

Care Act Risk Register

Area of Care Act work	Risk description and impact	Mitigation required	Impact 1 – 3	Likelihood 1 – 3	Score 1 – 9
Various	<p>There is a risk of increased legal challenge because of the lack of case-law.</p> <p>New legislation is open to interpretation and could result in legal challenges against councils' interpretation of the Care Act.</p>	<p>Close examination of the regulations and guidance, as well as any further updates from the government.</p> <p>Keeping up to date with any legal developments through judicial reviews or appeals at other councils.</p> <p>Care Act Implementation Lawyers group working across London to monitor this</p>	3	2	6 (Amber)
Quantifying potential increases in requests for assessments and services (including self-funders and additional carers)	<p>There is a risk we have poor information available which could lead to inaccurate modelling and inability to meet the desired demand</p>	<p>Regular communications and negotiations with key providers to build relationships</p> <p>Specialist Business Analysts in place to undertake modelling and simulations specifically around extra capacity needed for additional assessments.</p> <p>Use standard modelling system to project numbers and increased demand (specifically the Lincolnshire model) & engage in work with IPC around looking at London-wide figures for self-funders.</p>	3	2	6 (Amber)
New eligibility framework	<p>There is a risk that we might not meet eligible needs. The new eligibility threshold is a different model based on two tiers: being eligible or not and this is dependent on a new set of criteria.</p> <p>As we continue to meet moderate needs according to the FACS system we need to make sure that we also meet eligible needs according to the new minimum eligibility threshold.</p>	<p>Still waiting on final regulations and guidance to provide further clarification on new eligibility framework.</p> <p>Work will begin to scope out how we ensure that the new eligibility criteria are met and what changes to practice are required.</p> <p>Contact other boroughs who are hoping to do the same approach.</p>	3	2	6 (Amber)