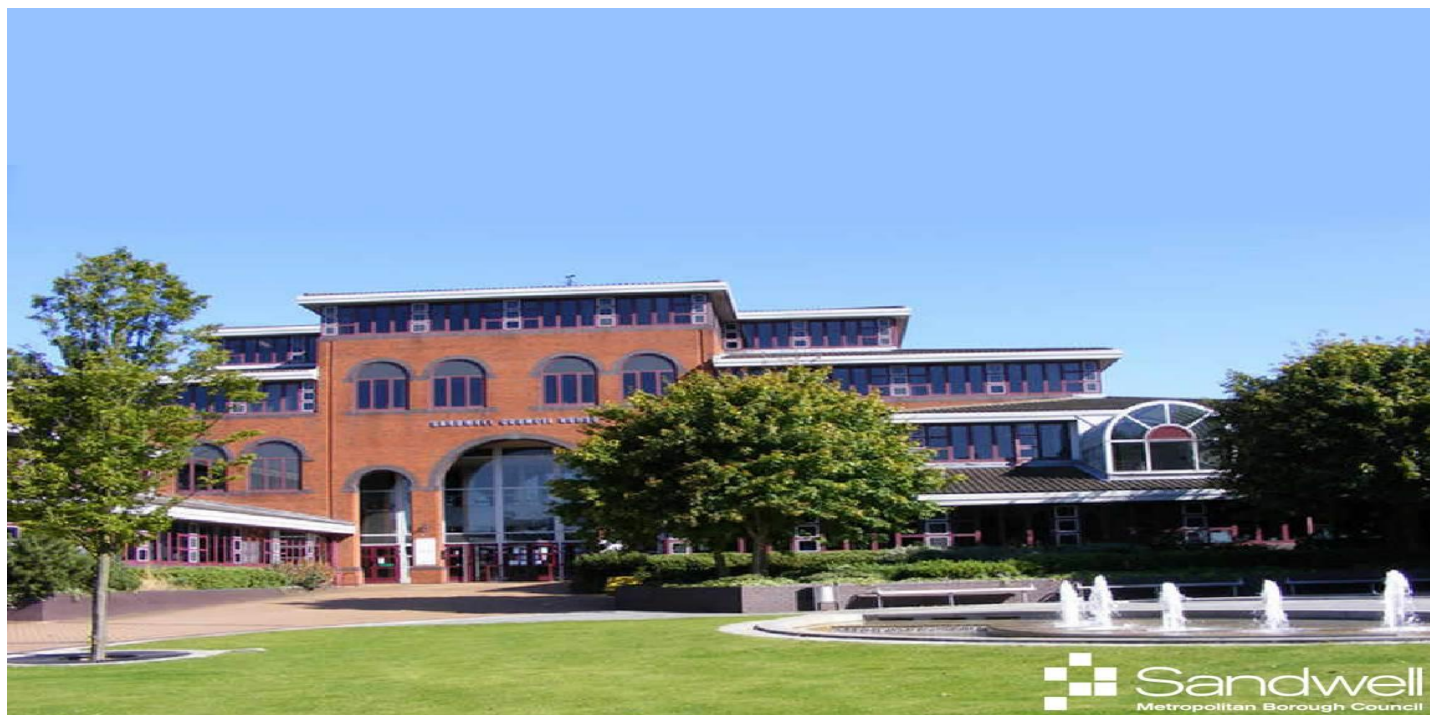


Appendix A

Profile of Current Strategic Risk Scores

RED	25, 48, 49
AMBER	3, 4, 30, 40, 41, 42, 47
GREEN	11, 23, 26

Summary Directorate Risk Register @ September 2022



1. Best start in life for children and young people



2. People live well and age well



3. Strong resilient communities



4. Quality homes in thriving neighbourhoods




5. A strong and inclusive economy





6. A connected and accessible Sandwell



Adult Social Care directorate business plan priorities

1. Joined up health and social care.	2. Accommodation to support needs and enable independence	3. Learning disability - equality and opportunity	4. Adult safeguarding	5. Transformation of social work and therapy	6. Workforce strategy for social work and therapy	7. Manage quality, safety, price and capacity	8. Integrate with health partners-digital offer	9. New domiciliary care contract
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Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
003	<p>Strategic Workforce Development</p> <p>A workforce strategy is in place and links directly with workforce planning and training. This offers existing staff training opportunities to ensure that they are qualified and competent to face service needs. If recruitment and retention are not prioritised within the service and amongst service providers, then there will not be the skilled staff necessary to deliver appropriate social care.</p> <p>Risk owner – Interim Assistant Director - Adult Social Care</p> <p>Priorities impacted: 6</p>	9 (amber)		9 (amber)	6 (green) March 2023	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> • Career development pathway in place to support social care retention and succession planning. • An Occupational Therapist student programme in place to secure university placements. Programmes with Worcester and Wolverhampton Universities. • Student programme and the Assessed and Supported Year in Employment for Social Workers. • A quality team that delivers bespoke training to providers of social care services • Apprenticeships utilising the Apprenticeship Levy to access accredited qualifications. • An apprenticeship programme for social work is in place. • National Minimum Data Set for social care online system used to collect intelligence on workforce data. • Qualification Sponsorship scheme to support employees to obtain recognised qualifications to enhance their work performance and skills. • Annual Training Needs Analysis <p>Further actions</p> <ul style="list-style-type: none"> • A high-level draft Workforce Strategy for Adult Social Care has been completed, however this document will need to be reviewed against the council wide development of vision and culture for the council prior to specific service area action plans being developed (November 2022).



Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
						<ul style="list-style-type: none"> An apprenticeship programme for Occupational Therapy is being developed. To implement Adult Social Care restructure social work and therapy proposals which will deliver the career pathway (November 2022).
004	<p>Social Work and Therapy services not responsive to changes in need and demand</p> <p>If Social Work and Therapy services are not responsive to changes in need and demand, then support provided to local people will deteriorate and performance will suffer.</p> <p>Risk owner – Interim Assistant Director-Adult Social Care</p> <p>Priorities impacted: 6</p>	9 (amber)		9 (amber)	6 (green) March 2023	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Ongoing review of systems to accommodate changes in government policy and matters of performance. Independent Living Team and social work meetings held with Joint Consultative Committee monthly. Internal Performance and Quality Meetings held monthly. Performance monitoring through the Sandwell Adult's Safeguarding Board. A Principle Social Worker post is in place to support development in practice. <p>Further actions</p> <ul style="list-style-type: none"> Workforce Strategy to be fully implemented (March 2023)



Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
011	<p>Industrial relations and Staff Deployment</p> <p>There is a risk that there will be industrial relations and staff deployment issues associated with the magnitude of forthcoming changes as a consequence of service transformation and as a result of any changes in working practice due to Covid-19.</p> <p>Risk owner – Assistant Director of Direct Services</p> <p>Priorities impacted: All</p>	6 (green)		6 (green)	3 (green) October 2022	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> • Monthly meeting of Adult Social Care Joint Consultative Committee and associated subgroups. • Close liaison with members to brief and advise on progress. • Regular staff briefings by Managers. • Increased utilization of inhouse services has reduced risk of industrial tensions within the service. • Service Design for our in-house Learning Disability Services has been completed and will go live in October 2022. <p>Further actions</p> <ul style="list-style-type: none"> • STAR review currently taking place and will be completed by October 2022. • Transport review ongoing taking into account the future use of the fleet on a corporate needs basis.


Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
023	<p>Procurement and contract management</p> <p>If management of the procurement process and ongoing contract management across Directorates is not effective, it can potentially result in a challenge from unsuccessful bidders.</p> <p>Risk owner – Service Manager-Business Management</p> <p>Priorities impacted: 2, 4, 5, 7 and 9</p>	4 (green)		4 (green)	4 (green) Achieved	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Legal support is in place. All key service area procurement activity has been identified. Local systematic checks and balances implemented along with governance arrangements. Revised policies and procedures for procurement to ensure compliance with revised legislation. Expert advice from QC sought and external legal opinion in relation to specific contracts and awards when required. <p>Further actions</p> <ul style="list-style-type: none"> Step to step guide to support consistency of practice (October 2022). Ensure all staff are familiar with the recent changes to the Council's Procurement and Contract Procedure Rules (August 2022).
025	<p>Resilience in the Care Market</p> <p>If appropriate ongoing assurances regarding the financial and operational viability of companies commissioned by the Authority to provide services are not obtained, then there could be significant implications and unplanned financial consequences for the Authority if the providers cease to operate.</p> <p>Risk owner – Assistant Director - Commissioning, Integration & Safeguarding Board</p> <p>Priorities impacted: 2, 4 and 7</p>	16 (red)		16 (red)	12 (red) December 2022	<p>This risk is concerned with the financial viability of social care providers which has a potential for the provider being unable to continue operating, thereby the existing market and handing back contracts for the provision of care to the council. The risk has become more significant due to increased cost pressures providers are facing which include, the introduction of the National Living Wage; apprenticeship levy; auto enrolment and increased pension costs and care worker travel and sleep in costs, and this is reflected in the assessment of this risk. This is now further exacerbated by the current inflation cost of living expenses and spiralling fuel cost.</p> <p>The market is experiencing critical pressures in the recruitment and retention of care and nursing staff.</p>

Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
						<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Financial and supply chain risk assessments are undertaken at tender and pre-qualification stages of the procurement process. Robust performance and contract management arrangements are in place for individual contracts. Ongoing collation and review of 'soft information' on providers to identify any providers of concern prior to becoming operationally unviable. All new procurements undertaken with PQQ and financial assessment as standard, where the legislation permits. Review of supported living and day care provider markets completed, framework of providers and payment schedule established. Cost of Care exercise completed and Cabinet approval for payment to care providers received in July 2022. Protocol for market failure has been drafted. Business Continuity Plans in place. <p>Further actions</p> <ul style="list-style-type: none"> Need to engage with the market and implement the framework. Need to cap supported living that is equivalent to the domiciliary care rate (September 2022). Take market failure protocol through governance at the Black Country Integrated Care Board before presenting it to the Commissioning Board (December 2022). Distribution of an additional workforce grant to be distributed once guidance and allocation is confirmed (September 2022). Produce an ongoing live market position statement (September 2022).

Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
026	<p>Strategic Safeguarding and Partnership Working</p> <p>If partners in the Sandwell Safeguarding Adults Board (SSAB) and other related Boards fail to engage in the Safeguarding agenda then they will fail to meet their statutory responsibilities, and this could have an adverse impact on the systems designed to safeguard adults with care and support needs, resulting in poorer direct outcomes of Sandwell citizens.</p> <p>Risk owner – Principal Social Worker</p> <p>Priorities impacted: 1, 4, 7 and 8</p>	6 (green)		6 (green)	3 (green) December 2022	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Multi agency procedures are in place that align to West Midlands agreed procedures as well as national guidance and legislation, including the Care Act 2014. Compliance with these procedures is monitored by the Sandwell Safeguarding Adults Board. Learning and implementation of actions from Safeguarding Adult Reviews to ensure that improvements are made in the way organisations work together and share information. Sandwell based response to Care Act Easements developed including advice and guidance to staff regarding appropriate application and impact of ethical framework. All Statutory Board and Partnership Managers are working together to share effective strategies. Annual review of the place-based plan. <p>Further actions</p> <ul style="list-style-type: none"> Develop a Strategic Plan which sets out the key priorities for the Safeguarding Adults Board and member organisations (December 2022). A comprehensive multi-agency learning and development plan is being developed on the basis of any corporate learning needs analysis undertaken (October 2022).

Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
030	<p>Deprivation of Liberty Safeguards (DoLS) If we do not identify sufficient funding and engage independent assessors to complete the number of DoLS received, then the authority will not discharge its statutory responsibility, putting vulnerable individuals at risk and placing the authority open to a legal challenge.</p> <p>Risk owner – Interim Assistant Director-Adult Social Care</p> <p>Priorities impacted: 3, 4 and 7</p>	8 (amber)		8 (amber)	4 (green) October 2023	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> The Council has a supervisory body in place that meets quarterly. Budget identified and allocated for 2022-2023. Best Interest Assessor Framework in place. Mental Health Assessors Framework in place and contract with Black Country Mental Health Partnership Trust. Contract with POhWER that's supports DoLS service. This contract is in force until April 2023 and includes the aspects of the new legislation of Liberty Protection Safeguards (LPS). Attendance at Regional Deprivation of Liberty (DoLS) Group. <p>Further actions</p> <ul style="list-style-type: none"> Recruitment of AMCP posts which will reduce reliance on external Best Interest Assessors in the lead up to the implementation on LPS (March 2023). New contract to cover the new legislation of LPS (October 2023).
040	<p>Personal Budgets/Direct Payments Audit undertook a review of personal budgets in Adult Social Care which concluded in February 2021, this identified limited assurance over the adequacy over the controls used as part of the processes to mitigate risks to an acceptable level. If the recommendations are not implemented further audits may continue to give limited assurance.</p> <p>Risk owner Service Manager- Business Management</p>	9 (amber)		9 (amber)	6 (green) October 2022	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Consideration of the audit has been undertaken and a detailed action plan has been submitted. Additional staffing resource is required to undertake the necessary actions identified. Project Review Officer and two additional Payment Review Officers now in post. <p>Further actions</p> <ul style="list-style-type: none"> Procedural matters and recommendations have been implemented and work is currently being undertaken to identify a work programme for the next months.

Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
	Priorities impacted: 5					
041	<p>Appointeeship Unit Notifications received that the prepaid card issuing bank is to close with effect from October 2022, a new card holder provider needs to be identified, contracted and in place by this date. There are currently 400 service users that this affects, services required to provide access to funds by clients. In addition, SMBC currently has approximately £2 million of clients' money invested with this provider and needs to make arrangements to remove and re-invest.</p> <p>Risk owner – Service Manager-Business Management</p> <p>Priorities impacted: 7</p>	9 (amber)		9 (amber)	3 (green) October 2022	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Alternative investment provider has been identified. <p>Further actions</p> <ul style="list-style-type: none"> To develop a programme strategy to move money and bank accounts to new provider (October 2022). Currently working with provider to implement and resolve issues with timescale in relation to implementation and transfer of bank details and provision of staff training. Extension sought from existing provider.
042	<p>Community Care Business Unit (CCBU) - Non Residential Charging (NRC) If the council does not comply with the Care Act 2014 and in particular following a court ruling in December 2020 (Norfolk) which directed that councils were required within their charging policy to adhere to the Care Act guidance 2014 and to consider whether the policy disproportionately disadvantaged particular routes of the community, then this could result in inappropriate charging and reputational harm.</p>	9 (amber)		9 (amber)	6 (green) February 2023	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Counsel advice has been sought to identify issues and consider how to resolve. Permission sought, and consultant engaged to facilitate to review policy and development of operational procedures. A review of the existing non-residential charging practice has been undertaken. Report went to Cabinet on 18 May 2022, approval granted for consultation on three models of charging, immediate clarification of current policy and principles for future models.

Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
	<p>Risk owner – Service Manager-Business Management</p> <p>Priorities impacted: 2</p>					<ul style="list-style-type: none"> Detailed operational procedure notes for CCBU NRC staff have been reviewed and agreed A communications Plan is in place. <p>Further actions</p> <ul style="list-style-type: none"> A consultation outcome report due back to cabinet on the 16 November 2022 for implementation in February 2023.
047	<p>Liberty Protection Safeguards (LPS) If the Council does not respond to the changes in the Mental Capacity (Amendment) Bill 2019, (initially to be enacted from the 1st April 2022 and now delayed) then the council would not be legally compliant with our statutory duties.</p> <p>Risk owner – Interim Assistant Director-Adult Social Care</p> <p>Priorities impacted: 3, 4, 5 and 7</p>	8 (amber)		8 (amber)	4 (green) June 2023	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Completion of the Liberty Protection Safeguards (LPS) Equality Impact Assessment to support the proposed LPS Model in Sandwell. Extension of the existing POHWER Contract to support the wider remit of the IMCA Advocacy role across the local area of Sandwell. <p>Further actions</p> <ul style="list-style-type: none"> To extend the current IMCA Advocacy Service to meet the assumed modelling of increased demand and wider remit for IMCA's to support Liberty Protection Safeguards (June 2023). To develop a workforce strategy to implement Liberty Protection Safeguards that includes recruitment of staff into specialist Approved Mental Capacity Professional (AMCP) roles with a regulatory framework for all AMCP roles across the Local area. (March 2023). To develop an operating model in accordance with Cabinet approval (June 2023). To develop a Training Matrix for the implementation of Liberty Protection Safeguards in Sandwell and Competency Framework (November 2022). To develop an LPS Organisational Readiness Audit Tool and share with partners for their use in their own organisational preparedness and provide a baseline for potential to establish an integrated team (November 2022).

Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
						<ul style="list-style-type: none"> To develop a Memorandum of Understanding with Health Trust, Clinical Commissioning Groups and Children's Trust (December 2022). Awaiting confirmation from DHSC of funding for the implementation of Liberty Protection Safeguards and any ongoing funding (March 2023).
048	<p>Adult Social Care Charging Reform From October 2023 the government plans to introduce a new £86,000 cap on the amount on anyone in England will have to spend on their personal care over their lifetime.</p> <p>The impact of the care cap will create a significant increase in the number of social work assessments required and additional staffing.</p> <p>The business needs new ways of working and IT solutions to administer charging in accordance with the guidance prior to October 2023.</p> <p>Risk owner – Service Manager-Business Management/ Interim Assistant Director- Adult Social Care</p> <p>Priorities impacted: 6 and 7</p>	n/a	n/a	16 (red)	8 (amber) October 2023	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Guidance has been issued to councils setting out how this will work. The Cost of Care Board and the Charging Reform Board have been established as the decision-making bodies for this project. Resource requirement identified and programmed at Adult Social Care Systems Governance Board. <p>Further actions</p> <ul style="list-style-type: none"> The Council needs to assess and understand the market and implement procedures and processes to ensure that they are able to meet this requirement. Once the Minimum Viable Product specification (MVP) has been agreed by the government for development by IT providers the council will work with LAS/CONTROCC to purchase and implement the solution enabling the assessment and metering of clients towards the cap (ongoing). Once the base data is understood, a timeline will be developed to meet the changes (October 2022). The Council will need to assess the impact of the additional work within Adult Social Care and CCBU and make any necessary adjustments to staff in advance of the soft go live in April 2023 and full implementation by October 2023.

Risk Ref	Risk Title and Description	Previous score (June 22)	Movement in score	Current score (Sept 22)	Target score and date	Progress to Date (incl. current risk mitigating controls and further actions to be taken to manage risk)
049	<p>Fair Cost of Care</p> <p>The Government has mandated that every local authority must complete a fair cost of care exercise for domiciliary care and older peoples residential and nursing home care. This has to be concluded by October 2022, reported to the Department of Health and Social Care and published on the council's website.</p> <p>There is a further requirement to produce a market sustainability plan in draft by October 2022 and a final version published in February 2023.</p> <p>The outcome of the fair cost of care exercise will result in a significant financial pressure for the council in the region of £15 million. Although government funding is available for a three-year period, it is not expected to cover these increased costs.</p> <p>There is then a further risk that the remaining elements of the care and support market currently excluded from the fair cost of care exercise will not be sustainable without further significant investment, so a further internal cost of care exercise will need to be completed.</p> <p>Risk owner – Assistant Director - Commissioning, Integration & Safeguarding Board</p> <p>Priorities impacted: 7</p>	n/a	n/a	16 (red)	8 (amber) April 2023	<p>Current and ongoing controls</p> <ul style="list-style-type: none"> Working with ARCC HR Limited to complete the fair cost of care exercise and market sustainability plan. Cabinet report will be presented to cabinet on the 12 October 2022. This will outline the impact of the cost of care exercise and how we intend to support the market with the government allocations that have been made to date. Engagement event to be planned with market to consider options of none financial support elements which could support their sustainability, such as support with recruitment and retention of staff. <p>Further actions</p> <ul style="list-style-type: none"> Plan how we can work towards meeting cost of care once government allocations for 2023/24 and 2024/25 have been confirmed (April 2023). Ongoing dialogue with legal to ensure compliance with statutory Care Act duties and consideration of affordability (December 2022).

