



**CORPORATE STRATEGIC RISK REGISTER FOR THE CHILDREN AND EDUCATION DIRECTORATE**

**AUDIT COMMITTEE  
MEETING DATE 2021/22**

**20th April 2022**

**CLASSIFICATION:**

**Open**

**If exempt, the reason will be listed in the main body of this report.**

**WARD(S) AFFECTED**

**All Wards**

**Group Director**

**Jacque Burke, Group Director of Children and Education Services**

## **1. GROUP DIRECTOR'S INTRODUCTION**

- 1.1 This report updates members on the corporate risks for the Children and Education Directorate as at March 2022. It also identifies how risks within the Directorate are identified and managed throughout the year and our approach to embedding risk management.

## **2. RECOMMENDATION**

- 2.1 There are no specific recommendations from this report. The Audit Committee is asked to note the contents of this report and the attached risk registers and controls in place.

## **3. REASONS FOR DECISION**

- 3.1 Risk management is fundamental to effective business management and it is vitally important that we know, understand and monitor the key risks and opportunities of the Council. Officers and members are then able to consider the potential impact of such risks and take appropriate actions to mitigate those as far as possible. Some risks are beyond the control of the Council but we nevertheless need to manage the potential impact or likelihood to ensure we deliver our key objectives to the best of our ability. For other risks, we might decide to accept that we are exposed to a small level of risk because to reduce that risk to nil is either impossible or too expensive. The risk management process helps us to make such judgements, and as such it is important that the Audit Committee is aware of this.

## **4. BACKGROUND**

- 4.1 The current Directorate risk profile was reviewed by the Directorate of Children and Education Services Management Team in March 2022. Detailed risk registers for Children's Services and Hackney Education have been prepared and were reviewed by the Management Team and the high-level Directorate risks highlighted and included at Appendix one.

### **4.2 Policy Context**

All risk-related reporting is in line with the Council's Risk Policy, ratified biennially by the Audit Committee, and also fully supports the framework and ideology set out in the Risk Strategy.

### **4.3 Equality Impact Assessment**

For the purposes of this report, an Equality Impact Assessment is not applicable, although in the course of Risk Management (and

associated duties) all work is carried out in adherence to the Council's Equality policies.

#### 4.4 **Sustainability**

This report contains no new impacts on the physical and social environment.

#### 4.5 **Consultations**

In order for Risk Registers to progress to Audit Committee, they will already have been reviewed by the relevant Senior Management team within the corresponding Directorate. Any senior officer with any accountability for the risks will have been consulted in the course of their reporting.

#### 4.6 **Risk Assessment**

The Risk Register is attached at Appendix one to this report.

### 5. **DIRECTORATE RISK REVIEW**

5.1 The Directorate Risk Register comprises those that represent the most significant risks faced by the Directorate. Separate risk registers for Children's Services and Hackney Education are maintained and sit beneath the Directorate Risk Register and are available for review on Pentana.

#### **Children and Education Risks**

5.2 Further to the publication of the Local Child Safeguarding Practice Review relating to Child Q, there is a new directorate-wide risk that has been added to the risk register. This has been added under the *management of partnership agencies in ensuring the well-being of children*. A range of controls in place include taking a safeguarding first approach - with clear anti-racism values and identification training and a 'my child' mindset.

#### **Children and Family Risks**

5.3 There has been no overall change to the profile of most risks for Children and Families compared to those set out in the report to Audit Committee last year. One risk (CYP DR 001 Service demands exceed available resources) has reduced slightly in response to lower referral numbers.

#### **Ongoing risks:**

- **Child or young person suffers significant harm, injury or death:** The impact of the Covid-19 pandemic, alongside the cyber attack has

meant that changes have taken place to systems and processes that affect children, for example with changes to visits, attendance of partners at key meetings, CFS recording and reporting. A range of measures have been put in place to ensure that there is strong partnership working and strong oversight of practice, including three-weekly Contingency Oversight Groups held by the CHSCP, supervision training for all professional managers in CFS and swift solutions for CFS recording and reporting. The Children and Families Service returned to a new version of Mosaic on 4th April 2022.

- **Cyber attack:** The cyber attack in October 2020 has meant that there are significant challenges for the Children and Families Service in terms of accessing historical information about children. The attack meant that CFS lost access to Mosaic, the social care database which holds all records about children and families. A significant amount of resources has been directed at mitigating this risk, working with partner agencies and staff to develop interim solutions to capturing existing knowledge about children and families, reporting and monitoring information. The Children and Families Service returned to a new version of Mosaic on 4th April 2022. Risk score remains the same until the success of the move back to Mosaic is fully understood.
- **No Recourse to Public Funds:** Hackney, like many local authorities, has a number of individuals living within its boundaries who are subject to immigration controls as defined by the Immigration & Asylum Act 1999. Such individuals are excluded from access to welfare benefits, public housing and Home Office asylum support and are collectively known as having No Recourse to Public Funds (NRPF). This group includes individuals who have overstayed their visa entitlement in the UK, and those who have leave to remain without recourse including EU Nationals. Hackney's approach is effective in protecting resources and avoiding costs. In order to ensure the service is able to undertake comprehensive assessments of children's needs in a complex environment of law relating to housing, immigration, human rights and child safeguarding, the service works closely with other services including the UKBA, legal services, government embassies and anti-fraud to ensure that services are appropriately provided to those that are entitled to them and need them. This joined-up approach robustly mitigates against the risk of children in Hackney being exploited or trafficked for services.
- **Demand exceeding resources:** The number of looked after children has consistently increased over recent years, and the profile of looked after children has also changed significantly over the past five years with more adolescents presenting complex behaviours and needs entering the care system and subsequently receiving support as care leavers. The change in profile of looked after children is placing increased pressure on the placement budget with a need for more

specialised placements and is also making placement stability more difficult to achieve. Young people aged 16+ will have additional needs that correspond to the associated risks for their age group, including exploitation. The shortage of in-house foster carers for these older young people adds to the cost pressure and the numbers of young people requiring more expensive residential placement has increased. There has been a slight decrease in the number of looked after children per 10,000 during 2021/22, bringing Hackney in line with 2021 statistical neighbours and below the national average.

## **Hackney Education Risks**

### **5.7 Key on-going risks to Hackney Education**

5.7.1 Outlined below are the risks identified that continue to present a particular challenge to Hackney Education's continued effectiveness and are reported on the attached register:

- **SEND** - The 3 risks relating to SEND remain high: meeting the statutory requirements of the Children & Families Act; escalating budget pressures; and insufficient provision to meet growing demand for SEND services. Mitigations include
  - Positive improvements to meet the statutory 20 week EHCP needs assessment deadline;
  - Restructure of the SEND service; implementation of the recent SEND review to create an integrated SEND service is underway and expected to be in place by September 2022. This aims to ensure more coordinated, timely and robust discharge of statutory duties outlined in the Children and Families Act 2014 and SEND Code of Practice
  - Ongoing work to develop plans/strategies to address the significant overspend; SEND trends are monitored by the Corporate Leadership Team, to ensure cross council support. Additionally, the Education Estates Strategy and review of the SEND Transport service are 2 workstreams focused on creating more in-borough provision and relieving the budget pressures across the service.
  - Implementation of a SEND Provision Plan, to address rising demand for SEND services.
  - The SEND Improvement Plan is in place, focusing on the 7 specific priorities underpinning the SEND Strategy and aiming to make continued efficiency improvements.
  
- **Traded Services** - The long term viability of trading continues to be a risk, particularly throughout what has been a challenging period due to the Covid pandemic; however, a review of the

Education Operations service is currently underway and will look at the economic viability of the service. Recommendations from this review will be considered, to inform future risk judgement. Hackney Education will consider the implications of the Education White paper published in March 2022 which will lead to a review of the status of schools over the coming decade, and some shifts in the structure of Hackney Education over the same period. The planning for this will commence in 2022-23.

- **Serious Safeguarding failure in regard to pupils not in school and those attending unregistered settings** - Safeguarding considerations for those pupils who are not registered at a school, including Electively Home Educated pupils, children missing from education, children attending unregistered settings, children who are yet to be allocated a school place etc. is increasing in importance. The risks associated in these areas continue to carry a very high reputational risk for the borough, with limited options to mitigate this risk. There are effective processes in place, which enable HEd to effectively carry out duties in relation to EHE, CME and pupils attending UES. However, these processes are less effective for safeguarding Charedi pupils attending a UES, as the ambiguous legal status of these settings means the LA is unable to oversee and carry out duties in relation to safeguarding arrangements; there are on-going conversations with Ofsted to address this.
- **Exclusion from school** - This remains a high profile area where rates of exclusion from schools continue to be relatively high when compared nationally. The Reducing Exclusions Executive Board leads on a number of initiatives designed to support schools to reduce their exclusions; one of these initiatives include the new Education Early Help system, which aims to increase the use of managed moves, avoiding the need for exclusion; this will be implemented in the next academic year. Following an in-depth review of the position for young people on the verge of permanent exclusion and provision for them following permanent exclusion, the CYP Scrutiny published a report setting out key recommendations; the service responded to the review and the response was approved by Cabinet. The Action Plan is now being updated accordingly and there is on-going work in line with this, to support continued reduction of exclusions across Hackney.

## **5.8. School Performance (4 Ofsted judgements)**

5.8.1 School Standards and Improvement manages the following risks:

- Performance and/or quality of provision in nursery and primary school
- Performance and/or quality of provision in secondary schools
- Performance and/or quality of provision in special schools
- Performance and/or quality of provision in Pupil Referral Units

5.8.2 School Performance and Improvement teams continue to provide support to schools. The current controls in place remain appropriate and the risk rating remains unchanged.

## 5.9 School Place Planning

- **Primary Surplus places** - Primary school roll projections based on the October 2021 census show a continued projected surplus of reception places, currently 584 (22.5%). This substantial number of projected surplus places is a growing risk and although PAN reductions have been made for several schools, this issue is currently threatening the long-term viability of many other primary schools, which have an increasing number of applications well below their PANs. The reduction of places is being addressed via the School Place Planning Group and is also reflected in the work of the Education Estates and Sufficiency Strategy. From October 2022, 135 places will be removed from a number of schools, reducing the surplus to 8% (220 places); it is intended for further reductions to be made in 2023 and 2024.
- **Projected surplus secondary school places** - The risk associated with primary surplus places, will inevitably impact secondary schools in the next 4 years. This will result in financial pressure on secondary schools and threaten their long-term viability. The School Place Planning Group and Senior Leadership team continue to review data and monitor this risk.

## 6. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 6.1 Effective risk management is a key requirement for good financial management and stability. This becomes more significant as funds available to the Council are reduced and budget reductions are made.
- 6.2 The Directorate seeks to mitigate risks as they are identified. In some instances, where there are volatile external factors and uncertainty, this will be through seeking access to reserves maintained by the Group Director of Finance and Corporate Resources.

6.3 There are no direct costs arising from this report.

## **7. COMMENTS OF THE DIRECTOR OF LEGAL, DEMOCRATIC AND ELECTORAL SERVICES**

7.1 This report recommends that the Audit Committee note the contents of this report with the attached appendices. In accordance with Article 9.1.2 of the Council's constitution, the Audit Committee is responsible for assisting the Council in discharging its functions in relation to its risk management framework. The Accounts and Audit Regulations 2011 also require the Council to have a sound system of control which includes arrangements for the management of risk. This report is part of those arrangements and is designed to ensure that the appropriate controls are effective.

7.2 There are no immediate legal implications arising from this report.

### **APPENDICES**

Appendix one – Children & Education risk register.

### **BACKGROUND PAPERS**

**In accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012 publication of Background Papers used in the preparation of reports is required**

None

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