

From: Diane Morton, Cabinet Member for Adult Social Care and Public Health
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To: Adult Social Care and Public Health Cabinet Committee
–10 September 2025

Subject: **RISK MANAGEMENT: ADULT SOCIAL CARE AND HEALTH**

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 Adult Social Care and Health Directorate, in addition to the risks featuring on the Corporate Risk Register for which the Corporate Director is the designated 'Risk Owner'.

Recommendation(s): The Adult Social Care and Public Health 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. Risks outlined in risk registers are considered in the development of the Internal Audit programme for the year.
- 1.2 Directorate Risk Registers are reported to Cabinet Committees annually and contain strategic or cross-cutting risks that potentially affect several functions across the Adult Social Care and Health (ASCH) Directorate, and often have wider potential interdependencies with other services across the council and external parties.
- 1.3 ASCH directors also lead or coordinate mitigating actions in conjunction with other directors across the organisation to manage risks featuring on the Corporate Risk Register. Directors in the ASCH Directorate are designated 'Risk Owners' (along with the rest of the Corporate Management Team) for three corporate risks.

- 1.4 The majority of these risks, or at least aspects of them, will have been discussed in depth at relevant Cabinet Committee(s) throughout the year, demonstrating that risk considerations are embedded within core business.
- 1.5 This report focuses on adult social care risks, as Public Health related risks were reported to the Health Reform and Public Health Cabinet Committee in March 2025 [Agenda for Health Reform and Public Health Cabinet Committee on Tuesday, 11th March, 2025, 2.00 pm](#).

2. Adult Social Care and Health Directorate Led Corporate Risks

- 2.1 The ASCH Directorate currently leads on three of the Corporate Risks.

Risk No.*	Risk Title	Current Risk Rating	Target Risk Rating	Direction of Travel since Sep 2024
CRR0015	Sustainability of the social care market	High (25)	Medium (15)	↔
CRR0064	Risk of failing to deliver effective Adult Social Care Services	High (20)	Medium (15)	↔
CRR0066	ASCH Recommissioning Programme	High (16)	Medium (8)	New Risk

- 2.2 These risks are reviewed regularly throughout the year and were most recently presented to Governance and Audit Committee along with the rest of the corporate risk register on 3 July 2025, for assurance. The corporate risks are detailed in Appendix 1.

2.3 WITHDRAWN CORPORATE RISK

A previous risk relating to Care Quality Commission (CQC) Assurance was removed from the corporate register, reflecting the fact that the first inspection under the Local Authority Assurance Assessment Framework had taken place during autumn 2024. The final report was published in May 2025, with an overall rating of 'Requires Improvement'. An improvement plan has been developed by the Directorate and will be regularly monitored. Any significant risks associated with delivery of the improvement plan will be captured as part of the corporate risk relating to delivery of effective Adult Social Care Services (CRR0064), as well as in relevant registers within the organisational hierarchy.

2.4 NEW CORPORATE RISK

CRR0066: ASCH Recommissioning Programme.

This risk was escalated from the Integrated Commissioning Risk Register in early 2025 and recognises the challenges associated with recommissioning of four large contracts, including ensuring that the new contracts support the service needs and ambitions. A report and accompanying business case relating to the first of the major recommissions, Older Persons Residential and Nursing Care Service, was presented to this Committee in July 2025, outlining options explored and highlighting various implications.

2.5 CRR0015: Sustainability of the social care market.

This risk is focused on the council's statutory duty to promote the efficient and effective operation of a market in services for meeting care and support needs. Examples of the actions undertaken to mitigate this risk since last reported to this Committee include:

- The creation of a Provider Support Team.
- Review and redrafting of *Commissioning Intentions* document, which sets out how the Council plans to create person-centred and flexible care to support the 'Making a Difference Every day' Strategy.
- Continued engagement with the Integrated Care Board to maximise joint commissioning opportunities.
- Procurement of a fee negotiation tool (CareCubed) to support fee uplift conversations with providers.

2.5.1 There has been no change in direction of travel for this risk, and the market is still facing significant challenges, such as increasing cost and complexity of demand for services, continuation of constrained local authority budgets and high vacancy levels. The government policy changes in the 2024 Autumn budget including National Insurance and National Living Wage increases may exacerbate some of the issues, the consequences of which may negatively impact on care providers, for example, increasing employment costs.

2.5.2 More recently, both Kent County Council's Leader and Cabinet Member for Adult Social Care wrote to the Home Secretary and Minister for Care to raise concerns regarding proposals in the new Immigration Bill, including plans to reduce health and social care visas to the UK, and end the Social Care Worker Visa route to overseas recruitment for new applicants from 22 July 2025, which risks care workers going home and leaving care providers with significant challenges.

2.6 CRR0064 – Failing to deliver effective adult social care services – This risk is focused on the potential for the Council 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. The mitigations have been reviewed and updated, including:

- Strengthening of governance and oversight arrangements across the directorate.
- Development of a workforce plan aligned with the directorate and council's ambitions.
- Commissioning of additional capacity to support the delivery of Adult Safeguarding via a time limited peripatetic team.
- Alignment of delivery plans with quality improvements identified from Kent's CQC assurance visit.

2.6.1 There is no change in the direction of travel for this risk. The council continues to manage significant impacts such as constrained budgets, increased demand for services and increasing costs due to complexity of health and social care needs.

3. Adult Social Care and Health Directorate Risk Profile

3.1 The current risks in the Adult Social Care Directorate Risk Register are outlined and summarised below. The risk register is reviewed and amended as necessary during the year with quarterly reporting into the Directorate Management Team (DMT), with the most recent review and discussion in August 2025.

Risk Reference	Risk Description	Current Score	Target Score
AH0005	Risk of significant overspend to the level of savings ASCH budget	High (25)	High (20)
<p>This risk continues to hold the highest rating. The monthly Commissioning and Transformation DMT monitors all areas relating to budgetary spend, forecasting and savings activity within the Directorate. Regular meetings are in place with the Corporate Director, Directors and Assistant Director to review management of budgets and understand the detail for overspend. ASCH continues to work with NHS colleagues to ensure that the necessary joint funding arrangements are in place.</p>			
Risk Reference	Risk Description	Current Score	Target Score
AH0043	Deprivation of Liberty Safeguards (DoLS)	High (20)	High (16)
<p>This risk reflects the significant demand on the service to complete DoLS assessments and that those we support in community settings are not assessed in accordance with statutory requirements. A number of actions have been implemented since the risk was last reported to this Committee, including upskilling of 26 managers to increase the amount of resource available to complete DoLS authorisations, a further eight Social Workers have commenced Best Interest Assessor training and there are 22 applications for the next cohort. The additional trained resource will support the service with managing demand for DoLS. The Head of Service continues to work as part of the Southeast Association of Directors of Adult Social Services (ADASS) network to share information, good practice and developments.</p>			

Risk Reference	Risk Description	Current Score	Target Score
AH0044	Safeguarding – protecting adults at risk	High (20)	Medium (15)

This relates to the risk of failure to fulfil our statutory obligations. Four area Safeguarding Hubs are now in place and aligned with the area Adult Social Care Connect teams and a Managed Service has been procured to support in the management of safeguarding concerns and enquiries. The impact of this activity is reviewed weekly. A Provider Support Team is in place to drive and sustain quality in care. An initiative to enhance our Partner understanding of safeguarding and to work in a more prevention-focused manner will be trialled with acute trusts and North Kent during Summer 2025 before being rolled out across the county. Safeguarding training for elected Members is planned for later in the year, while the Adults Safeguarding Awareness Week 2025 (17-21 November 2025) is a significant event aimed at raising awareness about safeguarding issues affecting adults, and will focus on the theme of prevention.

Risk Reference	Risk Description	Current Score	Target Score
AH0055	Adult Social Care Debt - Increasing bad debt position that is greater than the bad debt provision NEW RISK	High (20)	Medium (12)

ASCH has an increasing challenge with the management of outstanding debt of those that receive either a residential or non-residential service via KCC Providers. There has been a large, steady increase in overdue unsecured debt over the past five years. In 2024/25, ASCH had a cash limit of £3.4m for contribution to bad debt provision. At year end, the amount contributed to the provision was £7.3m, resulting in a pressure of £3.9m. The total provision at year end was £25.8m. Increasing the cash limit position would impact the revenue budget for ASCH. A debt improvement plan is in place and debt management processes and oversight have been updated.

Risk Reference	Risk Description	Current Score	Target Score
AH0033	Adult Social Care workforce	High (20)	Medium (9)

The recruitment and retention of qualified and experienced staff remains an ongoing challenge. A recruitment strategy to support capacity and growth includes annual Social Worker and Occupational Therapist Apprenticeship recruitment and an annual Newly Qualified Social Worker recruitment campaign. A review of the capacity and capability of the community teams to inform workforce deployment is underway and will inform future planning. The Strategic Workforce Plan is due for completion in the Autumn and will cover forecasting demand and aligning staff accordingly, targeted recruitment, training and development.

Risk Reference	Risk Description	Current Score	Target Score
AH0050	Provider Payments - system failure resulting in Providers not being paid on time and/or correctly NEW RISK <i>(Rating reduced, but still High)</i>	High (16)	Medium (12)

KCC commissions a significant proportion of adult social care out to the private and voluntary sectors. This risk notes the impact of system failure resulting in providers not being paid on time and/or incorrectly leading to breaches of contractual requirements and inaccurate budgeting due to missing commitments. Potential consequences could include late payment fees impacting the revenue budget, impact on market and provider stability and reputational and legal consequences.

A number of events to meet with providers have been held throughout 2025 in addition to a training programme for providers in the use of the provider portal to help providers get paid on time.

Due to actions undertaken between December 2024 and April 2025 the situation was noted to have improved sufficiently to allow the risk to be reduce from 20 to 16.

Risk Reference	Risk Description	Current Score	Target Score
AH0037	Information Asset Management <i>Increased rating from Medium to High</i>	High (16)	Medium (9)

This risk increased from a Medium to High rating in April 2025 to reflect the potential for transition risks as the Supporting Independence Service transitions from Children Young People and Education (CYPE) to ASCH, with two monitoring and payments systems running in addition to 'business as usual' activity. There are also potential risks to be managed during the crossover to the new Oracle Cloud platform, including in relation to provider payments.

The risk will continue to be reviewed and monitored at DMT due to the potential for significant impact across the whole directorate.

Risk Reference	Risk Description	Current Score	Target Score
AH0056	Failure of Kent Community Equipment Services (KCES)	High (16)	Medium (8)

This risk relates to the recent failure of Kent Community Equipment Services. KCC was required to act quickly to manage a number of issues and associated risks, leading to an urgent key decision being taken to switch provider as of 1 August 2025. Further work is continuing to ensure minimal disruption to services as the new contract is mobilising. It was agreed by DMT that this risk should remain on the Directorate Risk Register until the new provider is operating a full capacity.

Risk Reference	Risk Description	Current Score	Target Score
AH0038	Information Governance in ASCH	Medium (9)	Medium (9)
<p>This risk has remained at target over the past year. Following review, revised guidance for the Subject Access Request process to improve response times and ensure a consistent approach to handling has been developed. Actions have been undertaken to improve quality of existing privacy notices, including ensuring they are in 'easy read' format. The risk will continue to be reviewed and monitored at DMT due to the potential for significant impact across the whole Directorate.</p>			

- 3.2 Risk AH0047 Provider Failure has been transferred from the ASCH Directorate Risk Register to the Integrated Commissioning risk register for oversight and monitoring purposes. The majority of controls and actions to mitigate this risk sit with the members of the Integrated Commissioning team.

4. Recommendation

- 4.1 Recommendation: The Adult Social Care and Public Health Cabinet Committee is asked to **CONSIDER** and **COMMENT** on the risks presented.

5. Background Documents

KCC Risk Management Policy and associated risk management toolkit
<http://knet.ourcouncil/Management-guides/Pages/MG2-managing-risk.aspx>

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