RISK ASSESSMENT POLICY

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02.05.2019	Robert Krawczyk	Creation of 2nd version of policy	2
07.10.20	Christopher Davies	Update of policy	3
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CONSULTATION AND RATIFICATION SCHEDULE

Name of Consultative Body	Date of Approval
Senior Management Team	09.02.2023

CROSS REFERENCE TO OTHER POLICIES/STRATEGIES

This policy should be read in conjunction with:	Detail
All Primecare Health LTD Policies	All Primecare Health LTD policy & procedures are interrelated to this strategy, policy & practice guidelines

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INTRODUCTION - Overview and Key Principles

Primecare Health LTD is committed to a holistic approach to risk management by identifying and implementing effective and feasible actions to minimise harmful effects to the organisation.

It is essential that Primecare Health LTD demonstrates it has a robust system of corporate governance and risk management in place to assure the external reviewers, employees, individuals, and families that it operates a clear and transparent system which will stand up to scrutiny.

Primecare Health LTD's risk management process has fundamental principles of good risk management at its core and can be readily embraced by the whole organisation as an integral part of day to day business with the view that the Risk Management needs to be part of the wider quality improvement approach within Primecare Health LTD.

The management of risks is recognised as an essential part of good management practice and should not be a process or objective in its own right. It is a continuous process consisting of steps which when undertaken in sequence, enable continual improvement in decision making about risks at all levels.

Risk management must be embedded within the daily operations of Primecare Health LTD from strategy formulation to business planning and processes and in compliance with current Health & Safety Legislation, Codes of practice, Health and Social Care Standards, and other relevant legislation. Through understanding risks, decision-makers will be better able to evaluate the impact of a decision or action on the achievement of Primecare Health LTD's objectives.

The risk management strategy does not focus upon risk avoidance, but on the identification and effective management of an acceptable level of risk including positive risk taking.

Risk is often thought of in terms of danger, threat, damage, loss, or injury. But as well as potentially negative characteristics, risk-taking can have positive benefits for individuals

and their communities. For example, 'Positive risk-taking is weighing up the potential benefits and harms of exercising one choice of action over another. Identifying the potential risks involved and developing plans and actions that reflect the positive potentials and stated priorities of individuals. It involves using available resources and support to achieve the desired outcomes, and to minimise the potential harmful outcomes. It is not negligent ignorance of the potential risks…it is usually a very carefully thought-out strategy for managing a specific situation or set of circumstances.'

It is impossible to ever fully eliminate risk. "There is a legal requirement to remove, reduce or control risk by identifying potential risks and then take preventative actions which enable and empower individuals and young people to reach their potential and to have a better quality of life." There is a delicate balance between empowerment and safeguarding, choice, and risk. Therefore, practitioners will need to decide when the need for protection overrides the decision to promote independence and choice. The desired outcome is to encourage and support individuals in positive risk taking where appropriate, to achieve personal aspirations, growth, and independence in line with the Adult with Incapacity (Scotland) Act 2000, and Health & Safety at Work Act 1974.

Taking risks can expose Primecare Health LTD to the risk of compensation claims. Employees must take reasonable care for the health and safety of themselves and others who may be affected by their acts or omissions at work. Employees must co-operate with Primecare Health LTD, and other persons, so far as is necessary to enable compliance with relevant statutory provisions.

Additionally, all organisations involved in care provision including Primecare Health LTD have a Duty of Care to individuals. Negligent acts or omissions that lead to harm of an individual can result in successful legal action against the organisation. Risk Management is important in ensuring the effective management of Primecare Health LTD and consideration of risk management principles must underpin all activities undertaken.

Confidentiality is a right, but not an absolute right and may be breached in exceptional circumstances when children or vulnerable adults are deemed to be at serious risk of harm, or it is in the public interest (Refer to Primecare Health LTD Confidentiality Policy section 10).

Management of key risk areas including People, Finance, Assets, Scrutiny & Governance and Strategic risk will ensure management of all risks at every level of the organisation is being addressed.

Primecare Health LTD has a policy and strategy for the management of risk. The following key principles outline the approach to risk management and internal control:

- Primecare Health LTD is driven by being a service user focused organisation.

- Risk management is a shared responsibility of Primecare directors, managers, and employees.

- For effective risk management, we promote and rely on the judgments of our employees to manage a robust risk management process and embed it in daily practices.

We comply with The Health & Safety at Work Act 1974, The Management of Health and Safety at Work Regulations 1999", The Scottish Social Services Council Code of Practice, The Health and Social Care Standards, The Care Inspectorate (Public Services Reform (Scotland) Act 2010), The Protection of Children (Scotland) Act 2003, Children (Scotland) Act 1995, The Protection of Vulnerable Groups (Scotland) 2007, The Human Rights Act 1998, The Data Protection Act (1998) & PECR – the Privacy and Electronic Communications Regulations 2003 (amended May 2016), The Freedom of Information (Scotland) Act 2002 (and the Environmental Information Regulations (2004), The Computer Misuse Act 1990. We will work towards adhering to "relevant codes of practice as issued by the Scottish & National Governments, Charities and Trustee Investment (Scotland) Act 2005 Statement of Recommended Practice (SORP) Companies Act 2006

- We promote a culture of openness and transparency in managing risks, encouraging the ownership of risks by employees, managers, individuals, and the engagement of stakeholders in learning from risks, incidents, and accidents.

- We encourage collaborative working and knowledge sharing.

- We encourage positive risk taking.

- We recognise the need to reflect changes in strategic priorities and their potential impact on other operational activities; when combined, these can create corporate (strategic) risks.

Risk Management Strategy

The Risk Management Strategy is summarised in the following statements:

- Risks are linked to the aims and objectives of the organisation.

- Risk Management is part of everyone's jobs and is embedded throughout the organisation.

- Risks are identified and managed at the appropriate levels within the organisation.

- Managers and staff at all levels of the organisation will be trained in risk management and are clear about their personal responsibilities.

- We aim to continuously improve risk management at all levels.

- We aim to continuously raise awareness and understanding of risk management throughout the organisation.

Risk Management Policy

The Risk Policy is summarised in the following statements:

- The Primecare SMT have the responsibility for overseeing risk management within Primecare Health Ltd as a whole.

- The Primecare Health Ltd SMT have an open, transparent, and receptive approach to solving risk problems.

- All employees are risk owners and have a legal duty to comply with recording procedures.

- Key risks will be identified and closely monitored on a regular basis, through risk assessment, risk register scrutiny and performance management reporting.

- Effective risk management will rely on judgements made by employees underpinned by an appropriate control process.

- The Primecare Health Ltd SMT and the extended Management team provide guidance and focus across the organisation in order to facilitate embedding risk management in daily activities to promote a culture of best risk practice.

Risk Management Process

Broadly, risks that threaten people, an activity or project objectives will be identified, mitigated, and recorded using the risk template (See Section Q). Where risks continue to

threaten people an activity or project objectives after initial mitigation, these risks will be reported through line management structures for further review and mitigation.

Continued threat of red risks after mitigation through line management structures will be reported to SMT. Some risks identified maybe so high that an immediate flag up to the Registered Manager will be necessary, e.g. where a serious incident occurs resulting in major health & safety risks to the person and/ or others or a potential serious risk to Primecare Health LTD's reputation.

SMT will identify and record risks that threaten the objectives of the whole organisation while understanding and taking account of the significant risks at all levels.

The aim is that all risks are managed, and their impacts reduced at the most appropriate level, but any risks that have a wider significance within the organisation are reported to a higher level so that appropriate monitoring and action can be taken.

MONITORING AND REPORTING

The organisation recognises the need to monitor the effectiveness of this and associated policies and procedures for consistency purposes.

POLICY REVIEW STATEMENT

This policy will be reviewed every three years or earlier if appropriate.

Appendix 1: Risk Management Practice Guidelines

What is risk?

The Health & Safety Executive describes a hazard as 'anything that can cause harm' and defines a risk as 'the chance, high or low, that somebody will be harmed by the hazard' (Lyon, 2004).

Risk identification, recording, evaluation, and review.

Risk Identification

When identifying a risk, the risk description should follow the format:

*"If there is risk that **<event>** happens because of a **<cause>**. Should this risk occur there are **<consequences>**."*

When identifying risks, sometimes it is difficult to untangle the event, the cause, and the consequences; therefore, team and risk owner consultation is paramount to establish each area correctly. The risk assessment must encompass all three areas.
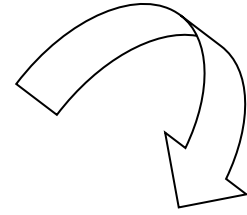
The figure below shows the four main steps which apply to identification and management of risks.

The diagram suggests some areas that should be considered when identifying risks. This is not an exhaustive list but is provided to assist all members of Primecare Health LTD staff in identifying potential risks across the range of Primecare Health LTD activities.

Risk Identification

What can go wrong?

- What are the consequences to people, Environments, activities/projects, operational area objectives if:

- People or environments are at risk, projects run late, costs could run higher than expected, or unexpected outcome.

- Risk Assess

Risk Monitoring & Review

How are things going?

- Monitor the risk treatment actions.
- Update risk assessments/register.
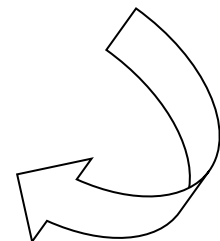- Monitor the risk probability and impact in the light of any action taken.

Risk Evaluation

How Big & who is responsible for the risk?
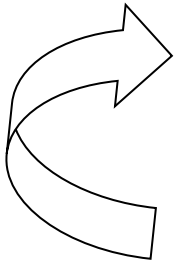
Consider:

- The probability of occurrence
- Impact on people
- Impact on objectives
- Areas impacted by the risk.
- Organisational & individual responsibility for managing the risk.
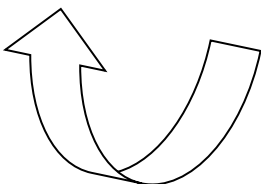
Risk Mitigation

How can the risk be reduced?

- Reduce the risks probability and/or impact.
- Avoid by eliminating the cause or consequence.
- Choose to Tolerate, Treat, Transfer, Terminate

If people, H&S, how are things going?

Recording Risk

The aim of risk recording is to capture and mitigate risks that may cause harm and as an evidence base of good daily practise.

- Risk assesses using the risk template in section (See section Q) in conjunction with the risk process.

- Discuss risk assessment at the start of an activity/project.

- Individuals will be enabled to risk assess where appropriate or support teams will advocate on service user's behalf (National Care Standards, section 9, Feeling Safe & Secure)

- Discuss/ review/ record risk assessments decisions at key meetings including existing risks or creating new risk assessment checking that the probability, impacts and planned mitigation actions are still appropriate.

- Employees must sign, date, and understand the risk assessment – this signifies team agreement.

- Record all new risks onto the risk assessment template and allocate an owner for the risk.

- Risk Assessments must be in place prior to the commencement of any new service to ensure the safety of staff and individuals.

- A Risk Assessment Review will take place after any Incident/Accident

Employees must identify those risks that need to be taken forward to line managers if after mitigation they are amber or red.

Risk Assessment Template

To support the identification and recording of risks employees, (individuals and pupils with support if required) will use the standardised risk template and follow the same risk system and process (see section Q)

RISK EVALUATION

Risk evaluation is the part of the risk assessment process when the risk is given a value for its probability and impact. This is used to prioritise risks within the organisation and may also affect the mitigation actions planned for the risk - for example, it is unlikely that a complex set of actions will be started for a risk that is of low probability and low impact – however undertaking actions for a risk that has both a high probability and high impact is very likely.

The evaluation of a risk can often be completed by the person who has first identified the risk. However, it is useful to review this evaluation at the appropriate level meeting in order to get a wider view of the evaluation. The assessment of probability and impact is not an exact science and relies on the experience of the team as the best guide. Values may change as a project proceeds and more information becomes available.

Risk Definitions

Type of Risk	Risk Definition
Corporate Risk	Anything which will have a negative impact on Primecare Health LTD's capability to fulfil its stated roles and responsibilities. Examples - risks arising from policy decisions or major decisions affecting organisational priorities (business plan). Also risks arising from senior-level decisions on priorities. May include aggregated risks at an operational and project level or risks to and from people or the environment in relation to health & safety.
Operational Risk	Anything which will have a negative impact on the successful delivery of Primecare Health LTD's business plan objectives. Examples - risks associated with the combined delivery of programmes / projects, products, and services. Also risks associated with resources – e.g. budget reduction / staff retention. May include aggregated risks at a project level, or risks to and from people or the environment in relation to health & safety.
Project Risk	Anything that will have a negative impact on any one or all the primary project constraints of Time, Resources and Performance Criteria. Examples - risks arising from failure to meet critical milestones, exceeding budgets and non-availability of skills that will affect the

	project's capability to deliver, or risks to and from people or the environment in relation to health & safety.
Activity Risk	Any activity within projects, operations or corporate that will have a negative impact on that activity, project or corporate risk for example risks associated with care planning/educational planning, finance, strategic planning, or risks to and from people or the environment in relation to health & safety.

Risk Mitigation

Risk mitigation is about planning activities that will reduce the probability of the risk occurring and lessen the impact of its occurrence. In broad terms, this can be achieved by taking action to remove the risk completely, improve any one of the factors giving rise to the risk, identify if there is a more appropriate owner for the risk who is in a better position to take effective mitigating action and develop 'fall back' options in the event that the risk actually occurs.

In more detail, these mitigation actions are as follows:

- ***Tolerate the risk***: the ability to take effective action against some risks may be limited, or the cost of taking action may be disproportionate to the potential benefit gained. In this instance, the only management action required is to 'watch' the risk to ensure that its likelihood or impact does not change. If new management options arise, it may become appropriate to treat this risk in the future.

- ***Treat the risk***: by far the greater number of risks will be in this category. The purpose of treatment is not necessarily to terminate the risk but, more likely, to set in motion a planned series of mitigation actions to reduce the probability or impact to an acceptable level.

- ***Transfer the risk***: this might be done through such things as conventional insurance or by asking a third party to take on the risk in another way. Contracting out some of our services, for example, transfers some, but not all, risks (and often introduces a new set of risks to be managed).

- ***Terminate the risk***: this is a variation of the 'treat' approach and involves quick and decisive action to eliminate a risk altogether. For example, ending a service due to the removal of support and funding. However, should this action be taken, it could introduce new risks.

In completing risk assessments or corporate risk register, risk owners will describe existing and additional actions to address the risk as well as outlining any further actions should the risk occur. Risk mitigation actions can be altered to suit the communication needs of individuals/pupils where required. Any alternative wording/signing/pictures should mean the same as the original mitigation headings above.

Risk Ownership

All employees are risk owners and have a responsibility to be proactive in risk assessment. Each risk identified will have a corresponding named risk owner/s. Ownership must sit at the appropriate level, with the person who is best able to take effective action in relation to the mitigation actions.

The risk owner/s are responsible for ensuring the quality of data recorded is accurate.

All risk owner/s must sign, date, and agree they understand each risk, mitigation action and review timescales.

Roles and Responsibilities

The most value is gained from this process when the experience and judgement of different levels of management are used to assess the overall risk picture at each level and ensure the appropriate information is communicated upwards and feedback is provided to all levels following any assessment or review at a higher level.

Employees
- Comply with health & safety legislation and guidelines including this strategy, Policy & practice guidelines to Identify/mitigate/report risks
- All employees are risk owners.
- Report any risks concerns to the appropriate manager.
- Discuss and record risk decisions e.g. within minutes of meetings.
- Create, sign, date and regularly review risk assessments.
- Advocate where required on behalf of service user to identify/mitigate risks.

Managers
- Comply with health & safety legislation and guidelines including this strategy, Policy & practice guidelines to Identify/mitigate/report risks.
- All managers are risk owners.

- Report any risks concerns to the appropriate manager.

- Discuss and record risk decisions e.g. within minutes of meetings.

- Create, sign, date and regularly review risk assessments.

- Advocate where required on behalf of service user to identify/mitigate risks.

- Advise staff how to mitigate risks where required and/or seek advice from appropriate person.

Senior Management Team

- Comply with health & safety legislation and guidelines including this strategy, Policy & practice guidelines to Identify/mitigate/report risks.

- Key risk ownership

- Set the tone and influence the culture of risk management within Primecare Health LTD. This includes:

- Determining whether Primecare Health LTD is 'risk taking' or 'risk averse' as a whole or on any relevant individual issue.

- Determining what types of risk are acceptable and which are not.

- Setting the standards and expectations of staff with respect to conduct and probity.

- Determine the appropriate risk or level of exposure for Primecare Health LTD.

- Approve major decisions affecting Primecare Health LTD risk profile or exposure.

- Contribute to the continuous review of corporate risks through discussion and recording risk decisions.

- Identify and evaluate the significant risks faced by Primecare Health LTD

- Undertake an annual review of effectiveness of the system of internal control and provide a report to the Primecare SMT

Quality & Risk Management

- Conduct regular risk quality assurance checks for risk compliance.

- Ensure overall system for managing risks is maintained, assess, and re-define as and when required.

Risk Monitoring and review.

Risk assessments must be reviewed on a regular basis and should include:

- All risk assessments must be reviewed within a 6-month period however, a risk review is stipulated by risk owners and can be reviewed more regularly for example individuals risk assessments at each 6 weekly key meeting.

- Risk owners must review the probability and impact of each risk, especially after any changes.

- After any Incident/Accident, a review of the risk assessments should take place.

A critical factor in successfully monitoring and reviewing risks will be the ability of managers at each level to effectively determine which of the risks at their level should also be reported to a higher level.

AREAS IN WHICH TO CONSIDER RISKS

The table below lists some areas which might give rise to risk. The list is not exhaustive but provides a trigger for risk identification.

1. External (arising from the external environment, not within Primecare Health LTD control, but where action can be taken to mitigate the risk)	
Political	Change of govt, change of govt policy & legislation, change of govt funding, Local authority policy changes, local authority funding, and change of Governance to the Primecare SMT.
Economic	Ability to compete with other agencies and Non-Department Public Bodies to retain stakeholders, funding, skills, and staff retention.
Socio cultural	Demographic change affects demand for services; stakeholder expectations change.
Technological	Obsolescence of current systems; cost of procuring best technology available, opportunity arising from technological development
Legal/regulatory	Legal requirements / laws which are imposed on Primecare Health LTD (such as Health and Safety or employment legislation, Human Rights Legislation, Employment Law, Protection of Vulnerable Adults, Adults with Incapacity Act (2000), Ordinary Residence, Care Inspectorate, National Care Standards.
Environmental	Compliance with environmental regulations. Environmental issues affecting our stakeholders, Accidents to property. Emergency Contingency Planning

2. Operational (relating to existing operations - both current delivery and building and maintaining capacity and capability)	
2.1 Delivery	
Service/Product failure	Fail to deliver the service / product to our stakeholders within agreed / set terms
Service/Project delivery	Fail to deliver on time / budget / specification.
2.2 Capacity and capability	
Resources	Financial (insufficient funding, poor budget management, fraud, auditing requirements, Insurance) HR (staff capacity /skills / recruitment and retention)
	Information (adequacy for decision making; protection of privacy) Physical assets (loss / damage / theft)
	Record Keeping & Data Protection, Intellectual property/copyright issues. Property & asset management
Relationships / Communications	Delivery partners (threats to commitment to relationship / clarity of roles) Customers / Individuals (satisfaction with delivery) Accountability (particularly to Boards). Ensure internal Primecare Health LTD Communications is enforced and reviewed.
Operations	Overall capacity and capability to deliver.
Reputation	Confidence and trust which stakeholders have in Primecare Health LTD.
2.3 Risk management performance and capability	
Governance	Regularity and propriety / compliance with relevant requirements / ethical considerations
Scanning	Failure to identify threats and opportunities

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Resilience	Capacity of systems / accommodation / IT to withstand adverse impacts and Crisis /Disaster recovery / contingency planning.
	Of physical assets and of information

3. Change (risks created by decisions to pursue new endeavours beyond current capability)

Primecare Health LTD Business Plan Activities and Targets	Business Plan Activities and Targets challenge the organisation's capacity to deliver / ability to equip the organisation to deliver
Change programmes	Programmes for organisational or cultural change threaten current capacity to deliver as well as providing opportunity to enhance capacity.
New projects	Making optimal investment decisions / prioritising between projects which are competing for resources.
New policies	Policy decisions create expectations where the organisation has uncertainty about delivery.
4.Internal Processes	Maintenance and review of Care Plans/Educational Planning, Maintenance of risk assessments, Accidents to people, Accidents to property, Incidents to people/property, criminal acts, disputes and legal actions, Collection of Information & statistics, Quality controls, Supervision arrangements, Maintenance of equipment and assets, Business, and contingency planning