

EAST KENT HOSPITALS UNIVERSITY NHS FOUNDATION TRUST

REPORT TO: **BOARD OF DIRECTORS**

DATE: **7 AUGUST 2015**

SUBJECT: **CORPORATE RISK REGISTER – TOP 10**

REPORT FROM: **CHIEF NURSE AND DIRECTOR OF QUALITY**

PURPOSE: **Information and discussion**

CONTEXT / REVIEW HISTORY / STAKEHOLDER ENGAGEMENT

This document provides the Board of Directors' (BoD) with an update of progress, as at 28 July 2015, with the top 10 risks on the Corporate Risk Register (CRR). This report includes changes that occurred since the last Quality Assurance Board (QAB) in June 2015. The top 10 risks were received by the Board of Directors at the June 2015 meeting; the full register was reviewed by the Board in January 2015. The top 10 risks were last reviewed by the Integrated Audit and Governance Committee on 14 April 2015 and the full register was reviewed on 20 July 2015. Quality risks will be next reviewed and discussed at the Quality Committee on 04 August 2015. The emerging risks were last reviewed by the Management Board on 17 June 2015.

SUMMARY

The risk register attached is the formatted output from the risk database and the committee will note some changes to the structure as this is contingent on the available fields within the database to complete.

There are four risks with an unmitigated risk score of 25 and six with a score of 20. The top 10 include:

- the quality, safety, financial and reputational consequences associated with the CQCs' published report into the Trust the internal financial efficiency programme;
- the deterioration in A&E performance standard and the potential risk to patients waiting longer than four hours;
- the internal financial efficiency and control;
- the external financial risk associated with CCG demand management, contract negotiations and financial challenges;
- local and national difficulties in staffing and recruitment;
- the increased risk to patient safety associated with inefficient clinical pathways/patient flow and delayed transfers of care, resulting in extra beds;
- the consistent poor performance in the staff survey results and staff feeling they are not engaged in decision-making that affects them;
- Board stability and potential loss of organisational memory with significant changes to the BoD;
- limited activity of the aseptic service;
- internal operational performance targets.

New	Two	<ul style="list-style-type: none"> General surgical rota to cover surgical emergencies at the K&CH – also on divisional risk register Potential patient safety risks associated with a backlog in patient follow up in Ophthalmology – on divisional risk register
Reduced	None	
Increased	None	
Substantially changed	None	
Removed	None	
Emerging	Three	<ul style="list-style-type: none"> Impact of continuance and increased scope of Operation Stack on business continuity CQC Fundamental Standards - Legal Duty of Candour and fining for breaches and the potential for NHSLA Repatriation of non-European nurses earning <£35,000 annually – proposed for HR risk register

The Corporate Risk Register has been reformatted within Datix in order to meet the recommendation made in the review of corporate and divisional governance; this should fulfil the recommendation to place the risk register in a database. The Trust has employed, on a fixed term basis, the services of a specialist consultant in risk management in order to review the current arrangements for risk management Trust wide.

The role will focus on providing divisional leadership teams, clinical specialities and the Board of Directors with practical tools on the identification, management and accurate assessment of risk. A series of training events is planned as well as a practical handbook for staff. The proposed changes to the governance and reporting structures will need to be aligned with changes to the Risk Management Strategy and to ensure that the practical suggestions made to staff are realised within a simplified escalation process.

A meeting has taken place with the Trust Chair and one of the Non-executive directors to start to review the structure and content of the corporate risk register and how this will progress over the forthcoming months. The input from the risk consultant will be crucial in order to ensure the approach can be replicated at divisional and local level. The content of the corporate risk register is unlikely to change until some of the training and development activity has occurred and the current risk registers throughout the Trust reviewed and revalidated. This is anticipated by October 2015.

The use of Datix as the core platform for risk registers will also need additional resource. The platform in place currently uses the main application of Datix, for which there are a limited number of licensed users. This must change to a web-based function in order to enable staff to readily access the system in the same way they do currently to report incidents. A quotation has been received for this functionality and a 10 per cent discount for the set up license has been received; this is valid until 31 August 2015. This is just over £6,000 for the set up and £4,000 per annum recurrently. The costs have been offset by £2,000 by rescinding a module which is not being used to its full potential. The on-going additional cost is approximately £1,800.

RECOMMENDATIONS:

The Board is asked to review the paper and associated attachments and decide if they are a true representation corporate risks affecting the Trust currently.

NEXT STEPS:

The governance process and committee structures are in a transitional phase and the accountability structures for risk management are being reviewed. The corporate risk

register will be reviewed at the Management Board in August.
IMPACT ON TRUST'S STRATEGIC OBJECTIVES: The Strategic objectives and BAF will ultimately drive the Annual Governance Statement, which represents the Trusts' ability to identify and manage risks effectively. Failure to demonstrate a consistent approach to the mitigation and control of risks can impact considerably on the effective delivery of the Trust's strategic and annual objectives.
LINKS TO BOARD ASSURANCE FRAMEWORK: There is an integral link to the Board Assurance Framework that runs through all the risks on the risk register; there is a specific link to A01.
IDENTIFIED RISKS AND RISK MANAGEMENT ACTIONS: The attached risk register reflects the risks affecting the Trust and the mitigating actions in place.
FINANCIAL IMPLICATIONS: Actions to mitigate certain risks have considerable impact on Trust expenditure; financial risks are now quantified in terms of single or cumulative costs. Failure to mitigate some risks will also result in financial loss or an inability to sustain projected income levels.
LEGAL IMPLICATIONS / IMPACT ON THE PUBLIC SECTOR EQUALITY DUTY: The Trust could face litigation if risks are not addressed effectively. The aim of the Public Sector Equality Duty is relevant to the report in terms of the provision of safe services across the nine protected characteristics.
PROFESSIONAL ADVICE TAKEN ON ANY NOVEL OR CONTENTIOUS ISSUES Not applicable
BoD ACTION REQUIRED: (a) to discuss and determine actions as appropriate
CONSEQUENCES OF NOT TAKING ACTION: The Trust will continue to face unmitigated risks which may result in a worsening of the current position.

Summary

1.1. Explanation

This document provides the Board of Directors' (BoD) with an update of progress, as at 27 July 2015, with the top 10 risks on the Corporate Risk Register (CRR). This report includes changes that occurred since the last Quality Assurance Board (QAB) in June 2015. The top 10 risks were received by the Board of Directors at the June 2015 meeting; the full register was reviewed by the Board in January 2015. The top 10 risks were last reviewed by the Integrated Audit and Governance Committee on 14 April 2015 and the full register was reviewed on 20 July 2015. Quality risks will be and discussed at the Quality Committee on 04 August 2015. The emerging risks were last reviewed by the Management Board on 17 June 2015.

The Corporate Risk Register outlines descriptions of the risks, mitigating actions, residual impact following the action, and cumulative outline of action taken. Progress is being made across each area of risk in pursuing the necessary actions to control and mitigate the risks. Risks associated with Health and Safety legislation are as indicated on the register.

1.2. Recent developments

- 1.2.1. The Corporate Risk Register has been reformatted within Datix in order to meet the recommendation made in the review of corporate and divisional governance; this should fulfil the recommendation to place the risk register in a database. The structure of the output from the database is attached and because of the structure of some fields the printout appears in a slightly different format. Progress has been made to use a database for the divisional risk registers, with that from Urgent Care and Long-Term Conditions already completed.
- 1.2.2. The Trust has employed, on a fixed term basis, the services of a specialist consultant in risk management. The decision followed the receipt of the various reports by external consultants on the management of risk and the knowledge of staff to articulate and manage risk in their working environment. The role will focus on providing divisional leadership teams, clinical specialities and the Board of Directors with practical tools on the identification, management and accurate assessment of risk. A series of training events is planned as well as a practical handbook for staff. The proposed changes to the governance and reporting structures will need to be aligned with changes to the Risk Management Strategy and to ensure that the practical suggestions made to staff are realised within a simplified escalation process.
- 1.2.3. The risks on the corporate risk register will be discussed at the Executive team meeting weekly and updates provided.
- 1.2.4. A meeting has taken place with the Trust Chair and one of the Non-executive directors to start to review the structure and content of the corporate risk register and how this will progress over the forthcoming months. The input from the risk consultant will be crucial in order to ensure the approach can be replicated at divisional and local level. The content of the corporate risk register is unlikely to change until some of the training and development activity has occurred and the

current risk registers throughout the Trust reviewed and revalidated. This is anticipated by October 2015.

- 1.2.5. The use of Datix as the core platform for risk registers will also need additional resource. The platform in place currently uses the main application of Datix, for which there are a limited number of licensed users. This must change to a web-based function in order to enable staff to readily access the system in the same way they do currently to report incidents. A quotation has been received for this functionality and a 10 per cent discount for the set up license has been received; this is valid until 31 August 2015. This is just over £6,000 for the set up and £4,000 per annum recurrently. The costs have been offset by £2,000 by rescinding a module which is not being used to its full potential. The on-going additional cost is approximately £1,800.

1.3. Significant changes to the Register since July 2015 – None

1.4. Risks decreased in July 2015 – None

1.5. Risks increased in July 2015 – None

1.6. Risks removed from the Register in July 2015 – None

1.7. Risks added to the Register in July 2015 – Two

- 1.7.1. Availability of general surgical rota to cover patients attending directly to the K&CH site with potential acute surgical emergencies. Use of vascular surgeons to provide cover is currently in place but the skills in general surgery may not be currently maintained. The strategy of non acute surgical abdominal pathways at the K&CH site has been in place since 2005. There has been a change over the last 10 years where more acute surgical patients are transferred in on an emergency pathway. Some patients are being referred directly by GPs and others transferred by the Ambulance Service; these scenarios are both outside the current surgical pathway for the site. Patients may also attend directly to the site and greater clarity regarding the arrangements to transfer to either the QEQM or WHH sites is being reviewed by the Divisional Medical Directors for Surgery and UC<C. There is a small possibility of patients being referred in extremis to the K&CH; in such circumstances the plan would be to stabilise before transfer, or stabilise and await surgical input for the on-call surgeon at either QEQM or WHH. There remains the outstanding issue of acute surgical cover for acute medicine and for those in-patients who develop an acute surgical illness during their admission. There have been a number of patients who may have been harmed because of delayed failures to escalate and transfer; these are being reviewed by the Patient Safety team and the Medical Director. The unmitigated risk score is 9 and the post mitigation score is 3.

- 1.7.2. Approximately 9000 patients have been identified as not having received a follow up appointment. This position was identified by the running of a report to support partial booking. These records need to be validated to understand if this is true position. However the potential lack of follow up has resulted in long waiting times

for patients to be reviewed. This situation may highlight a potential governance issue with clinical priority not being followed consistently and has arisen because of the auto discharge function being turned off 18 months ago; a process of validation is being undertaken. A waiting list is being compiled, based on the greatest clinical priority; additional clinics are being implemented where possible and the capacity to deliver the follow up clinics has been assessed. The PTL list is reviewed weekly alongside an assessment of patients already booked for an appointment in the future. The number of patients on 12 monthly follow ups is being reviewed in order to identify those who could be appropriately transferred to the community eye service. The possibility of securing additional out-patient capacity in-house has been discounted as there are sufficient slots available to cover the backlog. A look back exercise is being scoped by the division with specialist input in order to focus on patients who are most at risk from deterioration in their vision. The risk is scored as 16 before mitigation and 9 post mitigation.

1.8. Emerging risks - three

- 1.8.1. Kent Police extended the scope of Operation Stack on 29 July, which will have further impact on the William Harvey Hospital, although transport across the whole of the East Kent area is being affected. This has resulted in the M20 coast bound closed between Junctions 8 to 11; the M20 is also closed London bound from junctions 9 to 8. Impact of the closures on transportation of blood and blood samples as well as patient transport is being evaluated. Our Emergency Planning team are working with a number of partnership organisations, including Kent Police, to ensure that emergency and critical access to the William Harvey Hospital is available whilst Operation Stack is in place.
- 1.8.2. CQC fundamental standards, which replace the current 16 essential standards for quality and safety. Two standards came into force on 27 November 2014 for the acute sector; these are the duty of candour and the fit and proper person's requirements. The remainder came into force on 01 April 2015. The duty of candour places a legal duty on the Trust to notify patients and relatives in writing when an incident resulting in moderate or severe harm or death occurs during an episode of care. Once the patient has been told in person about the notifiable patient safety incident, the organisation must provide the patient with a written note of the discussion, and copies of correspondence must be kept. The statutory duty of candour will be brought about through CQC registration regulations. There is a potential for any NHS organisation to be fined for any confirmed breach of this regulation equivalent to £2,500 per breach.

There are further changes mooted by the NHS Litigation Authority (NHSLA) whereby an NHS Trust has breached the statutory duty of candour about a patient safety incident which results in a claim, the NHS LA could have the discretion to reduce or remove that Trust's indemnity cover for that claim. This proposal could result in individual trusts having the liability for the component of a claim that the NHSLA fail to cover. The current position of the NHSLA regarding this matter has still not yet been confirmed and the risk is difficult to evaluate currently.

- 1.8.3. New immigration rules, due to come into effect in April 2016, may impact on overseas nurses currently employed by the Trust. Under these new rules, non-EU workers who are earning less than £35,000 after six years in the UK will be deported. Currently, nurses are not on the listing of shortage occupations where exemptions from these rules apply. The Home Office has been asked to reconsider the issue of exemption and to reconsider the salary threshold as this ruling could affect 7,000 nurses by 2020. The possible impact of this change locally and across the wider health economy will need to be assessed in order to evaluate the impact of this change.

2. Risk Register and impact on the Annual Governance Statement

- 2.1. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the policies, aims and objectives of East Kent Hospitals University NHS Foundation Trust, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.
- 2.2. The gaps in controls identified for the revised performance risks will impact on the Annual Governance Statement for 2015/16 and the internal systems currently in place to control and manage risk effectively.

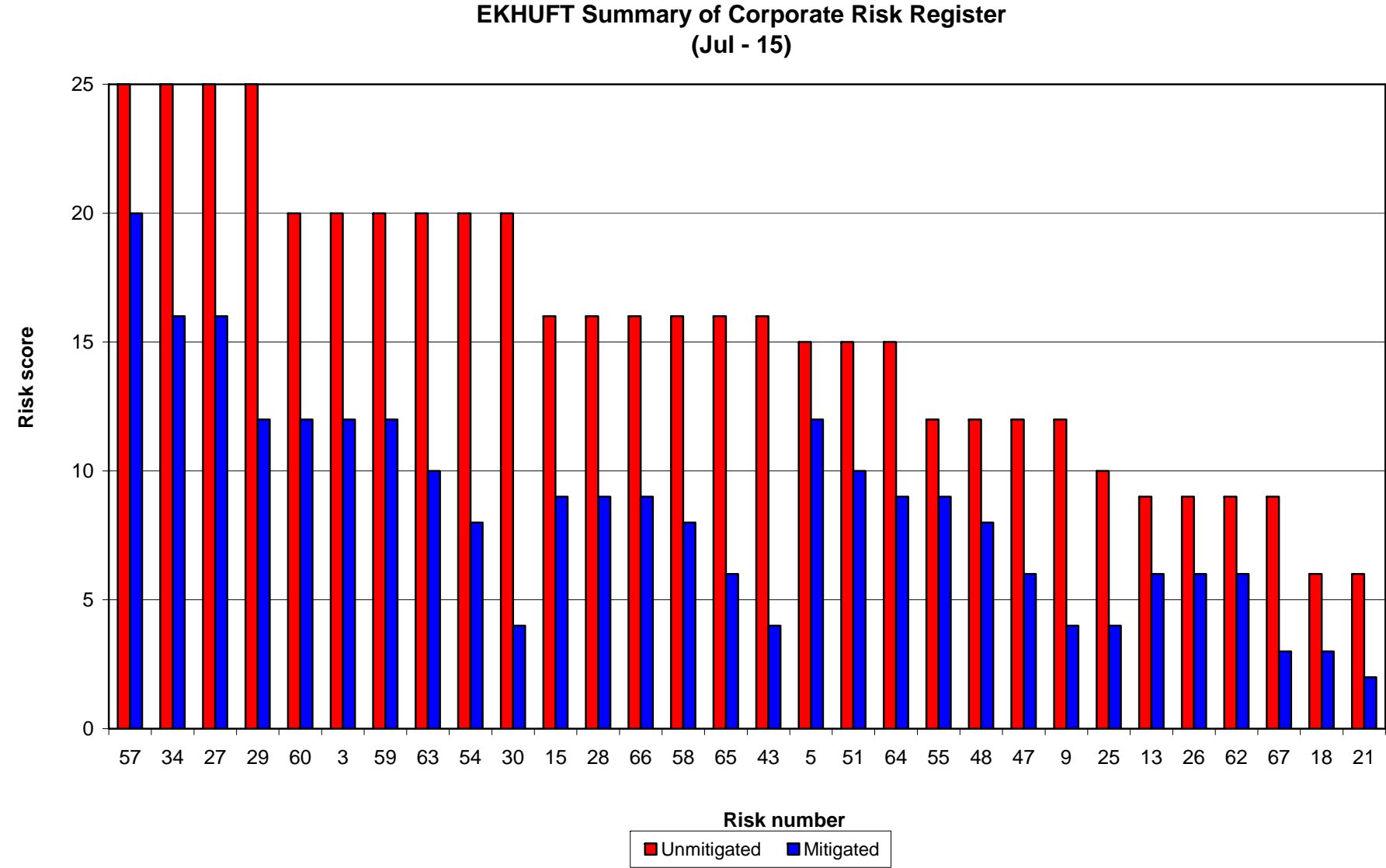
3. The Board are requested to:

- 3.1. Note the report, discuss and determine actions as appropriate and approve the revised risk register.

4. Pre and Post Mitigation Scores – full listing

Current order	Risk number	Unmitigated	Mitigated	Description	Last Reviewed	Review Contact
1	57	25	20	Quality, safety, financial & reputational consequences associated with the CQCs' published report	Jan-15	Chris Bown
2	34	25	16	A&E performance and emergency pathways	May-15	Giselle Broomes
3	27	25	16	Internal - Financial Efficiency Improvements and Control	Apr-15	Nick Gerrard
4	29	25	12	External - CCG Demand Management, Contract Negotiations and Financial Challenges	Apr-15	Nick Gerrard
5	60	20	12	Difficulty in recruitment of staff against vacancies and national shortages in some hard to recruit posts	May-15	Sandra Le Blanc
6	3	20	12	Patient safety, experience & effectiveness compromised through inefficient clinical pathways/patient flow	Apr-15	Jane Ely
7	59	20	12	Poor staff survey results and evidence of staff engagement	May-15	Sandra Le Blanc
8	63	20	10	Board stability and potential loss of organisational memory with significant changes to the BoD	Apr-15	Chris Bown
9	54	20	8	Temporary closure of the aseptic service due to non-compliance with service standards	Mar-15	Mary Tunbridge/Jo Ringer
10	30	20	4	Internal - Operational Performance Targets	Apr-15	Nick Gerrard
11	15	16	9	Ability to maintain continuous improvement in reduction of HCAs in the presence of existing low rates	Apr-15	Dr S Reddy
12	28	16	9	External - Cost and Income Pressures including Technical Changes	Apr-15	David Bains
13	66	16	9	Ophthalmology patients not followed up with potential for clinical deterioration	Aug-15	Marion Clayton
14	58	16	8	Effective diagnosis and management of sepsis	Jan-15	Michelle Webb
15	65	16	6	Implementation of the Kent Pathology Partnership and on-going sustainability	Apr-15	Mary Tunbridge/Jane Ely
16	43	16	4	Embedding Divisional Quality Governance	Feb-15	Helen Goodwin
17	5	15	12	Failure to meet 18 weeks RTT	Apr-15	Marion Clayton
18	51	15	10	Business continuity and disaster recovery solutions for Trust wide telephony	Oct-14	Andy Barker
19	64	15	9	Trust wide compliance with mandatory training compromised by IT issues and interface with ESR	Apr-15	Sandra Le Blanc
20	55	12	9	Failure to meet and sustain the 62 day cancer targets for urgent GP and screening referrals	Apr-15	Jane Ely
21	48	12	8	Transport Service to a new national provider - possible DTOC during transition phase	Jan-15	Finbarr Murray
22	47	12	6	Winter planning and capacity management	Mar-15	Jane Ely
23	9	12	4	Loss of clinical reputation due to unmitigated patient safety risks	Oct-14	Michelle Webb
24	25	10	4	Management of complaints and patient experience	Apr-14	Sally Smith
25	13	9	6	Age and Design of Trust constraint EKHUFT being top 10 in England	Jan-15	Finbarr Murray
26	26	9	6	Profile and effectiveness of the clinical audit function	Mar-15	Robin Ufton
27	62	9	6	Health and Safety compliance	Mar-15	Finbarr Murray
28	67	9	3	Availability of general surgical rota to cover patients attending directly to the K&CH	Aug-15	Marion Clayton
29	18	6	3	Complexities of Managing the Market	Jan-15	Rachel Jones
30	21	6	2	Blood transfusion process - vulnerable to human error	Feb-15	Angela Green

5. Highest risk post mitigation



Appendix 1 - scoring methodology

Risk Scoring Matrix (Financial values have been added to these levels)

CONSEQUENCE / IMPACT FOR THE TRUST	
LEVEL	DETAIL DESCRIPTION
1	Negligible - no obvious harm, disruption to service delivery or financial impact. Reputation is unaffected.
2	Low - The Trust will face some issues but which will not lower its ability to deliver quality services. Minimal harm to patients; local adverse publicity unlikely; minimal impact on service delivery. Financial impact up to £1 million non recurrent/one off or up to £2 million over 3 years.
3	Moderate – The Trust will face some difficulties which may have a small impact on its ability to deliver quality services and require some elements of its long term strategy to be revised. Level of harm caused requires medical intervention resulting in an increased length of stay. Local adverse publicity possible. Financial impact between £1 million and £3 million non recurrent/one off, or between £2million and £ 6million over 3 years.
4	Significant – The Trust will face some major difficulties which are likely to undermine its ability to deliver quality services on a daily basis and / or its long terms strategy. Major injuries / harm to patients resulting in prolonged length of stay. External reporting of consequences required. Local adverse publicity certain, national adverse publicity expected. Likelihood of litigation action. Temporary service closure. Financial impact between £3million and £5million non recurrent/one off or between £6 million and £10million over 3 years.
5	Extreme – The Trust will face serious difficulties and will be unable to deliver services on a daily basis. Its long term strategy will be in jeopardy. Serious harm may be caused to patients resulting in death or significant multiple injuries. Extended service closure inevitable. Protracted national adverse publicity. Financial impact at least £5 million non recurrent/one off, or at least £10 million over 3 years.
LIKELIHOOD OF RISK CRYSTALLISING	
LEVEL	DETAIL DESCRIPTION
1	Rare - may occur only in exceptional circumstances. So unlikely probability is close to zero.
2	Unlikely - could occur at some time although unlikely. Probability is 1 - 25%.
3	Possible – reasonable chance of occurring. Probability is 25 – 50%.
4	Likely – likely to occur. Probability is 50 – 75%.
5	Almost Certain – Most likely to occur than not. Probability is 75 -100%.

		Impact				
		1	2	3	4	5
Likelihood	1	L	L	M	H	H
	2	L	L	M	H	E
	3	L	M	H	E	E
	4	M	M	H	E	E
	5	M	H	E	E	E

E	Extreme Risk - immediate action required
H	High Risk - senior management attention required
M	Moderate Risk - management responsibility must be specified
L	Low Risk - manage by routine procedures

Rank	Risk no.	Risk name	Source of Risk	Risk description	Health & Safety Related?	Site	Date added	Consequence (current)	Likelihood (current)	Risk Rating (current)	Risk level (current)	Executive lead	Target date for completion	Controls in place	Additional Actions/Progress	Consequence (mitigated)	Likelihood (mitigated)	Risk rating (mitigated)	Risk level (mitigated)
1	57	CQC inspection March 2014	Care Quality Commission National	The quality, safety, financial and reputational consequences associated with the CQCs' published report into the Trust	N	EKHUFT	27/08/2014	5	5	25	4RISK	Chris Bown	01/08/2015	Externally facilitated workshop with CCG leads has taken place as a starting point to build better relationships with commissioners. The High level action plan was sent to the CQC on 23 September 2014. There has been divisional engagement with the more detailed, local action plans that are required. The Trust is in Special Measures with Monitor and subject to a monthly review meeting. A series of diagnostic programmes have commenced; these include divisional governance and data quality. A Ward to Board governance review has taken place and a report issued which highlights over 50 actions to be taken. These actions are in the process of being worked through led by the Board.	A series of engagement events with staff have taken place, but more staff engagement is required; this is being aligned with the We Care programme developments. An interim Improvement Director has undertaken an initial review of the Trust and an Programme manager identified to follow through the HLIP, supported by an Improvement Plan Delivery Board with staff involvement. A formal Improvement Director was appointed by Monitor and she has overseen the publication of the NHS Choices Action Plan on their website. A clinical lead to support the programme was appointed in November 2014 alongside a dedicated Programme Manager. A cultural change programme is being developed and embedded. This programme is subject to constant monitoring and specific risks identified as part of the on-going monitoring. The date for re-inspection was 13 July 2015 and this subject to a separate programme, with clear workstreams identified. The report is expected in October 2015; in the interim, the existing action plan will be reviewed and the issues identified during the inspection incorporated into a new plan.	5	4	20	4RISK
2	34	A&E performance standards	Board of directors National	The 2011/12 Operating Framework contained a number of new standards relating to A&E performance. These are now used as internal stretch targets and Monitor has reverted to compliance against the four-hour admission/discharge standard for A&E at 95%. There is an increasing challenge to deliver performance against this operational standard which is affecting patient experience, safety and clinical effectiveness	N	EKHUFT	01/04/2011	5	5	25	4RISK	Jane Ely	01/08/2015	There has been financial support in terms of reablement funding which the Trust has been utilising. EKHUFT have been in discussion with Commissioners and Provider Partners with regards reablement schemes and support for 2014/15, with a view to building on the work undertaken during this winter, especially with regards additional external capacity. Analysis of Delayed Transfer of Care patients is sent daily to Community/Social Service and other Health care providers. EKHUFT have also worked with Social Services to ensure the accuracy of reportable DTOCs as well as the inclusion of a 'working total' to provide an internal early warning system for each acute site. Multi-agency teleconferences are held twice weekly, increasing to daily when under sustained pressure. There has been minimal impact of community schemes for admission avoidance.	Quarterly meetings are held with the CEO, Chairman, COO and the NEDs to review the performance of A&E. Meetings used to discuss operational issues facing the departments and how to address these. There was an UC Integrated Care Board, chaired by Commissioners. The increased pressure recognised throughout the year to date continues. Mitigations include, surge resilience funding, additional consultant weekend cover, recruitment to vacant middle grade and substantive consultant posts, increased psychiatric liaison services and joint post for a critical care paramedic resource at the QEOM for 3 months. ECIST review undertaken with further actions identified to improve pathways. Improved position at WHH following senior consultant input. Detailed performance reviews demonstrate that the A&E sites did achieve compliant days in isolation in April, and has performed above 90% across a number of consecutive days we have been challenged to achieve a weekly A&E position above 90% due to individually high volume, high pressure days resulting in multiple breaches.	4	4	16	4RISK
3	27	Internal - Financial Efficiency Improvements and Control	Finance and investment committee	Trust fails to meet its savings target for 2014/15, the £25.2 million and the 2016/17 £9.0 million targets and without action with Trust will miss its CIP target by more than £10 million. Working Capital may be insufficient to support Trust's investment and capital replacement plan through a reduction of EBITDA compared to plan or increased debt compared to plan. This would also impact on the Financial risk rating for the Trust. Cost control, performance management systems fail to prevent avoidable cost increases and reduced financial efficiency. Delivery of the annual plan is adversely impacted due to delays in the completion of significant service developments. Opportunities to improve efficiency or patient care are delayed reducing profitability and ability to deliver plan agreed with the Board and Monitor. Trust slow to respond to reduced profitability, impacting on achievement of plan and future financial stability	N	EKHUFT	01/04/2015	5	5	25	4RISK	Nick Gerrard	01/04/2016	Framework for 3 year rolling Efficiency programme in place. Focus on high value cross cutting themes. Key areas for efficiency improvement identified through benchmarking assessments. Programme Boards, with Executive leadership, formed to manage key corporate improvement areas, e.g. theatre productivity, revisions to patient pathways. Assurance provided through extended gateway process, including tracking system. Routine reporting of planning and performance of efficiency programme through Management Board meetings and Finance & Investment Committee.	Full plan for 2015/16 to be submitted to March 2015 F&IC. Merging the resources of the Programme Office with the Service Improvement team to explore and develop a wider, more effective range of CIP schemes. Likely to benefit from the arrangements being made with CCGs Performance monitored at monthly meetings and recovery plans produced to confirm full achievement at year end. The focus of control is around ongoing project review and scrutiny from Trust committees and expert technical departments. New Project Management system introduced.	4	4	16	4RISK
4	29	External - CCG Demand Management, Contract Negotiations and Financial Challenges	Finance and investment committee	Movement from block to cost per case for non-elective work increases the risk associated with demand fluctuations, activity capture and competition. Proposed further changes to contract types that could change the balance of risk between commissioner and provider. The transfer of activity to Specialist Commissioning Contracts and Public Health Contracts increases the risk of challenge for non-payment due to non-commissioned activity	N	EKHUFT	01/04/2011	5	5	25	4RISK	Nick Gerrard	01/04/2016	Contract monitoring in place. Detailed activity plans to monitor variances. Data capture has been tested and checked for robustness. The contract for this year has negotiated out a number of issues that led to previous contracting disputes. The separation of SCG and CCG commissioners has been a problem and does increase the risk associated with the split issue should be less this financial year. The capped PbR contract will effectively encourage a reduction in activity is managed. The Trust is more exposed to a financial problem resulting from over performance of this contract. Increase in contract value	The contract allows for a more collaborative approach to contract management, plus a cap on fines of £4million. The capped PbR contract gives a potential "amnesty" on coding issues. No risk of new challenges over pricing and coding, however, any income above the CCGs threshold will not generate a payment. Fines will not exceed the £4million contract value. The proper management of the contract in 2015/16 should provide the financial headroom to allow for service change to be completed.	4	3	12	4RISK
5	3	Patient safety, experience and clinical effectiveness compromised through inefficient clinical pathways, patient flow & delayed	Patient safety	Unplanned use of extra beds with un-resourced staffing and patients outlying form their appropriate specialty, which may compromise patient safety and resulting delays	N	EKHUFT	01/06/2010	4	5	20	4RISK	Sally Smith	01/04/2016	Managed by General Managers and Senior Site Matrons in post at KCH, QEOM and WHH. Leadership & management programmes are underway to facilitate changes. Monitoring and assurance provided by daily bed meetings (0900hrs, 1600hrs and 1645hrs - UCLTC), weekly operational meetings, fortnightly NEDs meetings to review capacity and flow data, monthly site lead meetings with UCLTC Top Team reviewing length of stay and net admission to discharge ratio (RR) and fortnightly performance improvement meetings in place. Updated weekly to ensure immediacy of the information required. Performance dashboard includes indicators of additional beds and outliers. Review of bed management system currently considering a move to an electronic system supporting real time reporting. The Emergency Care Improvement Programme is in place which covers LOS. This risk is linked to risk number 34 - A&E	Bed management review of current systems & group established to review national processes & benchmark current practice. Linked to reduction of additional beds/outliers through improved systems & bed management systems. Medical Director, Chief Nurse & bed holding Divisions reviewing, with consultants & matrons. EC-IST review of whole system, recommendations driving improvements with work programme to support better patient flows. Progress & successes to be measured e.g. Internal Waits Audit, defining Top 10 pathways of care for high risk specialties to improve efficiencies around capacity and reduce readmissions, extending Outpatient Clinic sessions from 3.5hrs to 4hrs, EDD and EDN accuracy and timeliness, qualitative analysis of UCLTC Morbidity & Mortality meetings, review of Discharge and Choice Policy and review of job plans to enable more timely ward rounds. Capacity profiling shows reduction in extra beds & improvements in outliers. Reablement schemes agreed with commissioners to improve flow outside the Trust.	4	3	12	4RISK
6	59	Staff survey and staff engagement	Directorate of HR and corporate affairs	The objective to improve the overall score in the staff survey is not likely to be met. The scores from the staff Friends and Family Test (FFT) showed a deterioration in performance from Q1 to Q2, in the section staff recommending the Trust as a place to work, following the national publication of the CQC inspection reports	N	EKHUFT	01/09/2014	4	5	20	4RISK	Sandra Le Blanc	31/03/2017	The We Care programme has been established for two years and the next step is to commission the services of a partner to support the next steps in the programme. The "delivering our cultural change" was initiated in September 2014. It is anticipated that the programme will take between 18-24 months to complete, but a diagnostic phase is required in order to guide the specific work streams. A preferred supplier has been identified and a culture change programme manager recruited. The programme of staff listening exercises will continue and a revised raising concerns policy approved.	The We Care Steering Group will monitor delivery of the plan, through their monthly meetings, with regular reports to the Quality Board. Local issues and actions will be monitored by Division through the quarterly FFT surveys and executive performance reviews. Collaboration with our external partners to develop and agree overall programme progress "checkpoints", which will include feedback from front line staff and those involved in delivering the programme will take place. This will allow the identification of:- - emerging issues to help the Executive Team identify positive and negative drivers for staff engagement and motivation; - any of quick wins by which senior leadership can demonstrate listening and connection with front line staff; - any changes required to the programme in response to feedback. The success of this programme will be monitored by the Board through the production of a quarterly report, reporting against key milestones and outcomes, evaluating progress and making recommendations on changes as	4	5	20	4RISK

Rank	Risk no.	Risk name	Source of Risk	Risk description	Health & Safety Related?	Site	Date added	Consequence (current)	Likelihood (current)	Risk Rating (current)	Risk level (current)	Executive lead	Target date for completion	Controls in place	Additional Actions/Progress	Consequence (mitigated)	Likelihood (mitigated)	Risk rating (mitigated)	Risk level (mitigated)
7	60	Difficulty in recruitment of staff against vacancies and national shortages in some hard to recruit posts	Directorate of HR and corporate affairs	There are a number of vacancies within the Trust in nursing, medical and some allied health professionals and, due to national shortages in some of these areas, recruitment has proved problematic because of the competing demands of other organisations. NICE has published guidance on nurse staffing levels in ward areas and plans to publish for A&E shortly. Greatest risk is apparent in Pharmacy, the SaLT and paediatric audiology services, which are all impacting on the sustainability of these services. The impact of the A&C review has seen key staff leave the Trust, which is further impacting on delays to GP letter writing and patient follow up.	N	EKHUFT	01/12/2014	4	5	20	4RISK	Sandra Le Blanc	01/04/2016	The Trust is finalising the six-monthly review into nurse staffing and acuity; the results of which will be presented at the BoD in January 2015. This includes a review of specialist areas as well as general ward based. The vacancy rate for each professional group is being monitored as part of the CQC Improvement Plan and there are targets agreed for each profession and for key specialty areas e.g. A&E, paediatrics and non-obstetric ultrasound. This will be reported at the monthly Monitor performance review meeting. The Trust has completed the £2.9 million investment into staffing, which was approved at the Board in November 2013.	The HR director has reviewed the recruitment pathway and there is a close working relationship with HEKSS and the local Universities to develop innovative approaches to training in some areas to release registered staff from some activities. Board paper on ward/specialist area staffing to BoD in Jan-15, with further posts and funding approved. Medical secretary staffing raised as an issue by consultants at the recent LNC meeting along with the quality of letters overall that are being produced.	4	5	20	4RISK
8	54	On-going issues with MHRA compliance resulting in a sustained period a closure of the aseptic service		Inability to produce sterile chemotherapy drugs internally resulting in patient safety, patient experience, staff morale and clinical trial activity risks	N	EKHUFT	01/04/2014	4	5	20	4RISK	Jo Ringer	01/08/2015	The whole service has been closed temporarily whilst the underlying problems are rectified; this includes ordering chemotherapy agents from an external source. A full RCA is being carried out into the whole service and the gaps in service and stock control identified across the pathway. This will be presented to the QAB once complete and the identified action monitored. An updated position was presented to IAGC in April 2015; there is likely to be a change to the current MHRA licensing to limit activity to Schedule 10 activity. The regional aseptic lead is assisting the Trust to ensure long term stability and safety of the	The phased re-opening of the service has been affected as a consequence of further staffing difficulties; the vacancies are now being recruited. Limited manufacture now in operation and a detailed recovery plan is with NHSE and being monitored. Financial risks are still evident with issues of stock control under a more robust governance process.	4	2	8	3RISK
9	30	Internal - Operational Performance Targets	Finance and investment committee	Trust is fined in year for failure to meet targets such as same sex accommodation, readmissions, delayed Ambulance transfers and non collection of appropriate data. The readmissions fine is financially the most significant.	N	EKHUFT	01/04/2014	5	4	20	4RISK	Jane Ely	01/04/2016	The unmitigated consequences are significant and the potential in year impact could exceed £5 million and over the 3 years, exceed £10 million. The single largest contract penalty that the Trust is exposed to is associated with readmissions. The financial range of penalty has been valued at £3-£9 million per annum. Some dispute with CCGs over the measurement of readmission penalty; this ranges	The contract for 2015/16 is based on the Trust's plan, including its own risk evaluation for readmissions being £3 million. The capped PbR contract removes the exposure for the Trust of any greater fine. Increased focus on readmissions monitored through the new project management programme	2	2	4	1RISK
10	63	Board stability and potential loss of organisational memory with significant changes to the BoD	Board of directors	There are a number of significant changes to the Board of Directors at an executive and non-executive level within the next 1-6 months. There is a potential loss of organisational memory and a number of key positions are interim positions	N	EKHUFT	01/04/2015	4	5	20	4RISK	Chris Bown	01/10/2015	Interim positions at CEO and Chief Nurse and Director of Quality have been identified and are in place. Recruitment into the COO and Director of Finance roles are in place and substantive. A recruitment process has been successful for the position of Chair. NEDs reaching the end of their tenure have and will be replaced and two new NEDS recently	There is stability across the staff in Deputy director posts across key corporate and clinical areas. Monitor will continue to review performance as part of the programme of Special Measures.	3	5	15	4RISK