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Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



Meeting Date	20 May 2020	Agenda Item	2.1
Report Title	Risk Management - Management of operational and Health Board strategic risks during the Covid-19 Pandemic		
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Presented by	Hazel Lloyd, Head of Patient Experience, Risk & Legal Services		
Freedom of Information	Open		
Purpose of the Report	The purpose of this report is to provide an update on risk management and an over view of developments and details of the risks assigned to the Audit Committee to oversee.		
Key Issues	<p>The Executive Team have reviewed the Health Board Risk Register and updated the following risks:</p> <ul style="list-style-type: none"> ➤ Risk Ref 1: Access to Unscheduled Care risk reduced from 25 to 16. ➤ Risk Ref 16: Access to Planned Care increased from 20 to 25. ➤ Risk Ref 50: Access to Cancer Services increased from 20 to 25. ➤ Risk Ref 51: Compliance with Nurse Staffing Levels (Wales) Act 2016 – risk increased from 16 to 20. ➤ Risk Ref 58: Access to Ophthalmology Services increased from 12 to 16. ➤ Risk Ref 68 Covid-19 Pandemic increased from 15 to 25. Specific risks and issues relating to response to the pandemic are identified and managed through the Gold Command Executive led daily meeting and supported by the Covid-19 Coordination Centre. There was a separate report to the Board, in April, covering the approach taken to the management of the pandemic which includes the risks and that a separate risk register (Attached as Appendix 2) will be maintained at 		

	<p>this time. All the Covid-19 risks will be linked back to the Health Board Risk Register entry 68 in the risk module in Datix. The themes/high risks which are highlighted relate to:</p> <ul style="list-style-type: none"> • COVID Equipment – inc PPE • COVID Workforce • COVID Medicines • COVID Capacity <p>Two new risks will be added to the HBRR in relation to:</p> <ul style="list-style-type: none"> ➤ Increased unmet health needs - Access to healthcare either delayed as a result of response to the Covid-19 pandemic (either in a planned way in light of new thresholds of urgency, or as a result of patients not presenting at all) and; ➤ Financial Risk - The total quantum for funding for addressing Covid-19 across Wales remains fluid and uncertain. There is a risk that the organisation’s operational cost of addressing the pandemic cannot be contained within available funding resulting in a potential breach of the planned outturn for 2020-21. The Audit Committee is overseeing this risk. ➤ Board considered the risk appetite and tolerance levels in April 2020 and increased the high level risk from 16 to 20, recognising the current risk level we are having to manage in relation to the pandemic and re-establishing essential services. 			
<p>Specific Action Required <i>(please choose one only)</i></p>	<p>Information</p>	<p>Discussion</p>	<p>Assurance</p>	<p>Approval</p>
	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>Recommendations</p>	<p>Members are asked to:</p> <ul style="list-style-type: none"> • NOTE the updates to the Health Board Risk Register and the further changes being made in recognition of the changing risks facing the Health Board and the uncertainty in terms of modelling required as a result of the impact of a possible 2nd and 3rd wave of Covid-19 cases. 			

RISK MANAGEMENT REPORT

1. INTRODUCTION

The purpose of this report is to provide an update on risk management and an overview of developments and details of the risks assigned to the Audit Committee to oversee.

2. BACKGROUND

The Health Board is in unprecedented times, responding to a global pandemic of Covid-19. Boards remain accountable at times of national crisis and it is important they are seen to be doing the right thing (Good Governance Institute, 2020) and the rationale behind key decisions is transparent.

Whilst substantial amounts of management time will be focussed on ensuring that the Health Boards response is coordinated and effective, there is a risk that quality governance and oversight may not be as robust as the resource/capacity of our staff resource is stretched in an unprecedented way which is changing on a daily basis.

In addition, the Minister of Health and Social Services announced on 13th March 2020, a framework of actions, within which local health and social care providers could make decisions to ensure that preparations could be made in a planned and measured way for managing Covid-19 and included:

- Suspending non-urgent outpatient appointments and ensure urgent appointments are prioritised;
- Suspending non-urgent surgical admissions and procedures (whilst ensuring access for emergency and urgent surgery);
- Prioritising the use of Non-Emergency Patient Transport Service to focus on hospital discharge and ambulance emergency response;
- Expediting discharge of vulnerable patients from acute and community hospitals;
- Relaxing targets and monitoring arrangements across the health and care system;
- Minimising regulation requirements for health and care settings;
- Fast tracking placements to care homes by suspending the current protocol which give to right to a choice of home;
- Permission to cancel internal and professional events, including study leave, to free up staff for preparations;
- Relaxation of contract and monitoring arrangements for GPs and primary care practitioners; and
- Suspending NHS emergency service and health volunteer support to mass gatherings and events.

The focus is now on re-establishing essential services in line with the NHS Wales Covid-19 Operating Framework.

3. GOVERNANCE AND RISK

The purpose of risk management is to fulfil the following requirements:

- Conformity with mandatory obligations;
- Assurance to the Board that internal control activities are proportionate, aligned, comprehensive, embedded and dynamic;
- Support decision-making; and
- Achieve effective and efficient strategy, operations and compliance to ensure best outcome and reduce uncertainty.

The Executive Team will continue to review the HBRR focussing on:

- Existing risks which may need to be de-escalated from the HBRR as they do not reflect the current priorities of the Health Board;
- New and emerging risks relating to the potential impact of COVID planning and management will need to be assessed;
- Executive Directors/Directors will also need to consider their risks from their Directorate risk registers as to whether they should be considered for escalation to HBRR.

3.1 Management of Health Board Risk Register

The HBRR is agreed by the Executive Team and is scrutinised by the Board level Committees on a quarterly basis in terms of the risks aligned to each sub committee of the Board with the Audit Committee overseeing the complete HBRR on behalf of the Board.

3.1.1. Risk Appetite & Tolerance Levels

The Board reviewed its Risk Appetite and Tolerance levels and set new levels for the staff to follow during the Covid-19 pandemic. Previously, the Board's risk appetite was that risks of 16 and above are considered high risks and risks which the Board considered actions should be taken as a priority to mitigate the risk and there is a low threshold to taking risk where it will have a high impact on the quality and safety of care being delivered to patients. Risk appetite and tolerance acts as a guidance as to the risk boundaries that are acceptable and how risk and reward are to be balanced, as well as providing clarification on the level of risk the Board is prepared to accept.

Members of the Board agreed that the risk appetite, whilst dealing with COVID-19, would increase to **20** and above now considered high risks for the next three months. These arrangements will be reviewed regularly by the Executive Team, Audit Committee and the Board.

3.1.2 Summary of Changes to the HBRR

At present, the Risk Module on Datix holds 754 open and accepted risks, of which 14.5% (109) relate to risks over the Board's agreed tolerance level ie risks rated as 20 and above.

Current changes relating to the HBRR relate to:

- **Risk Ref 1: Access to Unscheduled Care risk reduced from 25 to 16**
Due to current measures related to COVID 19 including the cancelled all non-urgent activity, Emergency Department and Minor Injury Unit (MIU) attendance had reduced by nearly 50%. Activity has started to increase and this risks is monitored closely by the Chief Operating Officer.
- **Risk Ref 3: Workforce recruitment of medical & dental staff**
Risk covers all hospitals and multiple specialties. Participated in BAPIO in November, appointed 25 doctors. Working with Medacs to replace long term locums. Developing an Invest to Save Bid for international overseas recruitment for nursing to upscale the activity for 20/21. Recruitment remains a challenge but is also a national problem. The problem persists and due to Covid 19 we can no longer rely on overseas doctors due to the travel restrictions. Supply issues to the Covid areas however have been mitigated by using doctors from other specialties where demand is currently low.
- **Risk Ref 16: Access to Planned Care increased from 20 to 25;**
The cancellation of all non-urgent activity has increased the backlog of planned care cases across the organisation. Whilst mitigating measures such as virtual clinics have been put in place new referrals are still being accepted which is adding to the outpatient volumes. The significant reduction in theatre activity is obviously increasing the number of patients now breaching 36 and 52 week thresholds.
- **Risk Ref 50: Access to Cancer Services increased from 20 to 25**
Whilst every effort is being made to maintain cancer treatment, surgical cancer activity in particular is being impacted upon by both the reduction in elective theatre capacity and availability in critical care beds.
- **Risk Ref 58: Access to Ophthalmology Services increased from 12 to 16**
Although routine outpatients appointment are not being undertaken those patients at high risk i.e. Wet age-related macular degeneration (AMD) are still being seen and receiving treatment and those patients in other high risk specialties such as glaucoma are being reviewed virtually and if deemed necessary attending for urgent appointments.
- **Risk Ref 51: Compliance with Nurse Staffing Levels (Wales) Act 2016 – risk increased from 16 to 20.**
Increased risk as a result of reduction in staff availability in relation to staff isolation/sickness - Covid-19. Frequently below minimum staffing number requirements. Additional Controls have been introduced in March to mitigate the risk, although the risk has increased at this time. Additional actions include:
 - Daily Silver Nurse staffing Cell meetings chaired by Executive Director of Nursing & Patient Experience to discuss hot spots and the staff available across the Health Board;
 - Nurse Bank fully utilised and part of the nurse staffing meetings, Unit Nurse Directors can now sanction Non contract agency without Executive approval to maintain a safe service;

- Corporate Nursing 7 day rota introduced;
- Database set up to record wards that have been repurposed as novel wards (Covid-19);
- Set up Covid-19 Corporate Training & Education Hub. Which outlines a clear plan for Training & Education;
- Approved Registered Staff who have retired from the Nursing Midwifery Council Register in the last 3 years have been contacted with a view to return to practice and into the health board workforce;
- Delivery Units have appropriately deployed of ward nurses to key areas. And also Administration staff utilised to release nurses into providing care and;
- Student nurses have returned to clinical practice which has been supported corporately.

A specific update report on the Nurse Staffing Act was received by the Board in May 2020.

- **Risk Ref 68 Covid-19 Pandemic** increased from 15 to 25. Specific risks and issues relating to response to the pandemic are identified and managed through the Gold Command Executive led meetings and supported by the Covid-19 Coordination Centre. There was a separate report to the Board, in April, covering the approach taken to the management of the pandemic which includes the risks and that a separate risk register (Appendix 2 – Covid-19 high level Risk Register) will be maintained at this time. All the Covid-19 risks are linked back to the Health Board Risk Register entry 68 in the risk module in Datix. The themes/high risks which are highlighted relate to:

3.1.3 Proposed new risks for the HBRR

Two new risks will be added to the HBRR in relation to:

- **Increased unmet health needs**
Access to healthcare either delayed as a result of response to the Covid-19 pandemic (either in planned way in light of new thresholds of urgency, or as a result of patients not presenting at all).
- **Financial Risk**
The total quantum for funding for addressing Covid-19 across Wales remains fluid and uncertain. There is a risk that the organisation's operational cost of addressing the pandemic cannot be contained within available funding resulting in a potential breach of the planned outturn for 2020-21. **Examples of mitigating actions:**
 - Modelling of anticipated patient flows, and the resultant workforce, equipment and operational requirements is managed through Gold command;
 - Financial modelling and forecasting is co-ordinated on a regular basis;
 - Financial reporting to Welsh Government on local costs incurred as a result of Covid-19 to inform central and local scrutiny, feedback and decision-making;
 - Oversight arrangements in place at Board level and through the command structure;
 - Exploring alternative funding sources;

- Local Health Board funding arrangements, including confirmed additional support from Welsh Government;
- Funding arrangements through the Regional Partnership Board and Local Authority partners.

3.1.4 Health Board Risk Register Dashboard

The Health Board Risk Register, attached as Appendix 1, contains 33 strategic risks and the operational risks of 16 and above are linked to the strategic risks. The 33 risks, include 17 risks which are risk rated as 20 and above. The Health Board Risk Register entries are set out in the dashboard below:

Dashboard of Assessed Risks – June 2020

Impact/Consequences	5				51: Compliance with Nurse Staffing Levels (Wales) Act 2016 4: Infection Control 49: TAVI Service 63: Screening for Fetal Growth Assessment in line with Gap-Grow (G&G) 65: CTG Monitoring in Labour Wards 69: Adolescents being admitted to Adult MH wards 70: Data Centre outages 03: Workforce Recruitment of Medical and Dental Staff	67: Target breeches to Radical Radiotherapy Treatment 66: SACT Treatment 16: Access to Planned Care Services 50: Access to Cancer Services 68: Coronavirus Pandemic
	4				01: Access to Unscheduled Care Service 45: Discharge information 48: Child & Adolescence Mental Health Services 37: Operational and strategic decisions are not data informed 57: Non-compliance with Home Office Controlled Drug Licensing requirements 61: Paediatric Dental GA Service - Parkway 58: Ophthalmology Clinic Capacity 43: DOLS Authorisation and Compliance with Legislation	64: H&S Infrastructure 39: IMTP Statutory Responsibility 62: Sustainable Corporate Services 60: Cyber Security
	3				13: Environment of Health Board Premises 36: Electronic Patient Record 27: Sustainable Clinical Services for Digital Transformation 41: Fire Safety Regulation Compliance 52: Engagement & Impact Assessment Requirements	15: Population Health Improvement 54: No Deal Brexit 53: Compliance with Welsh Language Standards
	2					
	1					
CXL	1	2	3	4		5
	Likelihood					

3.2 Covid-19 Gold Risk Register

In recognition that Covid-19 is an “issue” which the Health Board is managing a separate Risk Register (attached as Appendix 2) has been established in the Datix system which is overseen by the Covid-19 Gold meetings with the risks being reviewed and updated on a weekly basis.

Currently there are thirteen risks on the Covid-19 Gold Risk Register of which five relate to risks of 20 and above as detailed in the Covid-19 Gold dashboard.

Dashboard of Assessed Risks – Covid-19 GOLD Command

Impact/Consequences	5				R_COV_005: Care Homes
	4				R_COV_012: Partnership Working R_COV_004: Workforce Shortages – Self Isolation R_COV_008: Capacity R_COV_009: Workforce – Field Hospitals R_COV_010: Delivery of Essential Care
	3				R_COV_001: Shortage of Critical Care drugs R_COV_002: Shortage of Palliative Care drugs R_COV_003: Inadequate supply of PPE R_COV_011: BAME Workforce Risks R_COV_013: Test, Trace and Protect
	2				R_COV_006: Equipment Shortages R_COV_007: Oxygen Provision
	1				
	C X L	1	2	3	4
Likelihood					

3.3 Risks for the Audit Committee to oversee

The table below sets out six risks which have been assigned to the Committee to oversee of which two are rated at risk level 20.

Risk Reference	Description of risk identified	Current Score
60 (2003)	Cyber Security – High level risk The level of cyber security incidents is at an unprecedented level and health is a known target.	20
70 (2245)	National Data Centre Outages The failure of national systems causes severe disruption across NHS Wales, affecting Primary and secondary care services.	20
37 (1217)	Information Led Decisions Operational and strategic decisions are not data informed.	16
57 (1799)	Controlled Drugs Non-compliance with Home Office Controlled Drug Licensing requirements.	16
27 (1035)	Sustained Clinical Services Inability to deliver sustainable clinical services due to lack of digital transformation.	12
36 (1043)	Storage of Paper Records Failure to provide adequate storage facilities for paper records then this will impact on the availability of patient records at the point of care. Quality of the paper record may also be reduced if there is poor records management in some wards.	12

3.4 Management of Operational Risks

Executive Directors (Corporate functions) and Unit Service Directors supported by Unit Nurse and Unit Medical Directors remain responsible for risks outside of the Covid-19 Risk Register linked to the HBRR entry Risk Ref 68. Self-governance, transparency and management of these risks is crucial at a time when external scrutiny is at its lowest ie Healthcare Inspectorate Wales, Health & Safety Executive, Internal and External Audit unprecedented reduction in activity,

Managers have been asked to consider whether they have the capability (available resources and skills) to implement their planned actions, and maintain the effectiveness of their existing controls.

The Director of Governance has requested Executive Directors/Unit Directors to review their existing operational risks on Datix Risk Module (taking into account the positive /negative impacts that Covid-19 may have had on them) and

- Agree the risks that remain a priority to manage and mitigate during the Covid-19 pandemic;
- Agree (archive) the risks that do not present a significant risk during the Covid-19 pandemic (however they must ensure that existing controls are in place and remain effective otherwise risk could increase); and
- Consider new and emerging risks to their service as a result of the Covid-19 pandemic (including potential risks in respect of returning to normal business)

4. RECOMMENDATION

Members are asked to:

- **NOTE** the updates to the Health Board Risk Register and the further changes being made in recognition of the changing risks facing the Health Board and the uncertainty in terms of modelling required as a result of the impact of a possible 2nd and 3rd wave of Covid-19 cases.

Governance and Assurance		
Link to Enabling Objectives <i>(please choose)</i>	Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities	
	Partnerships for Improving Health and Wellbeing	<input type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	Deliver better care through excellent health and care services achieving the outcomes that matter most to people	
	Best Value Outcomes and High Quality Care	<input checked="" type="checkbox"/>
	Partnerships for Care	<input checked="" type="checkbox"/>
	Excellent Staff	<input checked="" type="checkbox"/>
	Digitally Enabled Care	<input checked="" type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input checked="" type="checkbox"/>
Health and Care Standards		
<i>(please choose)</i>	Staying Healthy	<input checked="" type="checkbox"/>
	Safe Care	<input checked="" type="checkbox"/>
	Effective Care	<input checked="" type="checkbox"/>
	Dignified Care	<input checked="" type="checkbox"/>
	Timely Care	<input checked="" type="checkbox"/>
	Individual Care	<input checked="" type="checkbox"/>
	Staff and Resources	<input checked="" type="checkbox"/>
Quality, Safety and Patient Experience		
Ensuring the organisation has robust risk management arrangements in place that ensure organisational risks are captured, assessed and mitigating actions are taken, is a key requisite to ensuring the quality, safety & experience of patients receiving care and staff working in the UHB.		
Financial Implications		
The risks outlined within this report have resource implications which are being addressed by the respective Executive Director leads and taken into consideration as part of the Board's IMTP processes.		
Legal Implications (including equality and diversity assessment)		
It is essential that the Board has robust arrangements in place to assess, capture and mitigate risks faced by the organisation, as failure to do so could have legal implications for the UHB.		
Staffing Implications		
Staff will be briefed on the changes through workshops and also meetings held with Executive Directors and Assistant Directors to support the changes required to meet the recommendations made by the Wales Audit Office.		
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)		
No implications for the Team to be notified of.		
Report History	<ul style="list-style-type: none"> • Senior Leadership Team • Executive Team • Quarterly report to the Audit Committee 	
Appendices	<ul style="list-style-type: none"> • Appendix 1 – Health Board Risk Register; and • Appendix 2 Covid-19 High level Risk Register. 	