

**To the Chair and Members of the
AUDIT COMMITTEE**

STRATEGIC RISK MANAGEMENT IN LEARNING AND OPPORTUNITIES

EXECUTIVE SUMMARY

1. This report sets out the way in which Learning Opportunities, Children and Young (LOCYP) manages strategic risks, as requested at the Audit Committee meeting in August 2016. It details the grip the directorate has on its specific strategic risks and the variety of ways in which the key components of the risks are focussed.
2. Strategic risks are managed more rigorously and transparently than ever before and are linked directly to strategic plans and managed in line with the governance and reporting arrangements of those plans. This includes reporting to internal leadership meetings such as the Senior leadership team and the Extended Leadership Team and Elected Member groups, such as the Children's Overview and Scrutiny panel and externally to public meetings and independent boards and perhaps most significantly, to Ofsted and other Government inspectorates across a range of inspection frameworks.
3. The LOCYP Leadership Team has confidence that risks are robustly managed and challenged using the processes outlined in this report. The team also accepts that improvement to current arrangements is always possible and therefore external help, support and review from internal corporate services is routinely considered to make sure that best practice is implemented; including attendance of audit services and the strategic performance unit at the directorate's extended leadership group meetings.
4. As part of the development of the way in which the directorate manages and reports on risks, the directorate has ambition to design a more 'dynamic' register of risk against plans and priorities. The transformation and changing national context over recent years means that new plans and priorities have been developed. The completion of key strategic plans will, as the commentary below indicates, enable a more dynamic risk register to be compiled.

EXEMPT REPORT

5. Not exempt

RECOMMENDATIONS

6. That Audit Committee note and comment on the management of LOCYP strategic risks.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

7. Although this report in itself has no specific implications for the people of Doncaster, the management of strategic risks is important in ensuring that the Council's priorities are delivered.

8. This report concentrates on the 3 key LOCYP strategic risks requested by the Audit Committee and effective management of these risks will contribute towards ensuring that individuals are kept safe and that services are modern and provide value for money.

BACKGROUND

9. At the Audit Committee meeting on 17th August 2016, Members considered a report that listed the Council's strategic risks and highlighted the reports that were scheduled to be produced during the year for each of the risks, as set out in Appendix A of that report. Members were asked to nominate the strategic risks into which the committee wished to carry out 'deep-dive' reviews.
10. This is the first 'deep-dive' report by the committee into the requested strategic risks (SR 09, SR 10 and SR 14), based on the criteria of the overall risk score being greater than a factor of 10 as at quarter 2 2015/ 16.
 - SR 09 – Children and young people do not achieve in line with national expectation (current score impact 4 (major) likelihood 3 (possible) = 12
 - SR10 - Failure to adequately implement effective joint working arrangements which could lead to ineffective delivery of children's services across the wider partnership (current score, impact 4 (major) likelihood 3 (possible) = 12
 - SR14 – failure to obtain assurance as to the safeguarding of children (current score, impact 5 (*critical*) , likelihood 3 possible) = 15

RISK MANAGEMENT ARRANGEMENTS

11. The narrative in the LOCYP strategic risks which is reported in the Corporate report is detailed in Appendix A attached to this report.
12. Strategic risk **SR09** relates to the following specific attainment measures:

Key stage 1 – Reading, writing and mathematics
Key stage 2 – Reading, writing, mathematics and Grammar Punctuation and Spelling (GPS)
Key stage 4 – 5 A*-C Including English and Mathematics, Progress 8 and Attainment 8
13. In response to the challenges and to mitigate the risk of future poor performance the council has responded with the following:
14. The introduction of the revised school improvement strategy in the autumn term 2016, has seen a more targeted approach to the way that schools are supported, reducing the categories from 5 to 3, making it easier to identify those schools that require targeted or intensive support.
15. A new Raising Aspirations and Achievement Strategy has been introduced, identifying a vision for 'All Schools aspiring to be Outstanding - No One Left Behind'.
16. The strategy illustrates the Council's commitment to achieving excellence in education and believes that all children and young people are entitled to be educated in successful local schools. These schools should be good or outstanding and improving. The Council is challenging all school leaders, Multi Academy Trust (MAT) leaders and governors to move their schools to

outstanding within five years. It is only by accessing outstanding provision do children and young people have the best chance of fulfilling their potential and competing on favourable terms with their peers nationally for higher education places at prestigious universities or for high value apprenticeships.

17. The improvements to the quality of provision in Doncaster schools colleges and settings will lead directly to improved outcomes for children and young people at all stages. This will be reflected in the position of Doncaster in performance tables where, by 2018, Doncaster will be at the national average for key outcomes. These improved outcomes will not be limited to a narrow range of academic areas but across the whole curriculum. Children and young people will be skilled and enthusiastic learners who are willing to embrace new learning challenges. Their learning success will not stall at the point of transfer to another school, college or into the workplace.
18. The Independent Commission on Education and Skills in Doncaster in their '*One Doncaster*' report identifies the need for the education and skills system in the borough to thrive. The Local Authority (LA) will work with strategic partners, school leaders and governors, national agencies and other partners and stakeholders to ensure that the system delivers what is expected and required
19. The Standards and Effectiveness Partners (StEPs) programme has transferred into the Partner's in Learning (the teaching school) alliance and this, aligned to the work of the Council's school standards and effectiveness team will ensure robust, rigorous and external scrutiny of schools, teaching and learning and their capacity to improve further.
20. Partners in Learning and the Council meet regularly to assess the findings of any reviews, visits or inspection and to decide on the strategic direction the partnership must take in order to improve in line with and beyond the trajectories/targets set.
21. In 2016 the council launched the 'Move On Move Up' initiative that incentivised revision for GCSE exams with access to leisure facilities across the borough. The initiative proved successful with Doncaster becoming the 5th most improved in the country for 5 A*-C including English and mathematics, rising from a figure of 50% of pupils who achieved at least five GCSE grades A* to C including English and Mathematics to one of 55 % achieving this measure, an increase of five percentage points, only exceeded by Rochdale, Merton, Haringey, Darlington and Middlesbrough.
22. The programme has been extended this year to include key stage 2, linked to the Council's wider literacy strategy.
23. Finally, the council has now published its response to the findings made by the Education and Skills commission; the Statement of Implementation was launched on 1st February 2017. The response will be monitored through Education and Skills Board.
24. Strategic risk **SR10** is the overarching risk attached to the 'children's estate' and concerns the effectiveness of team working by the partnership under S10 of the Children act 2004, the statutory duty placed upon the Council to make arrangements to promote cooperation between the LA each of the relevant partners and such other persons or bodies working with children in the LA area

as the authority considers appropriate. These arrangements are made with a view to improving the wellbeing of children in the authority's area, which includes protection from harm and neglect.

25. The Children and Families Partnership Board (CFPB) discharges the S10 responsibility. An 'Interim Executive Group (IEG) of selected key partners (DMBC; the Trust; Police; Clinical Commissioning Group; schools) has been introduced, reporting to the CFPB to oversee specific programmes of activity and provide further rigour and pace to drive forward critical strategic tasks, these tasks have included: the production of a Joint Strategic Needs assessment (JSNA), a Children and Young People's Plan (CYPP) and an accountability framework and a Partnership and Engagement Strategy (PES).
26. Work is now rapidly approaching completion on these major projects which support the effective discharge of the S10 duty and contribute to the management and mitigation of risk. The CYPP is heavily underpinned by the JSNA and the PES and the former two documents have been signed off by the CFPB meeting on 15th March, 2017. The suite of documents will be formally launched at a high profile event on 23rd May, 2017
27. An additional task overseen by the IEG has been to review and redevelop CFPB governance, there were, for example, a myriad of sub groups which had developed over time whose membership and terms of reference did not logically support the work of the Board.
28. The governance review has recommended the establishment of a 'strategic Forum' which will meet 3 – 4 times per annum to comment, plan and shape the CYPP championing the voice of children and young people and an Executive Board which will meet monthly and will provide overarching governance across the partnership and delivery oversight of the CYPP, this proposal has been approved by the Children and Families Partnership Board at its meeting on 15th March, 2017. The new sub group structure will reflect the new outcomes framework in the CYPP for areas of delivery and cross cutting themes and will include, the partnership and engagement sub group and a performance sub group. This will be instrumental in helping the partnership to deliver against the CYPP.
29. Management and mitigation of this risk is further enhanced by the Partnership Agreement which exists between the Council and the Trust, amplifying the strategic relationship and operational intent set out in the service delivery contract. Joint and distinct roles are set out for both parties as 'systems leaders' to produce policies and strategies to improve outcomes for Children and young people to support the strategic children's partnership with co-production alongside those areas mentioned above and including, the early help strategy, the mental health transformational plan. Encouragingly, both Ofsted and the LGA peer review found that 'Leadership, Management and Governance' across both organisations is 'strong with evidence of growing trust between senior leadership of both parties'.
30. In short, the changes to the governance of the Children's partnerships and the publication of 'best of breed' major strategies will go a long way to ensure that this risk is robustly managed and mitigated.
31. Strategic Risk **SR 14** is an overall assessment as to the safety and risk of harm for children and young people in need of help and protection in the borough and thereby the likelihood of an 'Inadequate inspection' occurring.

32. Children's services (save for a small element of the inspection of training provision by the Council) remains the only statutorily inspected area of commissioning and delivery and is the most regulated of all Local authority services being subject to either singly, or jointly, no less than seven inspection frameworks. This in itself provides an additional layer of risk management via assessment, challenge and assurance which is not replicated for other Council services.
33. The Ofsted inspection of services for children in need of help and protection in September 2015, found the authority to be 'Inadequate', but this was qualified in that this grading reflected the fact that one of the (limiting) judgement areas for services for children who need help and protection remained inadequate, but that other areas of service, had demonstrated improvement since 2012, when at that time, all services inspected were judged to be 'Inadequate'. In the 2015 inspection, there was evidence of the progress made with services for children looked after and care leavers that are judged as requires improvement. Adoption is 'good'. Overall, this was a reflection of the progress leaders and managers were beginning to make in improving outcomes through better services for children in Doncaster.
34. Over the past 12 months there have been no less than 10 inspections and monitoring visits by regulatory bodies across the range of service areas delivered by the Trust and Council where inspectors and evaluators have reported on the evidence of progress made.
35. Whilst there remain areas in which both the Council and Trust recognise that progress and practice still need to strengthen and are resolute in our determination that further improvements are realised in order that the children's service meets the performance directions according to the timeframe set out within the service delivery contract. We are assured by a combination of these external evaluations and by the performance monitoring of the contract, that our progress is encouraging and have a trajectory to meet the contractual requirement of achieving a judgement of 'good' by October 2017.
36. The results of those evaluations and visits is, in essence, affirmed by the following:-
37. The first two Inspection monitoring reports have found, among other things, that there had been significant progress made to improve services for children and young people on need of help and protection in Doncaster. Ofsted confirmed that no children were deemed to be at risk of significant harm, with the quality of provision reported to be better and prompt and that appropriate action was taken to address safeguarding concerns with improvements evident in the quality of assessment and enquiry; that children are seen alone and their views are heard. Inspectors have praised the 'comprehensive and detailed' (joint), post inspection action (improvement) plan which is leading to improvements across the service. The second monitoring visit took place with a focus on quality of practice the quality of and effective use of performance and QA work. Overall, and acknowledging that there is further work to be undertaken the report found that the Council and Trust had 'made significant progress in improving the quality of work since the 2015 inspection.' Inspectors have praised the continued pace of improvement and noted that as in the first monitoring visit no children were seen to be in situations of unassessed, unmanaged, or unacceptable risk.

The Third monitoring visit has recently taken place and the formal letter was published by Ofsted on 22nd March, 2017 which identified significant progress in the quality of services provided for children 'looked after' since the 2015 inspection, that both parties have responded thoroughly to the actions required and that children and young people are placed at the heart of strategic planning and operational work, with recognition that both parties are ambitious for this cohort. The letter confirmed progress for the education of children looked after, with further development planned to achieve wider impact.

38. Good self-awareness is also critical in managing this risk and the LGA Peer review found that the Trust knows itself well and both it and the Council are aware of the actions requiring further improvement.
39. The Early Help offer is also critical in further mitigating demand pressures on the safeguarding and social care front door in preventing early and sometimes unnecessary escalation to the social care pathway and the view of the DfE appointed evaluator is that the service is 'improving well' a point also reaffirmed by Ofsted. The proposed integrated family support service contingent upon the Secretary of State's approval promises an enhanced early help service. The detailed assessment of performance and the Council's forensic challenge of that performance is evident in the quarterly 'split screen' reports which the directorate submits to the children's Overview and Scrutiny panel, which provides extensive analysis, commentary and evidence of robust challenge by the Council of the Trust against the key performance indicators by which the Director of Learning, Opportunities and Skills is held accountable for the effectiveness of challenge and rigour of the performance of the Children's Trust and secondly, the Chief Executive of the Trust is held accountable for the Trust's performance.
40. In summary, that specific detailed performance assessment against the contractual and 'volumetric' indicators shows good and improving performance for children in need with an open and current plan; child protection visits in timescale; children subject to a child protection plan (CPP) for a second and subsequent time within 2 years; children on a CPP for two years or more; the average length of care proceedings; care leavers in suitable accommodation; short term and long term stability of children in care placements and youth offending measures.
41. The areas of concern/potential concern, include timeliness of single assessments; the percentage of case file audits which are rated as Requires improvement or better; care leavers in employment education and training; demand pressures on the social care front door, dental checks for children in care and placement pressures for children in care.
42. In recognising the improvements which have taken place, in particular to address quality of practice before the re – inspection (which is expected to take place in the autumn of 2017) the 2015 /2016 Annual Contract Review has highlighted a number of risks and challenges linked to the financial position and future sustainability of the Trust. Taken alongside the operational considerations, the current oversight will enable the Trust as our strategic partner to develop the necessary systems leadership and innovative practice to continue to improve outcomes for children and young people within the context of challenges arising from financial pressures, devolution and continued public sector reform,
43. The three most pressing impediments to this risk remain effective demand management, placement policy and quality of practice. The parties believe that the latter will be ameliorated by the impact of the single 'front door' as this becomes the mainstream default means of handling contacts and to that end

there is an encouraging trend of increased demand for Early help services which in time should (simplistically) translate into a correspondingly reduction in contacts requiring social care intervention. For its part, the Trust recognises the contribution that a sustainable placement strategy makes towards achieving the best outcomes for children in care.

44. The other governance arrangements for addressing this risk are monitored in a number of reports to fora which Ofsted recognised, 'went beyond contractual requirements' and currently comprise:-
- The Performance Accountability Board – a Team Doncaster high level body of strategic partners;
 - The (high level) quarterly performance meeting at Director level and non-executive level between the Council and Trust where performance and QA is monitored;
 - The (Assistant Director) level quarterly performance meeting at which performance is more forensically challenged and monitored;
 - The two quarterly Doncaster safeguarding Children's Board performance and QA reports which challenge performance in the context of the overall children's partnership against this risk.
45. These mechanisms ensure that the Council in its role as commissioner (and co-dependent provider of a small number of related services) and the Trust as the majority provider of safeguarding services are held to account for their respective contributions.
46. In addition to the arrangements set out above that are specific to each individual risk, there is a range of generic management procedures that are common to all three risks. These procedures can be summarised as follows;
- Strategic risks are monitored on Covalent, adhering to the requirements of the Council's Risk Management Policy;
 - There is a risk focus at SLT and ELG meetings;
 - Quarterly strategic risk management is undertaken as part of the corporate performance management framework;
 - Risks are a standing item on the joint (with the Trust) high level Quarterly performance meeting agenda;
 - Staff performance is managed via the Council's Performance and Development Review (PDR) process. This ensures effective management of performance that contributes to risk mitigation.
47. Each strategic risk is also underpinned by an operational risk register that contains more detailed working risks. This facilitates easier and more effective management by the range of individuals, teams, groups and boards that are linked to the respective programmes of work.

OPTIONS CONSIDERED

48. Not applicable

REASONS FOR RECOMMENDED OPTION

49. Not applicable

IMPACT ON THE COUNCIL'S KEY OUTCOMES

50.

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <p><i>Mayoral Priority: Creating Jobs and Housing</i> <i>Mayoral Priority: Be a strong voice for our veterans</i> <i>Mayoral Priority: Protecting Doncaster's vital services</i></p>	<p>The Council and the Trust as major partners in the Children and Families Partnership Board share the Children's plan outcome that all children should achieve their potential – in removing barriers and developing good quality service delivery, children will be able to access the benefits of a thriving economy and will themselves be participants in creating and sustaining the strength of the economy.</p>
	<p>People live safe, healthy, active and independent lives.</p> <p><i>Mayoral Priority: Safeguarding our Communities</i> <i>Mayoral Priority: Bringing down the cost of living</i></p>	<p>Ensuring children and young people are free and feel free from harm are key ambitions of all partners.</p>
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <p><i>Mayoral Priority: Creating Jobs and Housing</i> <i>Mayoral Priority: Safeguarding our Communities</i> <i>Mayoral Priority: Bringing down the cost of living</i></p>	<p>Delivering against the service delivery contract between the Council and the Trust has clear implications for safeguarding communities, in reducing risk and exposure of risk to children; improved early help and thus better outcomes for families.</p>
	<p>All families thrive.</p> <p><i>Mayoral Priority: Protecting Doncaster's vital services</i></p>	<p>Achieving and learning, whilst doing so in a safe and encouraging environment will enhance this priority</p>
	<p>Council services are modern and value for money.</p>	<p>Value for money is a key consideration in the assessment of outcomes performance and Quality assurance across the partnership.</p>
	<p>Working with our partners we will provide strong leadership and governance.</p>	<p>Ofsted in its inspection report commented favourably on the relationship and governance arrangements between the Council and the Trust, recognising that formal arrangements for monitoring and challenge exceed the requirements set out in the contract between the two organisations</p>

RISKS AND ASSUMPTIONS

51. No assumptions made. Risks are contained within the body of the report and the appendix.

LEGAL IMPLICATIONS

52. There are no specific implications with regard to the proposed to be taken in relation to the management of strategic risk.
53. A Local Authority has a number of specific statutory duties to children and young people. S17 of the Children Act 1989 provides that it shall be the general duty of every local authority to safeguard and promote the welfare of children within their area who are in need; and so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs. S436A of the Education Act 1996 gives Local Authority's a duty to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise.

FINANCIAL IMPLICATIONS

54. There are no specific financial implications arising from this report. Risk management forms part of the Directorate's service planning and is therefore taken in account when setting and managing budgets.

HUMAN RESOURCES IMPLICATIONS

55. There are no specific human resources implications arising as a result of this report.

TECHNOLOGY IMPLICATIONS

56. There are no specific technology implications arising as a result of this report.

EQUALITY IMPLICATIONS

57. The commissioning and provision of all children's services is underpinned by equality considerations and as such, represent core values across the partnership.

CONSULTATION

58. No consultation has been undertaken, or is required, as a result of this report.

BACKGROUND PAPERS

- Audit Committee agenda and papers 17th August 2016
- Reports to the Children's Overview and Scrutiny panel – 27th September, 2016; 6th December, 2016; 24th February, 2017.

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