all stakeholders prior, during and following assessment.	Jade Shepherd CQC Assurance Lead	29th February 2024