

NHS Lanarkshire
28th August 2019

Lanarkshire NHS Board
NHS Board
Kirklands
Bothwell
G71 8BB
Telephone: 01698 855500
www.nhslanarkshire.scot.nhs.uk



SUBJECT: NHSL CORPORATE RISK REGISTER

1. PURPOSE

This paper is coming to the Board:

For assurance	<input checked="" type="checkbox"/>	For endorsement	<input type="checkbox"/>	To note	<input checked="" type="checkbox"/>
---------------	-------------------------------------	-----------------	--------------------------	---------	-------------------------------------

2. ROUTE TO BOARD

This paper has been:

Prepared	<input checked="" type="checkbox"/>	Reviewed	<input type="checkbox"/>	Endorsed	<input type="checkbox"/>
----------	-------------------------------------	----------	--------------------------	----------	--------------------------

By the Corporate Risk Manager, on behalf of the Corporate Management Team

3. SUMMARY OF KEY ISSUES

The Corporate Risk Register was previously presented to NHSL Board in May 2019. Since then, the Corporate Management Team have considered the corporate risk register in June, July and August 2019. The Corporate Management Team consider emerging and new risks; focus on very high graded risks across NHSL and risks exceeding the corporate risk appetite. As a result, risk descriptions, assessed level of risk, and /or controls have been updated accordingly to reflect progress of mitigating actions and impact.

This report will:

- i) Provide a summary of significant material changes to the Corporate Risk Register, including new and closed risks, since the last reporting period. A record of other changes to the corporate risk register can be seen in Appendix 1.
- ii) Set –out the NHS Lanarkshire Corporate Risk Profile over time; with the number of risks plotted by likelihood x impact; related corporate objectives and type, accurate as at 14th August 2019
- iii) Set-out very high graded corporate risks that are above the corporate risk appetite, including very high graded risks across NHSL as enablers for corporate consideration and decision-making
- iv) Set-out for consideration, any emerging very high graded risks through business critical projects/redesign, including the addition of very high graded risks on the Monklands Business Continuity Risk Register
- v) Facilitate reference to the 33 risks set out in the NHSL Corporate Risk Register, accurate as at 14th August 2019 and sorted in descending order by the assessed level of risk (current) from very high to low (Appendix 2)

i) **Summary of Significant Material Changes to the Corporate Risk Register Since the Last Reporting Period**

For this reporting period there is a total of 33 risks, with the summary of significant material changes during June, July and August highlighted as below. A record of other changes from review of the corporate risk register can be viewed in Appendix 1. A quarterly review of the Corporate Risk Register has also been undertaken over July and August 2019.

Summary of the Significant Material Changes within the NHSL Corporate Risk Register

Closed Risks
<p>Risks Closed in June 2019: No risks were closed in June</p> <p>Risks Closed in July 2019: No risks were closed in July</p> <p>Risks Closed in August 2019: <u>Closed Risk ID 1742</u> - There is a risk that in response to the HSE Notice of Contravention in December 2018, the Acute Division will not be fully compliant with the minimum KPI % rate for moving and handling learning and training by the agreed dates: UHM - 90% by 8th June 2019 (currently 69% for LearnPro & 76% compliance for training) UHW -90% by 8th August 2019 (currently 71% for LearnPro & 64% compliance for training) UHH -90% by 8th August 2019 (currently 24% for LearnPro & 77% compliance for training)</p> <p>This Medium graded risk owned by H Knox has been closed subject to meeting the expected targets. ----</p> <p><u>Closed Risk ID 243</u> - There is a risk that NHSL fails to engage appropriately with internal and external stakeholders in the pursuit of its objectives.</p> <p>This Low graded risk was reviewed and closed by P Cannon on behalf of CMT. To reflect the current position, a new risk (ID 1800) has been opened and is now owned by C Brown and graded as Medium.</p>
New Corporate Risks Identified
<p>New Risks in June 2019: No new risks were identified and opened in June</p> <p>New Risks in July 2019: <u>Risk ID 1799</u> - There is a risk that the contracted company ISS are not able to deliver and maintain the necessary range of support services to UHH through effective business continuity planning in the event that industrial action is confirmed. Loss of support services has the potential to adversely impact on other staff members and continuity of delivery of clinical services across UHH.</p> <p>This risk is assessed as High and is owned by C Lauder.</p>

New Risks in August 2019:

New Risk ID 1800 - There is a risk that NHSL fails to engage appropriately with internal and external stakeholders in the pursuit of its objectives, resulting from the absence of an NHSL Communication Strategy and NHSL Engagement Strategy, with the potential for adverse reputation and delay in progressing strategic objectives.

This risk replaces risk ID 243, is assessed as **Medium** and is now owned by C Brown.

New Risk ID 1815 - There is a significant risk that NHS Lanarkshire will be unable to realise the required savings for year 2020/21 and deliver a balanced budget.

This risk is assessed as **Very High** and is owned by L Ace.

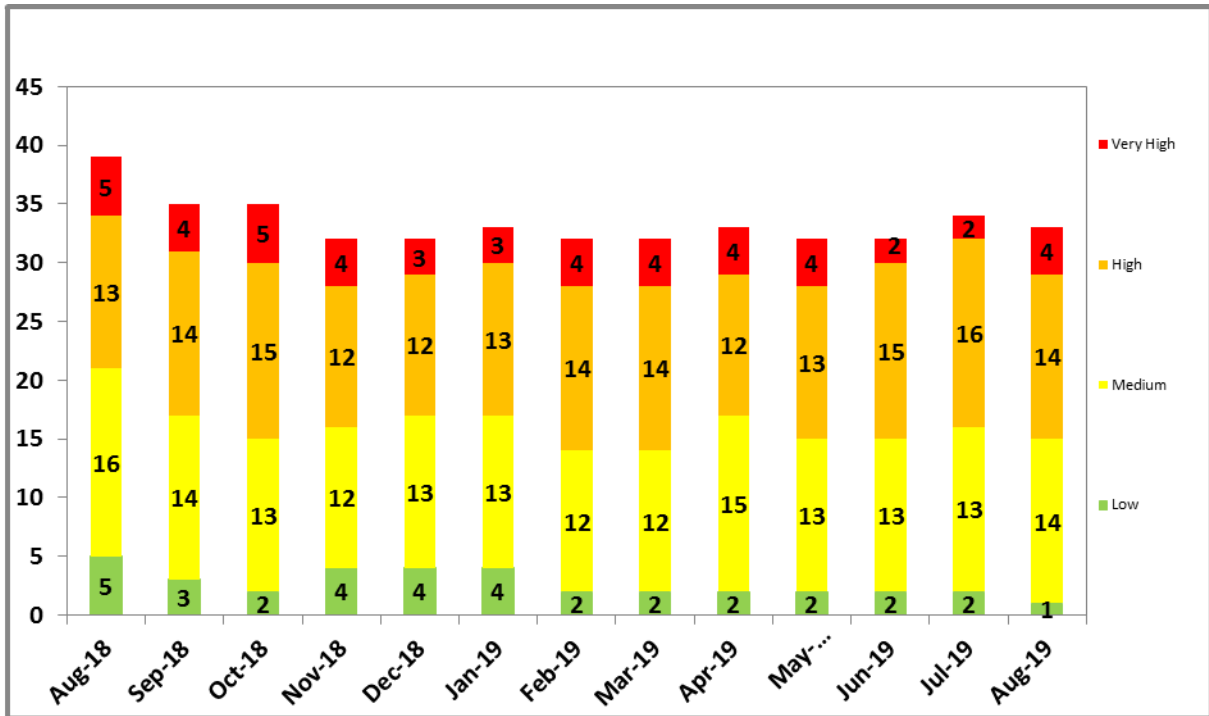
Significant Material Note of Change for Specific Risks Since the Last Reporting Period

Risk ID	Description of the Risk and Note of Change Within the Review Period	Risk Owner
1669	<p>There is a risk that NHSL is not working in compliance with the data protection legislation, including General Data Protection Regulations (GDPR) and Data Protection Act 2018 (DPA2018), resulting from human error; lack of understanding; ineffective practice and process with the potential to adversely impact on the reputation of NHSL and incur significant financial penalties.</p> <p><u>Note of Change June</u> The controls for this risk have been fully reviewed, including the output from the internal audit report and the substantive assurance. D Wilson has further discussed this at the Information Governance Committee and the eHealth Strategic Group, where the consideration to reduce from Very High to High was approved.</p>	D Wilson
1587	<p>There is a risk that the 2 site model of delivery of an Out of Hours (OOH) service cannot be sustained resulting from national and local disengagement of salaried and sessional GMPs, and recently the nursing workforce, resulting in the potential to adversely impact on patient care, partner services including A&E, the national performance targets and the reputation of the partner agencies.</p> <p><u>Note of Change June</u> There is a significant issue emerging through nursing vacancies within this service. The risk has been increased from High to Very High. Controls include incremental resilience planning and development of a strategic plan.</p>	V De Souza
1727	<p>There is a risk that NHS Lanarkshire will not be able to realise the required savings for 2019/2020 and deliver a balanced budget, with the potential to impact adversely on current and subsequent years financial planning.</p> <p><u>Note of Change June</u> Allocation of waiting times monies have been confirmed and reduced the likelihood of occurrence from likely to possible, therefore the overall assessed level of risk has been reduced from Very High to High.</p>	L Ace
1661	<p>Brexit presents a level of risk that is not containable by NHS Lanarkshire alone, especially in areas where there is limited detail regarding change and impact over the workforce and a range of broader product, access and legislation issues with the potential to adversely disrupt continuity of delivery of healthcare services across NHSL.</p>	C Campbell

	<p><u>Note of Change August</u> The description of this risk has changed to reflect the external nature of this risk to NHSL. Subsequent to recent UK government changes, the assessment of the risk has been increased from High to Very High. Effective from 19th August, the formal Gold Command position has been re-instated.</p>	
1749	<p>There is a risk that without SG agreement of local targets, overall delivery of the Annual Operational Plan (AOP) for the year 2019-2020 will not be fully realised because of the continuous challenges of the necessary cash releasing efficiency schemes and the range of waiting times targets that are increasingly difficult to meet. This could result in decreased capacity and potential for failure to meet some of the AOP standards and targets.</p> <p><u>Note of Change August</u> Reviewed noting the position with the unscheduled care and the expectations for 95% with no variance accepted by Scottish Government. Description of the risk changed and remains a High graded risk.</p>	C Lauder
1363	<p>There is a risk created by the increasing reliance on all NHSL IT systems and infrastructure. As the use of IT systems and infrastructure are stretched without proportionate investment, there is a greater likelihood of aspects of these systems failing with direct impact on the medical management of patient care. This risk is further increased by the increasing level of interoperability between systems.</p> <p><u>Note of Change August</u> Tolerance changed from Medium to Low noting the significant business dependence on the Digital Health & Care Strategy. Risk remains assessed as Medium.</p>	D Wilson
1364	<p>There is an ongoing risk of malicious intrusion into data stored on NHSL digital systems resulting from inherent IT vulnerabilities that could be exploited to cause maximum disruption and/or theft of data, with the potential for NHSL to have significant service disruption and impact adversely on the organisational reputation.</p> <p><u>Note of Change August</u> Tolerance for risk reduced from Medium to Low noting the significant business dependence on the Digital Health & Care Strategy. Risk remains assessed as Medium.</p>	D Wilson
1582	<p>There is a risk that NHSL may breach compliance with the Duty of Candour legislation implemented in April 2018 until the principles and directions are fully embedded.</p> <p><u>Note of Change August</u> As evidenced through the Duty of Candour Annual Report (HQAIC), Risk reduced from High to Medium.</p>	J Burns

ii) **NHSL Corporate Risk Register Profile as at 14th August 2019**

The corporate risk profile is shown for the period August 2018 to 14th August 2019 below:



Risk Heat map

From the 33 live corporate risks, the profile, plotted by likelihood x impact = assessed level of risk, is shown in the heatmap below:

			IMPACT				
			Negligible	Minor	Moderate	Major	Extreme
		Score	1	2	3	4	5
LIKELIHOOD	Almost Certain	5					
	Likely	4			5	3	1
	Possible	3		1	7	9	
	Unlikely	2			3	3	
	Rare	1		1			

Corporate Objectives

All corporate risks are aligned to the 3 primary corporate objectives agreed as Effective, Person Centred and Safe:

	Low	Medium	High	Very High	Totals
Effective	1	6	8	1	16
Person - Centred	0	0	0	0	0
Safe	0	8	6	3	17
Totals	1	14	14	4	33

Risk Types

The 33 risks are further categorised as types :

	Low	Medium	High	Very High	Totals
Business	0	10	10	4	24
Clinical	1	2	2	0	5
Reputation	0	2	2	0	4
Staff	0	0	0	0	0
Totals	1	14	14	4	33

iii) Defining and Measuring Risk Appetite and Risk Tolerance with Very High Graded Risks Across NHSL, and Mitigating Controls

NHS Lanarkshire has agreed the boundary corporate risk appetite and tolerance below:

			IMPACT				
			Low	Minor	Moderate	Major	Extreme
Score			1	2	3	4	5
LIKELIHOOD	Almost Certain	5					
	Likely	4			5	3	1
	Possible	3		1	7	9	
	Unlikely	2			3	3	
	Rare	1		1			

Whilst there are 18 risks that are assessed above the boundary risk appetite, commensurate with the approved taxonomy for governance and oversight of the assessed risks, the focus for this report will be on very high graded risks as below:

Assessed Level of Risk	Risk Tolerance Descriptor	Level & Frequency of Review / Assurance
<p>Very High 16 - 25</p>	<p>Risk level exceeds corporate risk appetite and requires immediate corrective action to be taken with monitoring at CMT and Board Level</p>	<ul style="list-style-type: none"> • Every Board Meeting for decision-making and assurance • Every PPRC meeting for decision-making and assurance • Every Audit Committee meeting for assurance • Monthly CMT for discussion and review of mitigation controls, triggers and assessment

Very High Graded Risks on the Corporate Risk Register as at 14th August 2019

There are 4 very high graded risks on the corporate risk register, shown below with the mitigating controls:

ID	Title	Opened Date	Risk level (current)	Mitigating Controls	Risk level (tolerance)	Risk Owner
1450	Ability to maintain existing GM Services across NHS Lanarkshire	14/11/2016	Very High	<ol style="list-style-type: none"> 1. Executive group established to highlight and enact potential solutions 2. Primary Care Improvement Plan directly linked to the new GMS contract, supported by an implementation plan that aims to increase the number of practitioners working in primary care to support the general medical services. 3. A GMS Implementation group has been established and on track to produce a Primary Care Improvement Plan linked to Transforming Primary Care Aims 4. Additional Pharmacists and ANPs are being deployed to assist practices in difficulty, however, GP attrition is creating difficulty in matching vacant posts. Work is progressing on a practice to practice basis. 5. New abbreviated procurement process approved and in place 6. Review of GP Leased Premises to reduce burden on GP's now going through the national process 7. Procurement of a community information system to optimise contribution to community services 8. Work with NES to optimise the use of trainees. 	Medium	C Campbell
1661	European Union Exit (Brexit) Impact on NHSL	12/07/18	Very High	<ol style="list-style-type: none"> 1. SG Communication with all Boards on EU Withdrawal Issues 2. SG Operational Readiness for EU Withdrawal Checklist has been completed and returned to SG (used at CE development day) 3. Implementation of the 'settled scheme status' for EU citizens 4. Communication plan through HR on supporting and communicating with EU staff 5. NHSL SLWG completed and returned SG assessment tools 6. NHSL Business Continuity / Resilience Plans continuously being tested in advance of final deal and on-going 7. NHSL have agree that a collaborative approach will be taken with the other West of Scotland NHS Boards to work together to help address the risks / impacts associated with Brexit and on-going 8. NHSL European Union Exit Short Life Working Group set up and can be re-instated at short notice. 9. Resilience Training through CMT completed 18th February 2019 and 4th March 2019 10. The formal Gold Command effective from April 2019 was suspended for a short period in light of the extended time period, however, the position has been re-instated effective from 19th August. 11. Dedicated EU Withdrawal page on Firstport with contemporary information regarding exit plans 12. Co-ordinated issue and risk process local to NHSL and for reporting to Scottish Government, although suspended in the interim until there are any further developments/decisions 13. Standing agenda item on CMT with continuous oversight of emerging issues 14. Update paper to the Board of NHS Lanarkshire prepared for August 2019 with refresher training for all executive Directors and review of all high and very high graded risks. 	High	C Campbell

ITEM 18A

ID	Title	Opened Date	Risk level (current)	Mitigating Controls	Risk level (tolerance)	Risk Owner
1815	Ability of NHS Lanarkshire to realise the required savings within year 2020/21 and deliver a balanced budget	14/08/19	Very High	<ol style="list-style-type: none"> 1. Early Identification of Savings Programme 2. Set-up of Programme Management Office with Programme Lead & Project Plan 3. Dedicated CMT Financial Meetings 4. Intelligence gathering and scenario planning 	Medium	L Ace
1587	Sustainability of the 2 site Model for OOH Service	13/12/2017	Very High	<ol style="list-style-type: none"> 1. Rates of Pay have been maintained at summer rates until end of Sept 2019 2. BCP in place and work is currently underway to develop an escalation plan for any redirection to A&E 3. OOH report on anticipated weekend activity and staffing at CMT weekly. Exception report against this will also be put in place 4. Workforce action plan in place - linked to GMS sustainability 5. Regular reporting mechanism for North and South IJBs 6. OOH performance reporting will be a standing item on the performance and audit sub committee 7. There is a weekly update meeting on the OOH risk register and action plan which includes operational managers and professional leads 8. There is work ongoing with NHS 24 to review processes and procedures in relation to triage 	Medium	V DeSouza

ITEM 18A

Very High Graded Risks across NHSL as at 14th August 2019

Acute

There are 2 very high graded risks owned and managed within the Acute Division. From the last reporting period, Risk ID 1012 - Treatment Time Guarantee has been reduced from Very High to High. A new risk (ID 1804) has emerged as below:

ID	Title	Open Date	Risk level (current)	Mitigating Controls	Risk Owner
1804	Acute Waiting Times Improvement Plan (Outpatients)	07/08/19	Very High	<ol style="list-style-type: none"> 1. Work closely with specialty teams to redesign patient pathways. 2. Robust monitoring process in place with the independent sector partners to ensure contracts are delivered on time through monthly information updated. Next submission due end August 2019. 3. Regular updates provided to DMT. 4. Regular reports provided to Acute Governance Committee. Next update due September 2019 	J Park
1716	OOH Interventional Radiology Service	04/12/18	Very High	<ol style="list-style-type: none"> 1. Part time Locum interventional radiologist commenced 22nd July 2019, based at Hairmyres for 3 months in the first instance. 2. Efficiency and throughput of existing lists is being maximised at 7th August 2019. 3. Discussions with NHSL Lothian regarding formalising Transjugular Intrahepatic Creation of Portosystemic Shunt (TIPPS) took place on 2nd August 2019. Data currently being scoped to inform further discussions on the way forward. 4. Contingency plans in place at 7th August 2019. 5. The WoS Regional group has met and commissioned a piece of work to scope options for OOH service (one hub or two hubs) and that this paper will be shared with key stakeholders in each Board for comment. The plan is to submit the paper to CEO meeting in late Summer 2019. 6. Ongoing discussions with Regional team at 7th August 2019 7. As of 7th August 2019- WoS approach to interventional delivery ooh is still being discussed. No change to NHSL position. 	J Park

ITEM 18A

North / South Health & Social Care Partnership

For this reporting period, there is one (1) very high graded risk for South Health & Social Care Partnerships arising through the Primary Care Implementation Plan:

ID	Title	Open Date	Risk level (current)	Mitigating Controls	Risk Owner
1793	PCIP - Ability to maintain existing GM Services across NHS Lanarkshire	18/07/19	Very High	There is an increasing risk that there is insufficient GP capacity to enable sustainable delivery of general medical practice across NHSL, resulting from a range of changes including a change in portfolio career arrangements, age profile of the existing workforce, increased part time working and less medical students choosing GP practice as a career. For NHSL, this has already resulted in a number of practices 'closing their list' which has consequences for other neighbouring practices, with some practices alerting NHSL to say they believe their ongoing sustainability as a practice is in serious doubt. Many of the staff who may be identified as potentially offering support to cover GP vacancies are also in short supply, e.g. Advanced Nurse Practitioners.	V De Souza

For this reporting period, there are no very high graded risks within North Health & Social Care Partnership.

Business Critical Project/Redesign Risks Assessed as Very High

There is currently no very high graded business critical project/redesign risks

Monklands Business Continuity Risks Assessed as Very High

As scheduled, the Monklands Business Continuity Risk Register (MKBC) has been transferred to the Datix system. There are 32 risks with the following profile:

Very High	6	High	18	Medium	8	Low	0
-----------	---	------	----	--------	---	-----	---

The 6 very high graded risks are set out below:

ITEM 18A

ID	Title	Open Date	Risk level (current)	Mitigating Controls	Risk Owner
1763	Current fire alarm cause and effect does not reflect how staff should react in the event of fire.	27/06/19*	Very High	1. Control book holders are regularly briefed by a local Fire Officer on fire procedure. 2. Following a NHSL Fire review, a current operation will be established in order to inform actions required. 3. Regular training tailored to patient/ ward areas has been commissioned.	C Lauder
1765	Fire compartment condition of area under the ward towers, ground and lower ground floor.	27/06/19*	Very High	1. FSW 7 Stage 1B will provide a design solution for required improvements. This will allow review with the Project Team and identification of priorities for works to be completed by March 2020.	C Lauder
1784	Access to maintain fire dampers	27/06/19*	Very High	1. NHSL FO are preparing a report on the issue identified. 2. Surveys on-going via C&B to identify all fire dampers and locations as part of the Asset Verification Surveys. 3. Estates are currently carrying out a programme of improvements to allow access to known fire damper locations.	C Lauder
1773	Deterioration/failure of cast iron pipes	27/06/19*	Very High	1. Priority areas of work have been identified and completed in March 18 and Sept 18. 2. Priorities for the next Phase of works in 19/20 have been identified.	C Lauder
1788	Loss of endoscopy service due to drainage issues	27/06/19*	Very High	Issues have reoccurred following initial NHSL Estates works. Brief to be prepared for Graham to progress a design solution to isolate the use of the problematic drainage.	C Lauder
1789	Loss of RDVU service due to drainage issues	27/06/19*	Very High	Issues have reoccurred following initial NHSL Estates works. Brief to be prepared for Graham to progress a design solution to isolate the use of the problematic drainage.	C Lauder

* date transferred to datix.

iv) NHS Lanarkshire Corporate Risk Register

The full NHS Lanarkshire Corporate Risk Register is subject to continuous review and overseen by the Corporate Management Team. The Register is set out in Appendix 2, sorted in descending order of the risk level (current) from very high to high, accurate as at 14th August 2019.

ITEM 18A

4. STRATEGIC CONTEXT

This paper links to the following:

Corporate Objectives	X	LDP		Government Policy	
Government Directive		Statutory Requirement		AHF/Local Policy	
Urgent Operational Issue		Other: Corporate Governance	X		

5. CONTRIBUTION TO QUALITY

This paper aligns to the following elements of safety and quality improvement:

Three Quality Ambitions:

Safe	x	Effective	x	Person Centred	x
------	---	-----------	---	----------------	---

Six Quality Outcomes:

Everyone has the best start in life and is able to live longer healthier lives; (Effective)	
People are able to live well at home or in the community; (Person Centred)	
Everyone has a positive experience of healthcare; (Person Centred)	
Staff feel supported and engaged; (Effective)	
Healthcare is safe for every person, every time; (Safe)	x
Best use is made of available resources. (Effective)	x

6. MEASURES FOR IMPROVEMENT

The risk register process is subject to monitoring and review monthly through the Corporate Management Team, and quarterly through the Risk Management Process Compliance Reporting, with onwards reporting to the Audit Committee.

7. FINANCIAL IMPLICATIONS

All very high graded risks will be considered in terms of exceeding the defined corporate risk appetite level. Review of the adequacy of mitigating controls and action planning might require a more intensive supported approach to mitigation.

8. RISK ASSESSMENT/MANAGEMENT IMPLICATIONS

No further risk analysis is required.

9. FIT WITH BEST VALUE CRITERIA

This paper aligns to the following best value criteria:

Vision and leadership	x	Effective partnerships		Governance and accountability	x
Use of resources	x	Performance management	x	Equality	
Sustainability					

10. EQUALITY AND DIVERSITY IMPACT ASSESSMENT

An Equality and Diversity Impact Assessment is not required for this paper as the risks apply equally.

11. CONSULTATION AND ENGAGEMENT

The risks expressed and quantified within the register are subject to discussion and review regularly in a number of forums.

12. ACTIONS FOR THE BOARD

Board Members are asked to:

Approval		Endorsement		Identify further actions	
Note	x	Accept the risk identified		Ask for a further report	

Specifically:

- Note the summary of significant material changes to the Corporate Risk Register, including the position of new and/or closed risks since the last reporting period (pages 2 – 4);
- Approve the NHS Lanarkshire Corporate Risk Profile over time; with the number of risks plotted by likelihood x impact; related corporate objectives and type as at 14th August 2019 (page 5);
- Receive assurance on the mitigation of all Very High graded risks on the Corporate Risk Register, noting the change of number of risks emerging and reviewed (pages 8 & 9);
- Consider all Very High graded risks in the context of the Healthcare Strategy, Commissioning Plans and decision-making (pages 10 - 12);
- Note that the other changes to the corporate risk register for this reporting period are recorded in Appendix 1, and
- Note the Corporate Risk Register, accurate as at 14th August 2019, set out in Appendix 2.

13. FURTHER INFORMATION

For further information about any aspect of this paper, please contact:

Mr Calum Campbell
Chief Executive
01698 858176

Mrs C McGhee
Corporate Risk Manager
01698 858094

Mr Paul Cannon
Board Secretary
01698 858181