

Risks

Risks

00001 The risk of a serious safeguarding error where the council has responsibility, resulting in serious harm or death

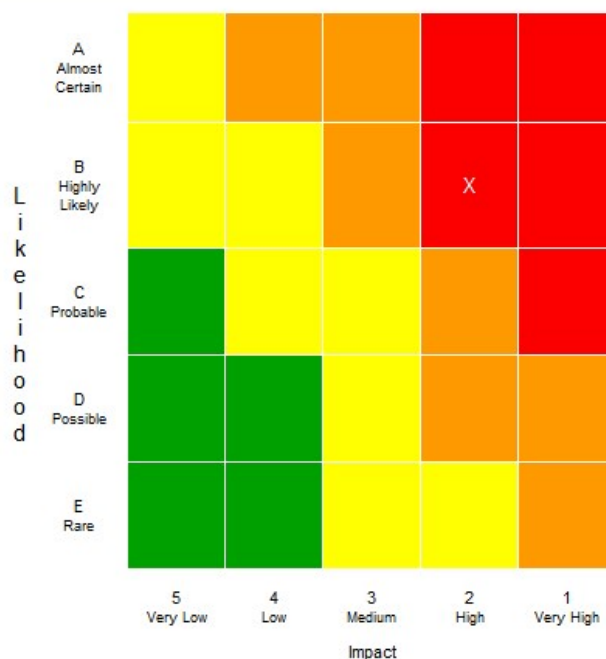
Description

This risk - concerning children and vulnerable adults - is increasing as the environment is changing, with growing expectations around our duties in relation to 3rd party provision. The cumulative impact of reducing resources across the public sector may impact agencies' ability to appropriately recognise safeguarding risks which may also create extra pressures for the Local Authority.

Impact / Consequences

1. Significant reputational loss.
2. Possible intervention by Welsh Government.
3. Legal/compensation costs.

Inherent Risk



Controls to Manage Risk (in place)

1. Safeguarding policy & procedures are in place
2. Corporate Safeguarding Training Programme.
3. Wales Interim Policy & Procedures for the Protection of Vulnerable Adults from Abuse.
4. Framework of self-assessment for schools in relation to safeguarding has been established.
5. Section 28 Audits, and annual reporting requirement for services to demonstrate how they are discharging their duties in relation to safeguarding.
6. Section 28 audit tool in place for voluntary sector to ensure safeguarding practices are in place.
7. Compliance with safeguarding practises is part of the annual HR audit of schools.
8. Regional arrangements for safeguarding a) children and b) vulnerable adults are in place. The regional safeguarding boards set priorities and actions regionally, eg training and policies & procedures.
9. Middle Managers Conference focussing on Safeguarding, November 2014
10. Risk assessments in place for recruiting staff who require a DBS check and/or references
11. Safeguarding policy review has taken place with Schools and new guidance has been developed
12. Corporate Safeguarding Panel has been reviewed including the terms of reference, roles and responsibilities.
13. Heads of Service have been asked to ensure they consider safeguarding when reviewing their risk registers and that safeguarding be included in service challenge where appropriate.
14. Key posts within the Council that could have an impact on safeguarding have been identified and Heads of Service are reviewing the posts to ensure that adequate checks are undertaken by the Council or and external body. All new employee contracts make reference to safeguarding.
15. Briefing sessions on safeguarding and Child Sexual Exploitation have been delivered to County Council and the Leader has included corporate safeguarding in his portfolio.
16. Improvements have been made to safeguarding arrangements with contractors including (i) DBS contract checks, (ii) ensuring that Council staff responsible on site for the contractor and managing the tendering / contract process are clear of thier responsibilities in respect of safeguarding, (iii) ensuring contacts terms and conditions (including JCT) in relation to DBS checks are appropriate, (iv) ensuring that self-assessment arrangements as part of contract management are appropriate.
17. The Corporate Safeguarding Policy has been reviewed and updated in line with new legislation.

Residual Risk



Further Actions

00050 Task and Finish Group to be established to consider local risks associated with Child Sexual Exploitation, and lessons learned from Rotherham and elsewhere

Action Due Date

31/12/2016

Person Responsible

Nicola Stubbins

00061 Develop a formal mechanism for recording and sharing safeguarding incidents and near misses

Description

This is a standing item on the Corporate Safeguarding Panel agenda. We will also share case reviews where there is a corporate perspective for lessons learned.

As part of the development of the CRM system, we will look at the feasibility of having a corporate system for recording safeguarding incidents.

Service representatives will report any key messages from Panel meetings to members of staff within their services.

Action Due Date

30/06/2017

Person Responsible

Nicola Stubbins

00063 Corporate Safeguarding Training Package

Description

corporate safeguarding training package is currently being developed by the Learning & Development Specialist (HR).

Action Due Date

31/03/2017

Person Responsible

Catrin Roberts

Lead Member(s)

Councillor Bobby Feeley

Active

Yes

Risk Owner

Nicola Stubbins

00006 The risk that the economic and financial environment worsens beyond current expectations, leading to additional demand on services and reduced income.

Description

The latest settlement was equal to the lowest anticipated, and the next one will probably also be very low, affecting our ability to effectively plan for the medium term.

Impact / Consequences

The council suffers from a significant reduction in income, leading to an inability to deliver current levels of service provision.

Inherent Risk



Controls to Manage Risk (in place)

1. The council has no control over the global economy or the WG settlement. Therefore the inherent risk score likely to remain high.
2. Annual, detailed budget setting process that considers economic environment
3. The Medium Term Financial Plan (MTFP) contains different scenarios to ensure it can deal with changes in the external environment, and is considered on a quarterly basis: it has revised its expectations further downwards.
4. A robust budget-setting process raises awareness of implications of significantly reduced income due to the economic environment. It also identifies a range of proposals should cuts be incurred.
5. Regular (usually monthly) financial planning meetings between services and management accountants are in place.
6. Service's budgets and budget proposals are scrutinised by the Lead Member for Finance and the Head of Service during budget-setting talks.

Residual Risk



Further Actions

00069 2017/18 Budget Process

Description	Completion of the 17/18 budget process leading toward the Local Government Elections.
Action Due Date	01/02/2017
Person Responsible	Richard Weigh

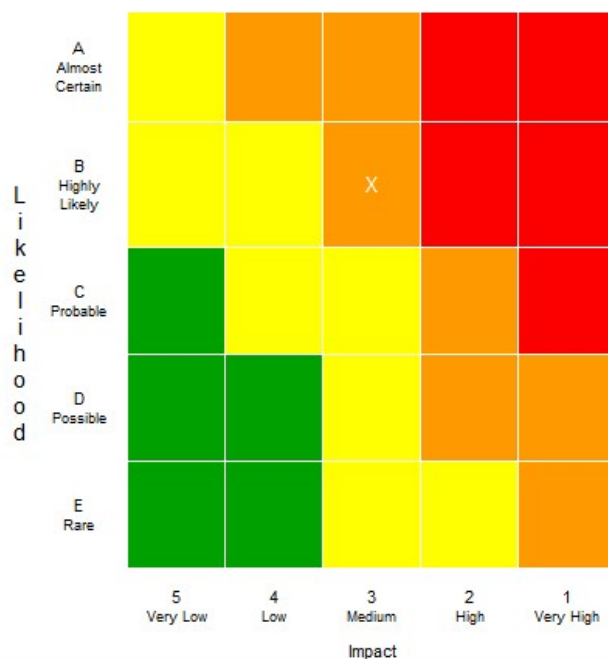
Lead Member(s)	Councillor Julian Thompson-Hill
Active	Yes
Risk Owner	Mohammed Mehmet

00007 The risk that critical or confidential information is lost or disclosed.

Impact / Consequences

1. Reputational damage.
2. Criticism from external regulators (e.g. WAO conducting a review of information management across Welsh Authorities in 2012).
3. Fines from the Information Commissioner's Office (precedent of fines of up to £130k for single breach of Data Protection Act).

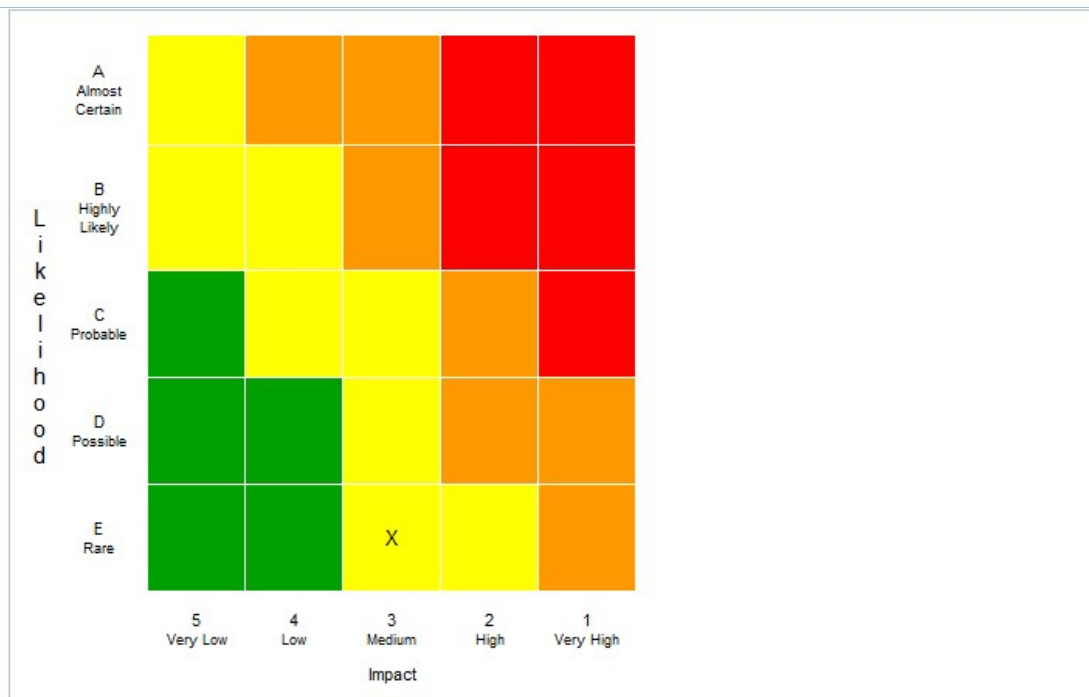
Inherent Risk



Controls to Manage Risk (in place)

1. The council has PSN accreditation
2. Retention schedules and file plans are incorporated into all EDRMS implementations.
3. Staff workshops delivered on good archiving practices.
4. Printer process now supports staff to collect printing when visiting the printer.
5. EDRMS project being rolled out.
6. Addresses are double-checked by a second member of staff when sending out sensitive information.
7. Information strategy in place.
8. Strategic Information Risk Officer in place who investigates breaches and creates and action plan for prevention after each one.
9. Enforcing the encryption of any removal media used to download information from our network.
10. Introduction of secure e-mail: Egress.
11. Data Protection elearning completed by all office-based staff across the Council (currently at 91% completion rate).
12. Refresh of intranet pages.
13. Privacy Impact Assessments introduced for council projects that involve processing of personal data
14. File amnesty day introduced.
15. E-learning package is in place and is being rolled out.
16. ICT Security Officer is now in post.
17. New Information Security Policy in place.

Residual Risk



Further Actions

Lead Member(s)

Councillor Barbara Smith

Active

No

Risk Owner

Rebecca Maxwell

00011 The risk of an ineffective response to a severe weather, contamination, or public health event.

Description

Services plan for the impact of expected seasonal variations in weather, but severe weather events can impact on service delivery. Similarly, we put plans in place to monitor food, water and air quality, but any contaminations can impact on service delivery, as would any viral pandemics.

Impact / Consequences

1. Significant disruption to core services.
2. Serious injury or fatality due to road network closure, poisoning or infection.
3. Reputational risk to the council if unable to deal with issues.

Inherent Risk



Controls to Manage Risk (in place)

1. The control environment in this area is the Regional Emergency Planning Service (Wrexham, Flintshire, Denbighshire, Conwy, Gwynedd and Anglesey), and local emergency management response groups have been established.
2. We also continually review our procedures for winter highways maintenance and flood response. Secondary rota established and operational.
3. Service disruption is minimised through our arrangements for business continuity and emergency planning, with separate Directors responsible for Response and Recovery.
4. There's an on-call rota in place for CET.
5. Emergency Planning Response report taken to Partnerships Scrutiny in June 2015.
6. Vulnerable people mapping tool is in operation.
7. New chairs for the Communications and Operational Response Groups have strengthened arrangements.

Residual Risk



Further Actions

00032 Major incident handbook to be finalised

Action Due Date	31/12/2016
Person Responsible	Rebecca Maxwell
Lead Member(s)	Councillor David Smith
Active	Yes
Risk Owner	Rebecca Maxwell

00012 The risk of a significantly negative report(s) from external regulators.

Impact / Consequences

1. Reputational damage.
2. Potential intervention by the WG.
3. Significant resources may be required to be diverted to deliver immediate and substantial change.
4. Regulation we're subject to includes: CSSIW (Care and Social services Inspectorate Wales); WAO Office; Estyn; HSE (Health & Safety Executive); ICO (Information Commissioner's Office)

Inherent Risk



Controls to Manage Risk (in place)

1. The corporate performance management framework (PMF) is the main control in this area.
2. Head of Business Improvement & Modernisation, Strategic Planning Team Manager and Head of Audit meet monthly with Wales Audit Office to understand and respond to their concerns.
3. Regulators sit on Service Performance Challenges.
4. Reserch & Intelligence team creates Needs & Demands, and Comparative reports to support service self assessment and Service Performance Challenges.
5. Annual Governance Statement and Performance Self Assessment now combined.
6. Protocol developed for addressing recommendations from WAO national studies: services' response will be the subject of performance scrutiny and service challenge.

Residual Risk



Further Actions

Lead Member(s)

Councillor Hugh Evans

Active

Yes

Risk Owner

Rebecca Maxwell

00013 The risk of significant liabilities resulting from alternative models of service delivery

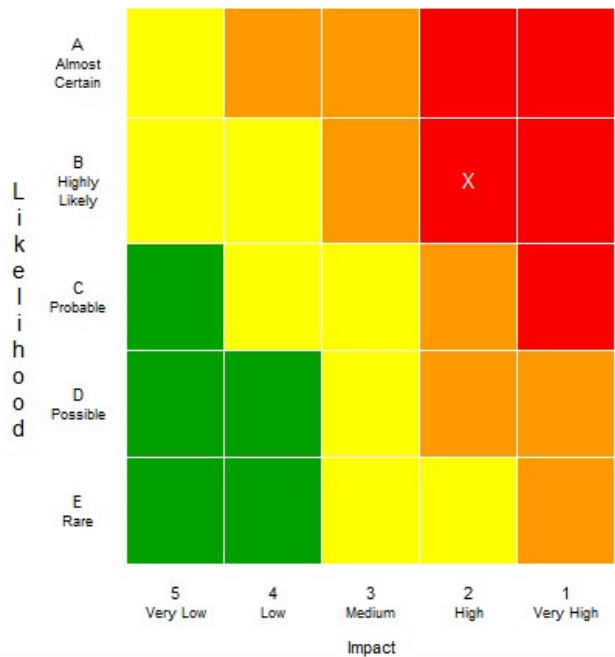
Description

Liabilities could arise due to financial, HR, safeguarding, or general management problems and could impact on the sustainability of service provision

Impact / Consequences

1. Financial liabilities.
2. Property Liabilities.
3. Reduction in levels of service provided to the community, or increased revenue costs to continue delivery.
4. Reputation damage to the council

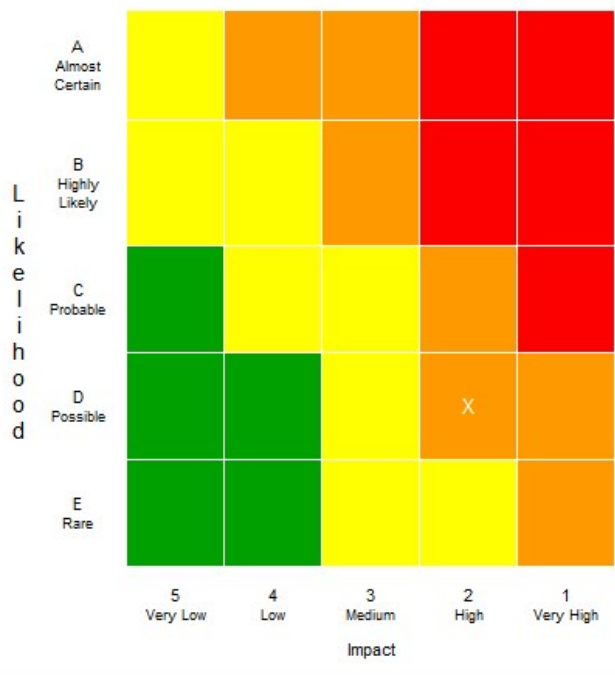
Inherent Risk



Controls to Manage Risk (in place)

1. Council is entitled to representation on Boards, and Heads of Service providing strategic advice to facilities.
2. Heads of Service advise DCC on any emerging issues and risks.
3. Financial support and/or subsidies being provided.
4. Processes are in place to manage relationships between DCC and Arm's Length organisations.
5. Intervention measures are exercised by DCC if relationships with Arm's Length organisations are difficult to manage.
6. Resources have been committed to improve financial monitoring of facilities and services

Residual Risk



Further Actions

00072 Alternative Delivery Model Monitoring

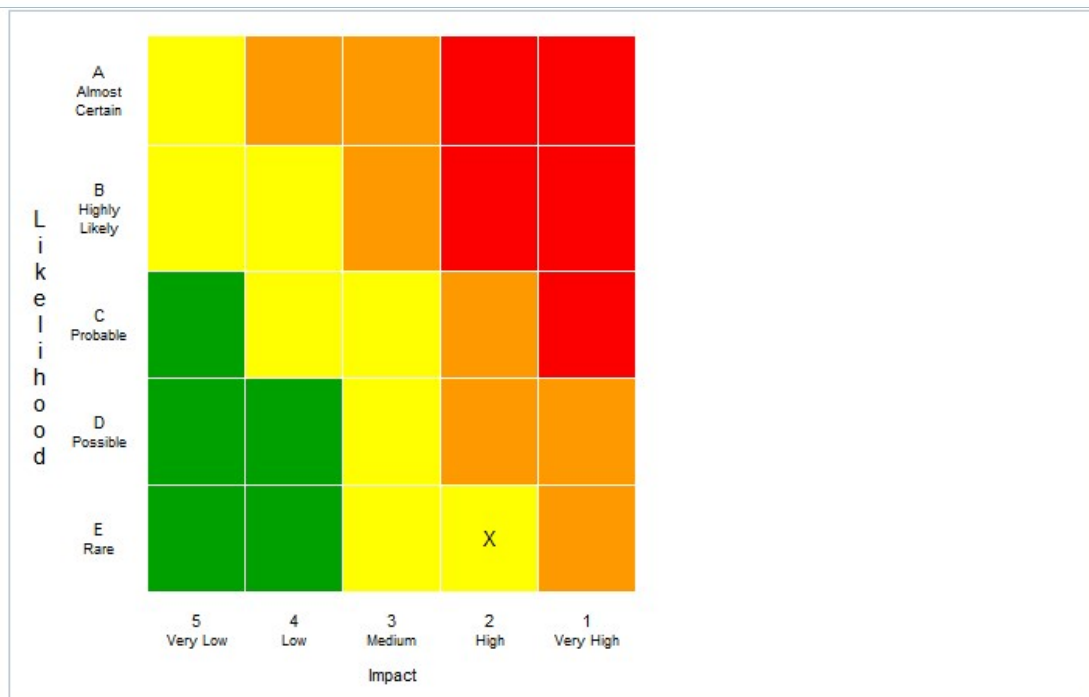
Description	Head of Internal Audit and Chief Finance Officer to identify current services that need to be monitored, assess the effectiveness of current monitoring and determine whether any further monitoring needs to be put in place.
Action Due Date	28/02/2017
Person Responsible	Ivan Butler & Richard Weigh
Lead Member(s)	Councillor Huw Jones
Active	Yes
Risk Owner	Mohammed Mehmet

00014 The risk of a health & safety incident resulting in serious injury or the loss of life.

Description	This could be as a result of an ineffective H&S management system; inadequate fire control systems (infrastructure); or inadequate fire management planning.																																						
Impact / Consequences	<ol style="list-style-type: none"> 1. Serious injury or death of an employee and/or member of public. 2. Significant reputational damage 3. Substantial legal/compensation costs. 4. Criminal prosecution of senior staff. 																																						
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Controls to Manage Risk (in place)	<ol style="list-style-type: none"> 1. New H&S Committee established with representation from each service, plus meetings established with groups of services. 2. Strategic leadership provided by Corporate Director with responsibility for health and safety. 3. Improved efficiency through on-line & phone line incident reporting. 4. Council has existing Health and Safety Management System(s). 5. All DCC teams to identify their activities, consider the hazards associated with the work, describe how the risks are managed and then analyse any gaps in how they are managing the risks. These self analyses are now being monitored by the CH&S team who are going out into the workplaces and providing support, guidance and feedback where it is needed. 6. The H&S training program focuses on in-house provision that is targeted at DCC activities. 7. Links developed with Property Services to manage property-related fire risks 8. Middle managers have developed robust fire management system controls. 9. In-house training and meetings established to embed good practise. 10. Guidance and assistance provided to managers responsible for developing fire management systems. 11. Health & Safety now forms part of the service challenge process. 12. Now mandatory for all managers to undertake the 'Managing Safely in Denbighshire' training.
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Residual Risk



Further Actions

Lead Member(s)

Councillor Julian Thompson-Hill

Active

Yes

Risk Owner

Rebecca Maxwell

00018 The risk that programme and project benefits are not fully realised.

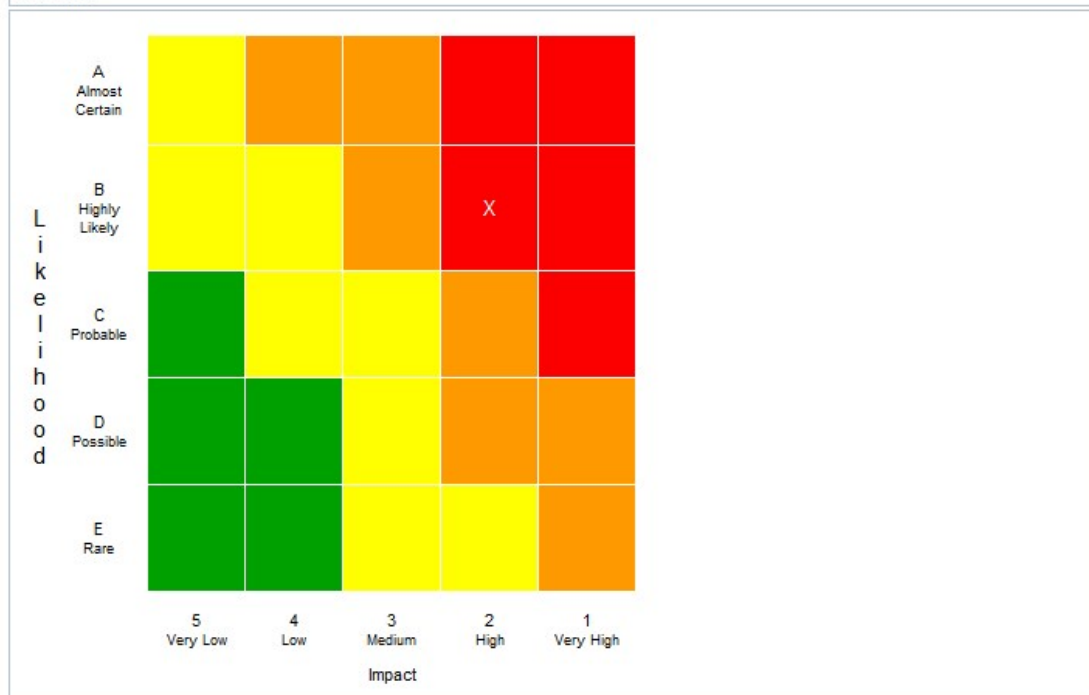
Description

The council currently does not consistently deliver all benefits from projects. Some of the issues include: inconsistent management; resistance to change; staff behaviour and processes not changing as planned. Programmes to be mindful of include: Economic & Community Ambition; Modernisation; Social Services Modernisation; Modernising Education; Coastal Facilities, and Rhyl Going Forward.

Impact / Consequences

The forecast changes that were alluded to in business cases do not materialise and, hence, neither do their benefits

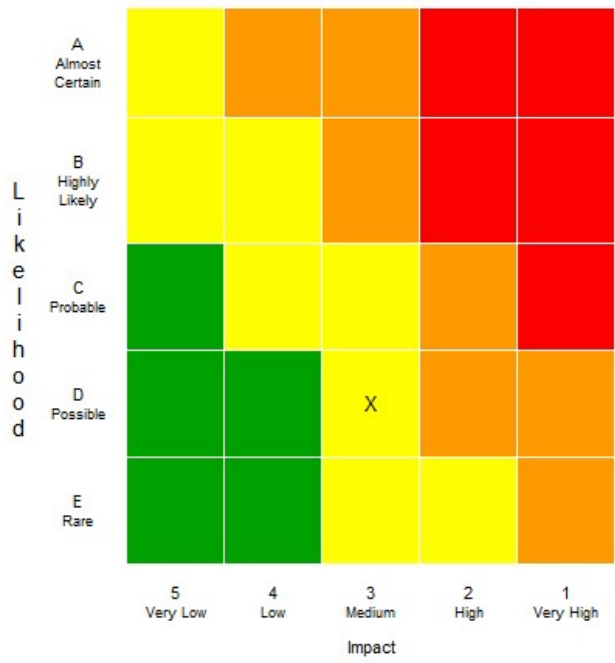
Inherent Risk



Controls to Manage Risk (in place)

1. Corporate Programme Office established.
2. Leadership Strategy in place
3. Programme Manager in place for the Modernisation priority (to co-ordinate projects).
4. Modernisation Board can track projects and their benefits.
5. Introduction of Verto to record benefit tracking.
6. Change toolkits, together with factsheets, are on the intranet to support managers.
7. Finance remove savings from budgets to ensure financial savings are delivered.
8. Denbighshire Way Change Management Guidance has been developed
9. CET reviews key projects every three months

Residual Risk



Further Actions

Lead Member(s)
Active
Risk Owner

Councillor Barbara Smith
Yes
Mohammed Mehmet

00021 The risk that effective partnerships and interfaces between BCU Health Board and Denbighshire County Council (DCC) do not develop, leading to significant misalignment between the strategic and operational direction of BCU and DCC

Description
Impact / Consequences

Now that BCUHB has been placed in special measures there is increased political and regulatory scrutiny. This is resource intensive and further detracts from effective partnership working.

1. Inefficient services
2. Gaps in service provision
3. Delays/failure to deliver joint projects
4. Reputational damage
5. Ability to meet new statutory duties - Wellbeing of Future Generations Bill, Social Services and Wellbeing Act

Inherent Risk



Controls to Manage Risk (in place)

1. DCC presence in Key meetings and Boards looking at implementing integrated new approaches although there is a notable lack of progress on the integration agenda
2. Denbighshire Joint Locality Forum established.
3. Nicola Stubbins appointed Associate Member of BCUHB Board
4. Cllr Bobby Feeley appointed Independent Member (Local Authority) of BCUHB Board
5. NWWASIC has reviewed its governance arrangements in partnership with BCUHB.
6. BCUHB Area Director has been appointed.
7. Locality Structure has bedded in.
8. Implementation of the new Regional Partnership Board to progress cooperation and integration.

Residual Risk



Further Actions

Lead Member(s)

Councillor Bobby Feeley

Active

Yes

Risk Owner

Nicola Stubbins

00027 The risk that the decisions that are necessary to enable the delivery of a balanced budget are not taken or implemented quickly enough

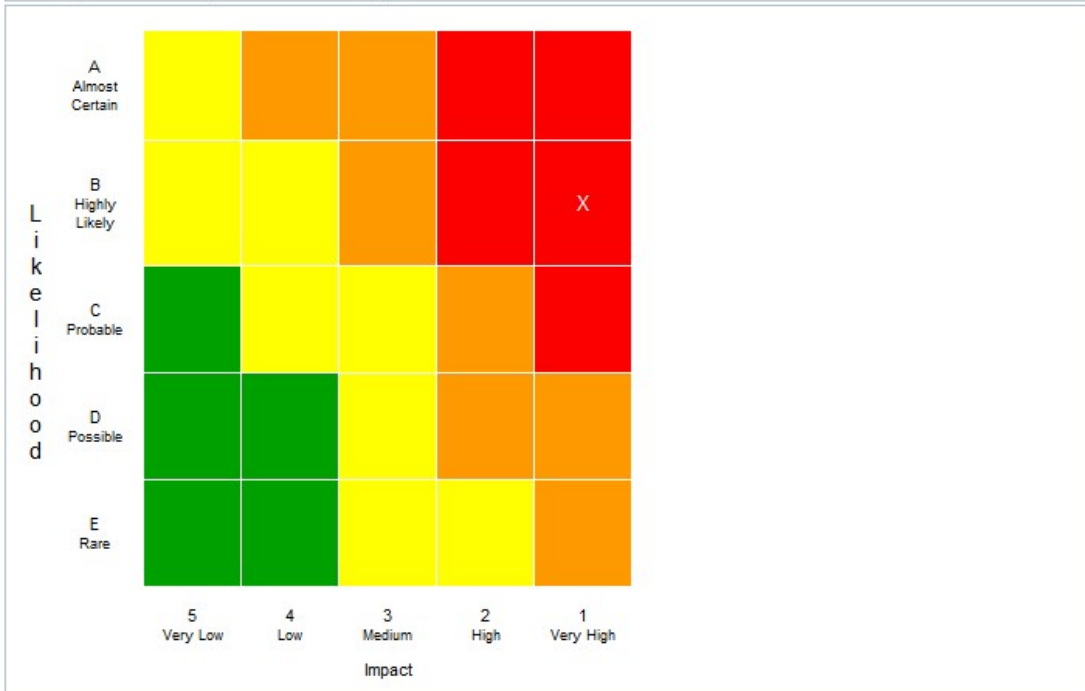
Description

As our settlement reduces, we need to develop and gain approval for plans as to where to stop spending in our budget. Any plans require the approval of Council, and must be implemented in a timely manner that complies with legislation. While the budget process has been successful to date there are still substantial future savings to be made by the Local Authority and the political environment remains sensitive.

Impact / Consequences

Denbighshire overspends on its budget

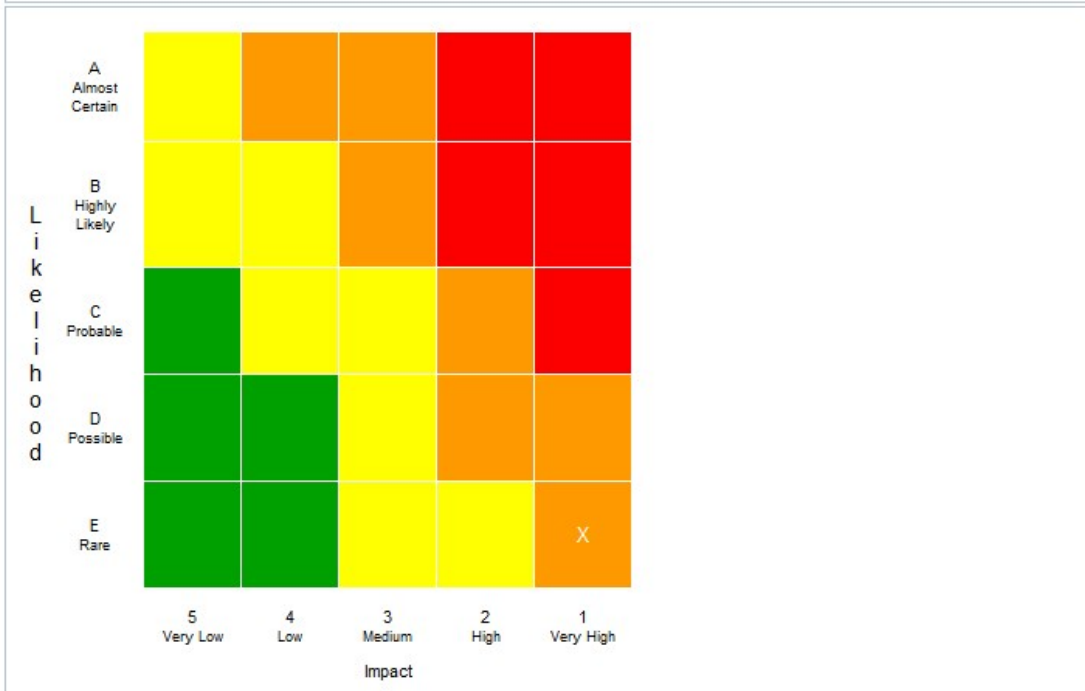
Inherent Risk



Controls to Manage Risk (in place)

1. The budget setting process involves Members, so they understand that difficult decisions are necessary, and they are involved with developing the proposals. This should make them more likely to support the recommendations made.
2. As decisions are becoming harder then lead in times are becoming longer.
3. Services have delivered savings earlier than budgeted which has created a short-term financial cushion.

Residual Risk



Further Actions

Lead Member(s)

Cllr Hugh Evans

Active

Yes

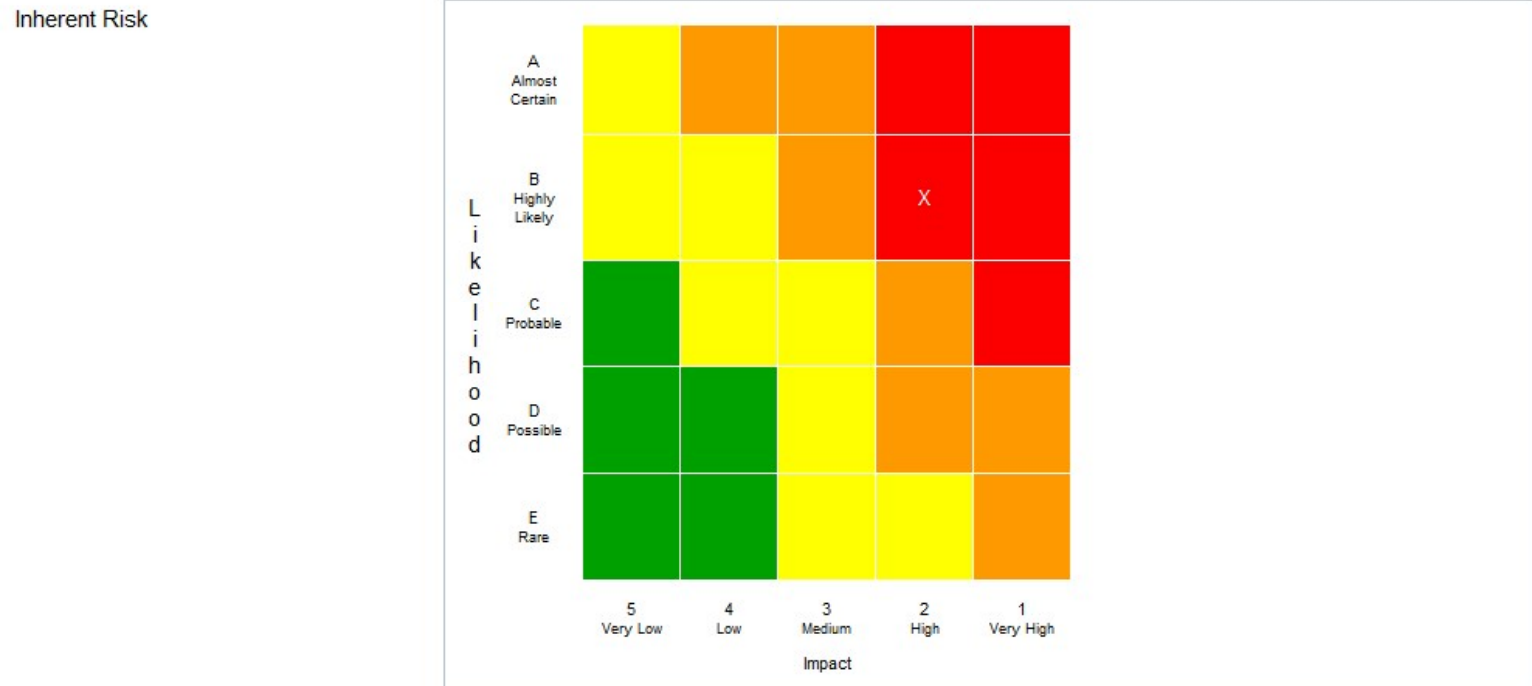
Risk Owner Mohammed Mehmet

00028 The risk that the services that we scale back have a greater positive or negative impact than we anticipated

Description When deciding where to make budget cuts, we endeavour to ensure the quality of key services. There is a risk that we haven't identified the correct services as being 'key', and/or that the changes we make are more disruptive than we anticipated

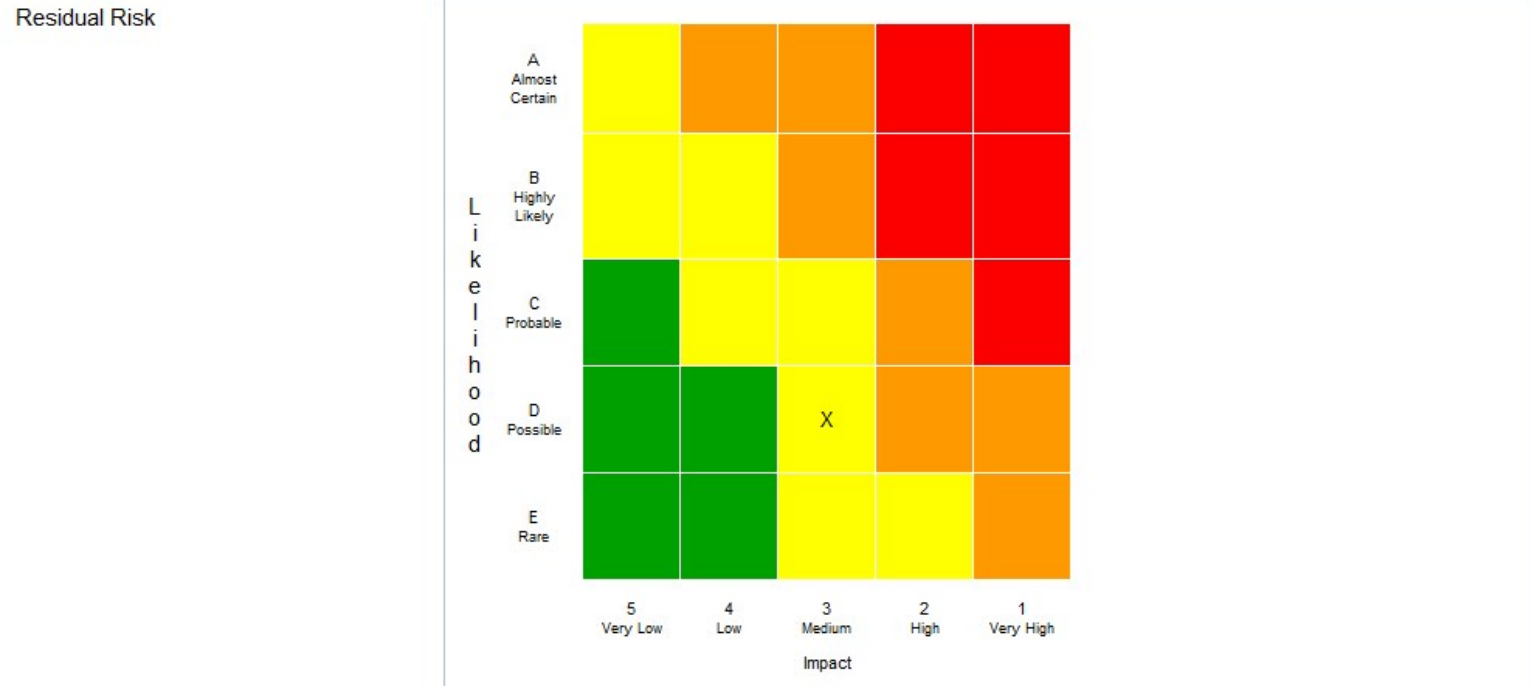
Impact / Consequences

1. Services that are important for our residents are no longer available
2. Performance in important areas of our business (for our residents) deteriorates
3. Reinstatement/correction in performance is difficult and slow to achieve
4. Reputation can suffer if performance deteriorates
5. Reputation can suffer if messages are not managed



Controls to Manage Risk (in place)

1. Impact Assessments are undertaken
2. Cover reports for all decisions ask for risks and benefits to be articulated
3. "Cutting the Cloth" Task and Finish Group established to monitor the impacts



Further Actions

Lead Member(s)	Cllr Hugh Evans
Active	Yes
Risk Owner	Mohammed Mehmet

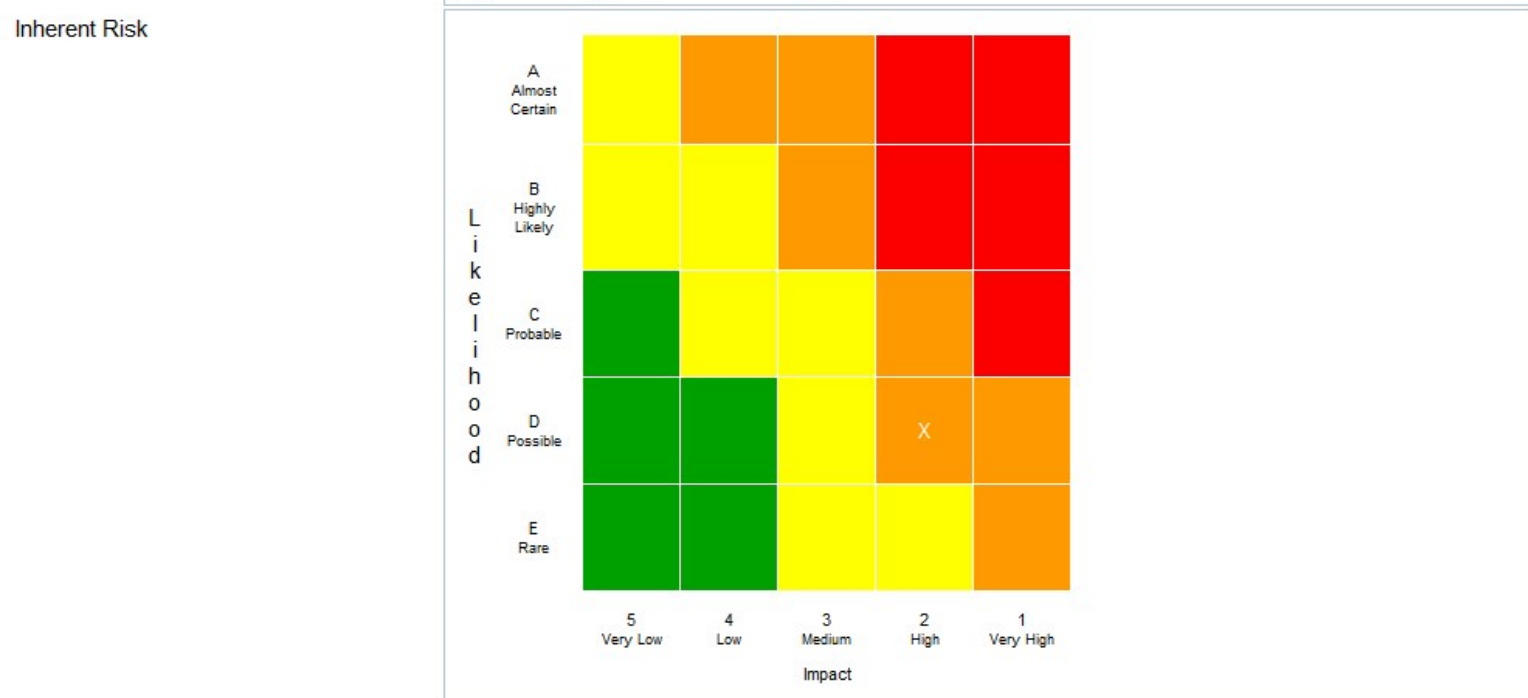
00029 Risk of successful challenge that we are illegally depriving people of their liberty

Description

There is the potential for future legal challenges following the recent Supreme Court ruling on deprivation of liberty. The court ruled that all people who lack the capacity to make decisions about their care and residence and, under the responsibility of the state, are subject to continuous supervision and control and lack the option to leave their care setting are deprived of their liberty. The ruling overturned previous judgements that had defined deprivation of liberty more restrictively. This means that many people are likely to have been deprived of their liberty unlawfully and without safeguards in settings including care homes and supported living placements. This is likely to result in a significant increase in DOLS case numbers regarding care home placements, and also applications to the Court of Protection to authorise deprivations of liberty in supported living. We are already beginning to see the impact of the ruling in Denbighshire.

Impact / Consequences

Legal challenge, reputational damage, financial costs



Controls to Manage Risk (in place)

- 1 Every provider has received a letter describing our pragmatic approach
- 2 Additional staff members have been trained as Best Interest Assessors
- 3 Increased signatory capacity is reducing backlogs following assessment
- 4 New Senior Practitioner in post for DOLS who will manage the process offering support and supervision

Residual Risk



Further Actions

00044 Reviewing

Description	Continue to assess everyone in residential care that we need to
Action Due Date	31/03/2016
Person Responsible	Phil Gilroy
Lead Member(s)	Bobby Feeley
Active	Yes
Risk Owner	Nicola Stubbins

00030 The risk that appropriate capacity and skills to sustain service and corporate performance is not available

Description	The current structure of the Senior Leadership Team has been built on the strength and experience of current postholders. As the number of posts at CET and SLT has reduced there is a concentration of key roles that are critical to the successful delivery of services, and the organisation's ability to respond to policy and legislation. There is a risk that individuals with particular skill sets would be difficult to replace, and the threat of local government reorganisation contributes to difficulties in recruitment due to the uncertainty it creates.
Impact / Consequences	Reputational damage Declining performance

Inherent Risk



Controls to Manage Risk (in place)

1. Greater opportunities for Middle Managers to 'act up' to key posts in order to gain experience at a more senior level
2. Appointment of more senior Middle Managers
3. Leadership Strategy is in place
4. Heads of Service are tested on their succession plans through Service Challenge
5. Quarterly Leadership Conferences held to develop middle managers.

Residual Risk

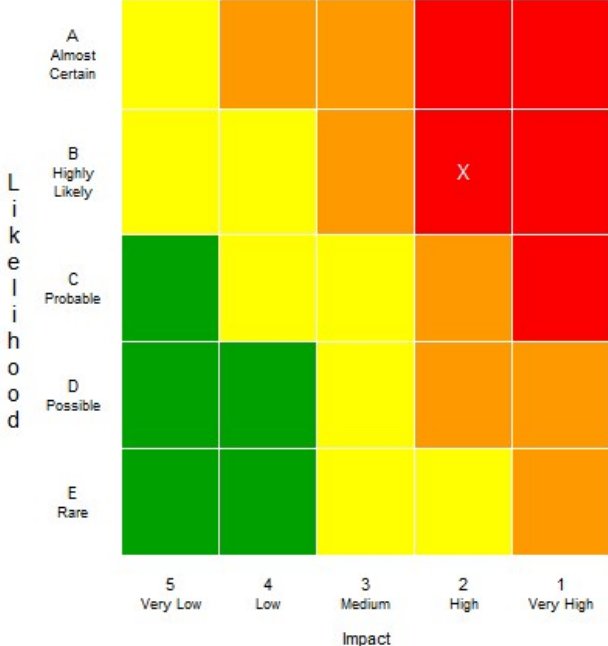


Further Actions

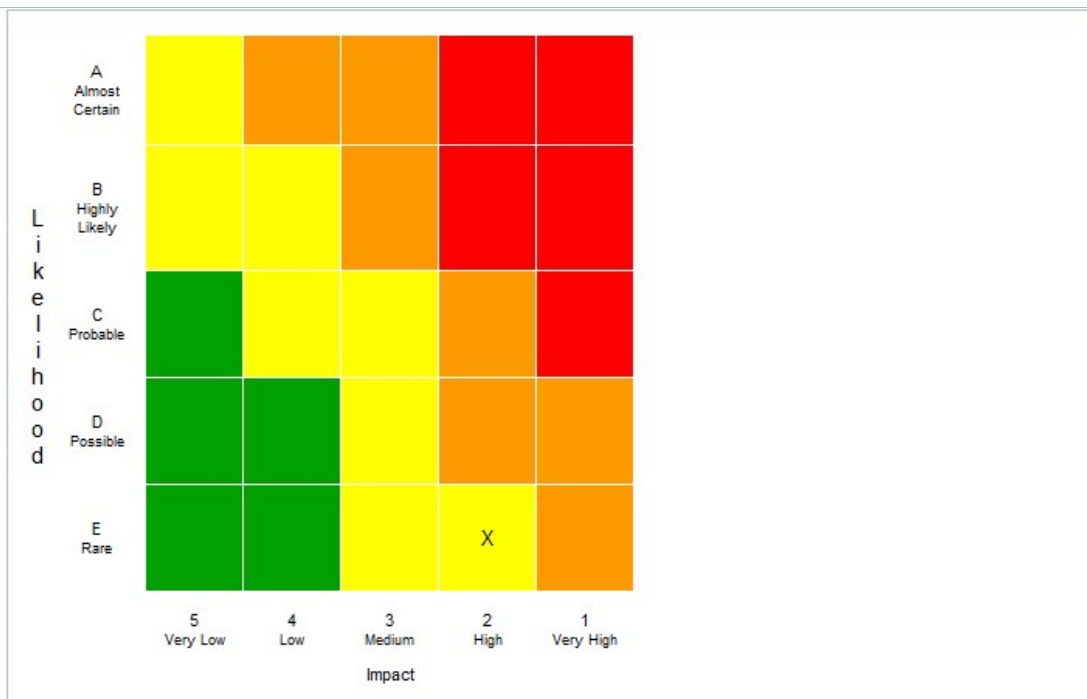
00073 Training Needs Analysis for Senior and Middle Managers

Description	Undertake a training needs analysis for senior and middle managers to ensure training and development programmes meet need, build capacity from within and enable succession planning.
Action Due Date	31/03/2017
Person Responsible	Rebecca Maxwell
Lead Member(s)	Hugh Evans
Active	Yes
Risk Owner	Mohammed Mehmet

00031 The risk of fraud and corruption resulting in financial and reputational loss and possibly impacting on service delivery.

Description	<p>Denbighshire County Council (the Council) employs around 4,500 staff and spends in excess of £300 million per year. It commissions and provides a wide range of services to individuals and households and works with a wide range of private, public and voluntary sector organisations. As with any other large organisation, the size and nature of the Council's services mean that there is an ongoing risk of loss due to fraud and corruption from both internal and external sources. There is also an ongoing risk of bribery as the Council provides and procures goods, works and services.</p> <p>The Council recognises that as well as causing financial loss, fraud is also detrimental to the provision of services, and damaging to the reputation of, and confidence in, the Council and public bodies in general.</p>																																													
Impact / Consequences	<ol style="list-style-type: none"> 1) Financial loss 2) Loss of reputation and confidence in the Council and public bodies in general 3) Negative impact on service provision / delivery 4) Legal / compensation costs 5) Criminal prosecution 6) Negative audit / inspection reports 																																													
Inherent Risk	 <table border="1" data-bbox="464 539 1075 1182"> <tr> <td rowspan="5" style="vertical-align: middle;">L i k e l i h o o d</td> <td>A Almost Certain</td> <td>5</td> <td>4</td> <td>3</td> <td>2</td> <td>1</td> </tr> <tr> <td>B Highly Likely</td> <td>5</td> <td>4</td> <td>3</td> <td>2 (X)</td> <td>1</td> </tr> <tr> <td>C Probable</td> <td>5</td> <td>4</td> <td>3</td> <td>2</td> <td>1</td> </tr> <tr> <td>D Possible</td> <td>5</td> <td>4</td> <td>3</td> <td>2</td> <td>1</td> </tr> <tr> <td>E Rare</td> <td>5</td> <td>4</td> <td>3</td> <td>2</td> <td>1</td> </tr> <tr> <td></td> <td></td> <td>5 Very Low</td> <td>4 Low</td> <td>3 Medium</td> <td>2 High</td> <td>1 Very High</td> </tr> <tr> <td colspan="7" style="text-align: center;">Impact</td> </tr> </table>	L i k e l i h o o d	A Almost Certain	5	4	3	2	1	B Highly Likely	5	4	3	2 (X)	1	C Probable	5	4	3	2	1	D Possible	5	4	3	2	1	E Rare	5	4	3	2	1			5 Very Low	4 Low	3 Medium	2 High	1 Very High	Impact						
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Controls to Manage Risk (in place)	<p>In its policies and procedures the Council gives out the clear message that it will not tolerate any impropriety by employees, elected Members or third party organisations. It has put in place arrangement and proportionate systems to minimise this risk and these are kept under constant review, including:</p> <ul style="list-style-type: none"> • The Code of Corporate Governance • The Code of Conduct for Elected Members • The Employees' Code of Conduct • Financial Regulations including Contract Procedure Rules • The Whistleblowing Policy • The Anti-Money Laundering Policy • Recognition and monitoring of the risk of fraud in service risk registers • Systems of internal control • Recruitment processes • Regular internal and external review of our systems and procedures • Review of Council's anti-Fraud arrangements against the CIPFA Standard 2016 (checklist) 																																													

Residual Risk



Lead Member(s)

Councillor Julian Thompson-Hill

Active

Yes

Risk Owner

Mohammed Mehmet

00032 The risk that the current uncertainty surrounding Local Government Reform (LGR) will lead to a greater focus on transition and therefore reduce the ambition of our plans.

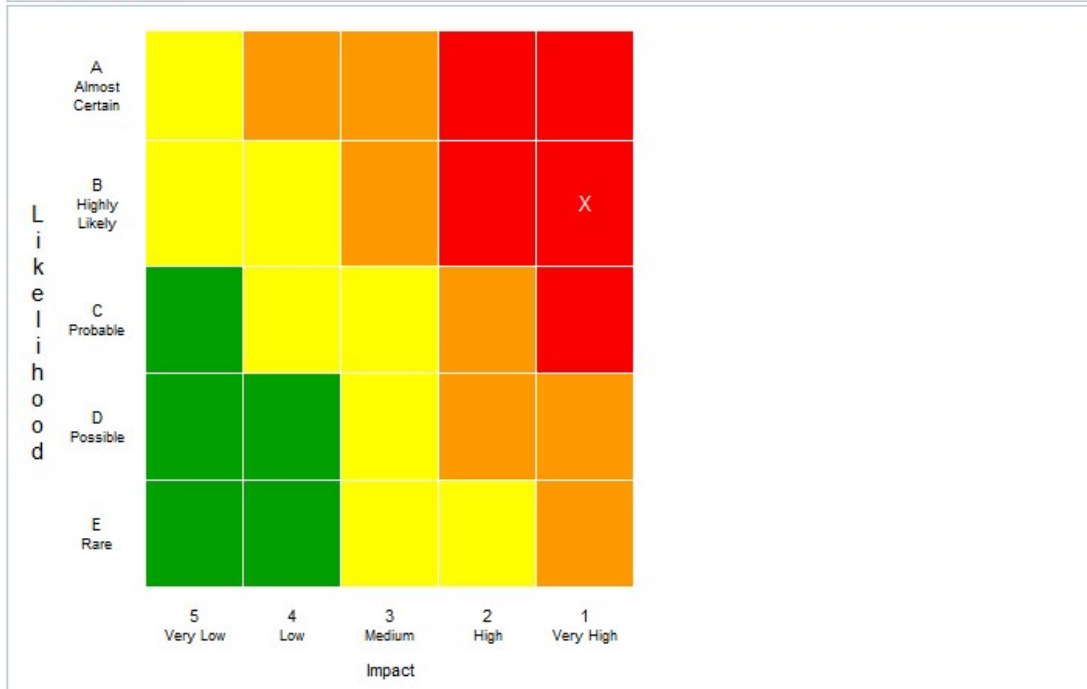
Description

There is a risk that the current uncertainty surrounding Local Government Reform (LGR) will lead to a greater focus on transition and therefore reduce the ambition of our plans (planning blight). This would have particular affect on the new Corporate and Wellbeing Plans.

Impact / Consequences

Our plans are less ambitious than they could be and service delivery changes required to sustain services may not happen.

Inherent Risk



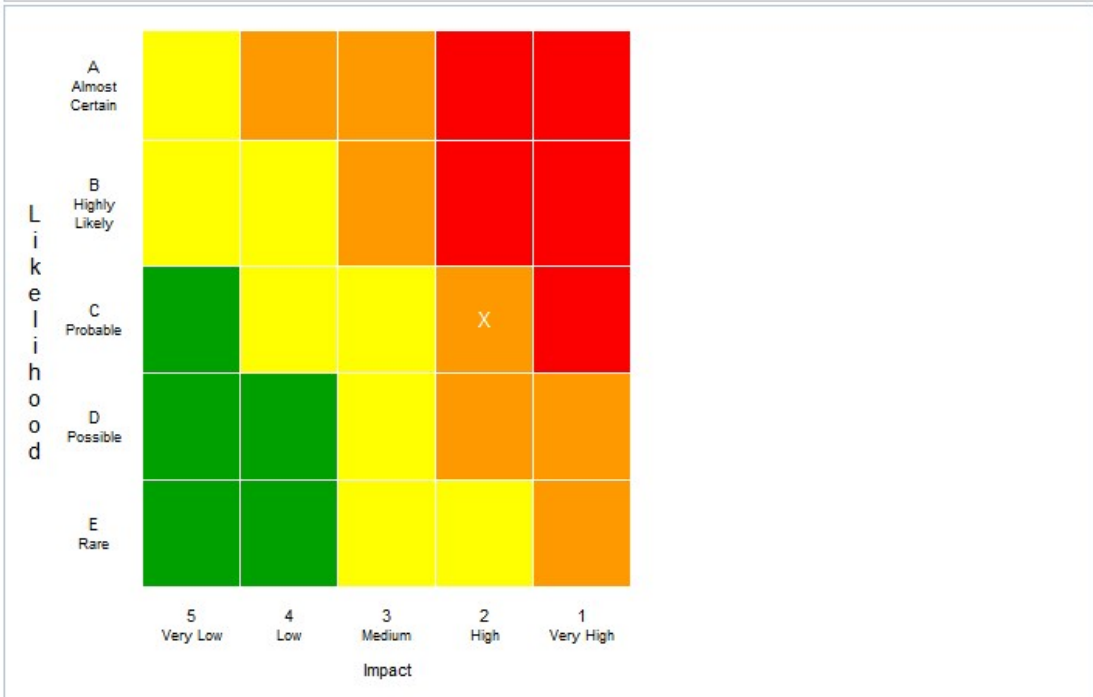
Controls to Manage Risk (in place)

The likelihood for the residual risk is assessed as 'probable' in light of national policy change following the Welsh Government elections (May 2016).

The impact is assessed as 'high' in consideration of the following:

- Changes are likely to be smaller than originally proposed
- Plans for change are already in place due to reducing budgets
- There is a greater focus on sustainability e.g. WBFG Act
- A clear planning timetable is in place that can respond to changes

Residual Risk



Lead Member(s)

Active

Risk Owner

Councillor Hugh Evans

Yes

Mohammed Mehmet

00033 The risk that the cost of care is outstripping the Council's resource

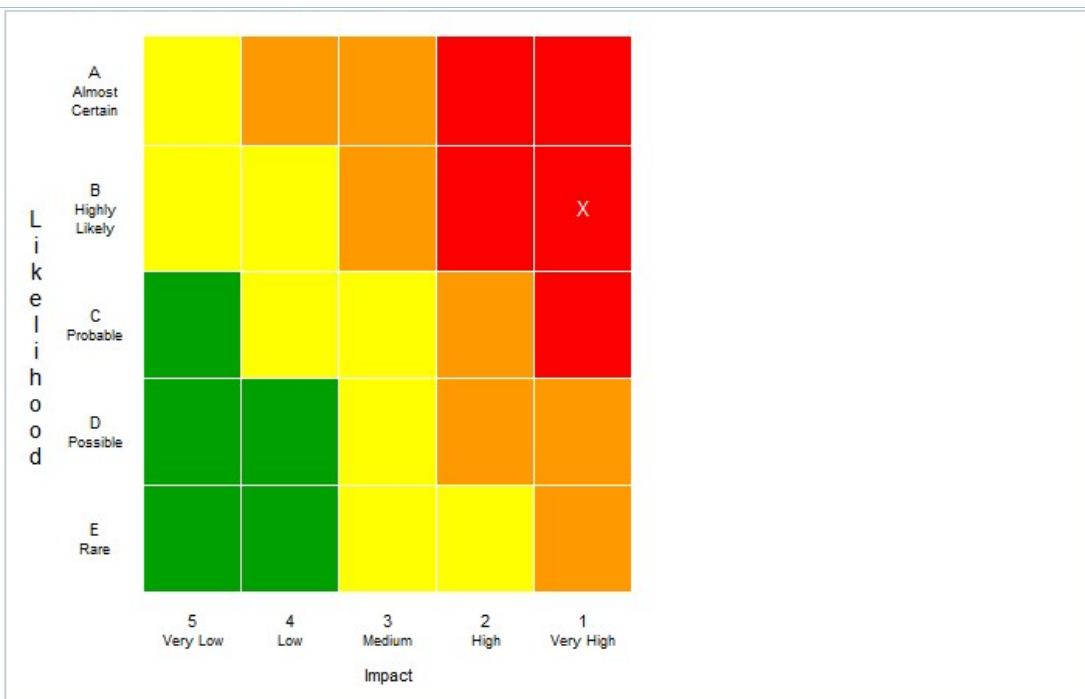
Description

Impact / Consequences

Since the Whittleston Judgement and its implementation as well as the increase in the national living wage, the cost of purchasing care has increased by 5% for 2016/17 and is projected to increase by 4% per year for the next four years; largely due to care home fees.

Overspends in Social Care place significant budget pressures on the Council and could result in the scaling back or withdrawal of non-statutory services.

Inherent Risk

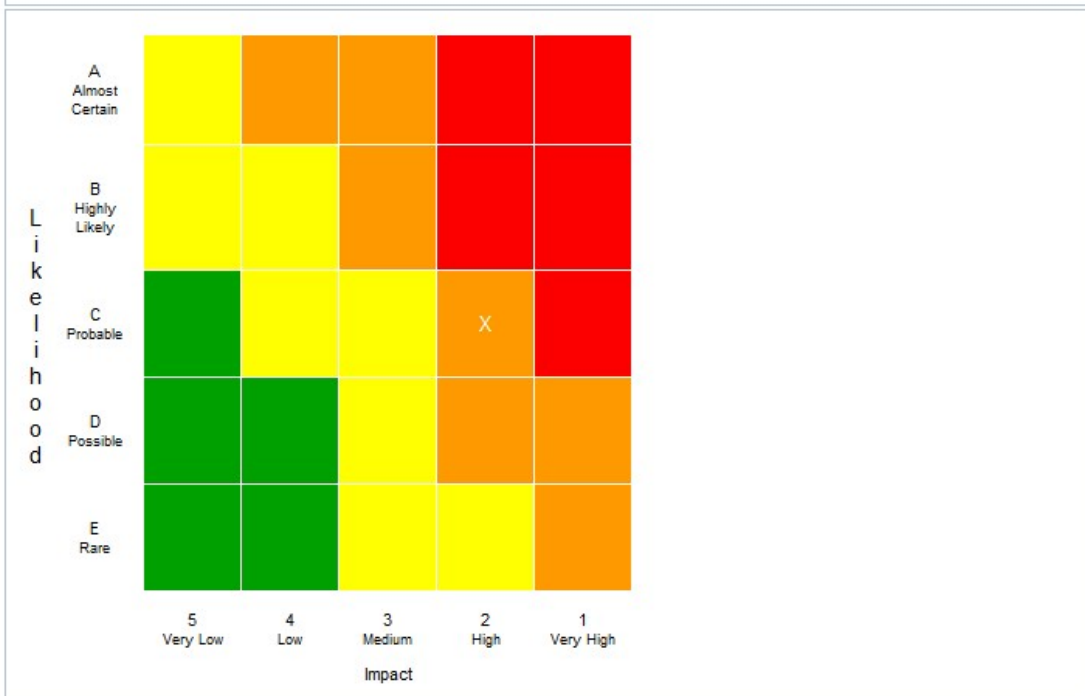


Controls to Manage Risk (in place)

Demand needs to be managed in order to maintain current levels of expenditure. The following controls are currently being embedded:

- A focus on prevention and early intervention so people don't need to go into care.
- Third Sector grant programme.
- Talking Points.
- Community Navigators.
- Supporting Independence Strategy.
- Being innovative and maximising use of grant monies.
- New approach to supporting people to achieving outcomes.
- Improved partnership working with BCU and integrated assessment as well as managing continuing health care.

Residual Risk



Further Actions

00074 Revision of Domiciliary Care contracts to build in the requirement of providers to work in a more outcome focused way and re-able people.

Action Due Date

31/12/2017

00075 Development of additional extra care housing (subject to agreement by Cabinet) by our Housing Association partners.

Action Due Date	01/04/2020
Lead Member(s)	Bobby Feeley
Active	Yes
Risk Owner	Nicola Stubbins