Report to Cabinet Item

26 March 2014

Report of Chief finance officer

Subject Corporate risk register

14

Purpose

To update members on the key risks facing the council and the associated mitigating actions.

Recommendations

To note the corporate risks and the key controls in place and actions planned to mitigate the risks

To approve the council's corporate risk register

Corporate and service priorities

The report helps to meet the corporate priority "Value for money services"

Financial implications

None

Ward/s: All wards

Cabinet member: Councillor Waters - Deputy Leader and resources

Contact officers

Caroline Ryba 01223 699292

Steve Dowson 01603 212575

Background documents

None

Report

Background

- 1. Cabinet approved the council's updated risk management policy and risk management strategy in December 2013.
- 2. The strategy states that one of the benefits of risk management is that it "alerts members and officers to the key risks which might prevent the achievement of the council's plans, in order that timely mitigation can be developed to either prevent the risks occurring or to manage them effectively if they do occur."
- 3. The strategy also states that an annual risk report detailing key changes to corporate risk, including any changes in residual risk scores, will be presented to cabinet.
- 4. As reported in December, the new template for risk registers includes scoring for inherent risks (before any mitigating controls are considered) and residual risk (after taking account of all controls, which should be listed). Any further planned actions to mitigate risks should also be shown.
- 5. The other format change is that risks are now listed under the headings of:
 - Customer perspective
 - Finance and resources
 - Processes and systems
 - Learning and growth

Corporate risk register

- 6. Corporate risks have been reviewed by the business managers group in conjunction with the preparation of service plans and the recent review of the corporate plan.
- 7. There were no significant changes to the corporate plan as a result of the recent review; therefore the actual risks to achieving the council's objectives are, for the most part, unchanged. No new risks have been added and there are no risks with a 'red' residual score (higher than 15) which would require cabinet's approval.
- 8. The risk register is attached at **annex 1**. Where relevant, details for certain risks have been updated to reflect the latest position. The major changes from the previous register are as follows:
 - The risk relating to replacing the council's cash receipting system has been removed, following the successful implementation of ICON in November 2013.
 - Details of risk A6, delivery of the joint core strategy, have been substantially updated to reflect the current position following completion of the legal challenge process and agreeing the revised development strategy for Broadland.
- 9. As with the previous register, a summary is included at **annex 2** which shows the residual risk level for each of the risks. This demonstrates where each risk sits in relation to the council's risk appetite, ie there should be no risks with a residual score greater than 15, unless specifically approved by cabinet.

Summary

- 10. Risk management processes are well embedded within the council, and members can be assured that the corporate risk register is up to date following review by the business managers group of the key risks to achieving the council's objectives.
- 11. Each risk shows the owner and the key controls in place or planned to minimise any impact on the council and its provision of services to stakeholders.
- 12. The risk management strategy requires managers to keep all risks under review, and the corporate risk register will be regularly updated accordingly.

Integrated impact assessment



The IIA should assess the impact of the recommendation being made by the report

Detailed guidance to help with completing the assessment can be found here. Delete this row after completion

Report author to complete	
Committee:	Cabinet
Committee date:	26 March 2014
Head of service:	Chief finance officer
Report subject:	Corporate risk register
Date assessed:	28 February 2014
Description:	Corporate risks have been reviewed by senior managers and CLT. The corporate risk register has been updated to reflect the current risks and mitigating actions

		Impact		
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)				Effective risk identification and management across all aspects of the council's business (eg policy setting; projects; partnerships) helps to minimise extra costs that may arise from unexpected events. The principles should also be applied when considering potential rewards from taking advantage of 'positive' risk opportunities
Other departments and services e.g. office facilities, customer contact	\boxtimes			
ICT services				
Economic development				
Financial inclusion				
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults		\boxtimes		Specific risk included in corporate risk register
S17 crime and disorder act 1998				
Human Rights Act 1998	\boxtimes			

Health and well being				
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	\boxtimes			
Eliminating discrimination & harassment				
Advancing equality of opportunity				
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation				
Natural and built environment				
Waste minimisation & resource use	\boxtimes			
Pollution				
Sustainable procurement				
Energy and climate change				
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments

Risk management		\boxtimes	Regular review of corporate risks is a requirement of the council's risk management strategy. Properly applied, risk management has a positive impact on many of the above categories by contributing to the mitigation of risks and
			the meeting of objectives
Decemberdations from impos	ot accomment		
Recommendations from impac	t assessment		
Positive			
The effective identification of risk contribute to the achievement of			itigating controls, in line with the risk management strategy, will
Negative			
Neutral			
Issues			



CORPORATE RISK REGISTER

Version Date: March 2014 v0.2d

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		Details o	f Risk			Inl	nerent Ri	sk		Re	sidual R	isk		,	Actions		
Risk No.	Risk Description	Trigger	Result	Owner	Corporate Priorities	Likelihood	Impact	Score and RAG	Key Controls	Likelihood	Impact	Score and RAG	Actions	Owner	Target Date	Revised Target Date	Action Status RAG
	CUSTOMER PE	RSPECTIVE															
A1	Customer demand	Customer demand exceeds our capacity to deliver services as they are currently configured 2. Transfer of demand arising from service delivery changes or budget cuts by other public agencies Excessive customer demand in key areas, particularly in relation to the need to cut services, or changes to policies eg council tax benefits	Unable to cope with demand Complaints Reputation damage	EHoCCC	All	4	4		Proactive research on customer profile, forward planning, eg anticipating future events that will generate higher demand and use of data held to map and channel shift. Data capture, consultation, survey and service planning. Being robust about the role and responsibilities of Norwich City Council	3	2	6 (A)					
A2	Delivery of the corporate plan and key supporting policies and strategies within the council's strategic framework, including environmental strategy and financial inclusion strategy	The council has a clear set of corporate priorities within its corporate plan. Within the council's wider strategic framework, there are a number of key corporate strategies and policies which must be delivered across the organisation to realise the council's priorities e.g. environmental strategy, financial inclusion strategy etc The welfare reform act and other key pieces of legislation are changing the framework for local government and put new requirements on the council that must be met in a number of different areas. When this is combined with the significant savings the council will need to	7. Continual over-stretching of capacity 8. Inconsistent approach taken across council 9. Full benefits not realised 10. Benefits of cross working not gained	EHoSPD	AII	3	4		1. Regular review of corporate plan, medium term financial strategy and other key policies and strategies. 2. Effective performance and programme management 3. Corporate planning and service planning aligned with budget setting to ensure resources are in place to deliver priorities. 4. Effective preparation for changes in legislation.	2	4	8 (A)					

		Details o	of Risk			Inl	herent Ri	isk		Re	sidual R	isk		,	Actions		
Risk No.	Risk Description	Trigger	Result	Owner	Corporate Priorities	Likelihood	Impact	Score and RAG	Key Controls	Likelihood	Impact	Score and RAG	Actions	Owner	Target Date	Revised Target Date	Action Status RAG
A3	management with key service delivery partners and the management of	1. Partnerships not managed effectively and key service outcomes not achieved. 2. Contracts not managed effectively, and key service outcomes not achieved. Outcomes not achieved.		Dep CEO & EHoBRM	5	3	4	12 (A)	1. New governance structure is in place to manage the individual partnership agreements (eg NPS Norwich Board, LGSS liaison group, NP Law Board, all major contracts have strategic and operational governance arrangements with officer and member representation. 2. In response to the council operating model training requirements are being reviewed and staffing structures refreshed to reflect this change. Contract management training has been completed for staff delivering environmental works contracts. 3. A contract and business relationship management toolkit has been deployed. This aims to create consistency of management of both financial and performance objectives and monitoring and management of all economic, social and environmental issues associated with the service. 4. April 2013 Scrutiny meeting reviewed the LGSS service provision 1 year on after transfer.	2	4	8 (A)					
A4	Safeguarding children, vulnerable adults and equalities duties	embedded throughout the	Vulnerable adults and children at greater risk of exclusion or harm Individuals from a community of identity dealt with inappropriately and at risk of exclusion Risk of judicial review on accessibility of services	Dep CEO	1	3	4	12 (A)	Safeguarding children policy and procedures in place and reviewed annually through safeguarding group. Safeguarding vulnerable adult policy and procedures in place and reviewed annually. Safeguarding duties included in new contracts and programme to ensure duties are embedded is in progress with new contractors, and joint training/ awareness sessions have been held. Equalities duties is overseen by BMG 5. A contract and business relationship management toolkit has been deployed. This aims to create consistency of management of both financial and performance objectives and monitoring and management of all economic, social and environmental issues associated with the service and particularly in relation to safeguarding	2	4	8 (A)		support manager	April 2014		O

		Details o	Result 1. Projects halted or delayed 2. Adverse public opinion 3. Increase in local unemployment 4. Funding may have to be returned 5. Core infrastructure and affordable homes may not be delivered Dep CEO 1. Reputation damage 2. Significant likelihood that the overall development strategy for the Greater Norwich area will not be delivered Dep CEO			Inl	herent Ri	sk		Re	sidual R	isk			Actions		
Risk No.	Risk Description	Trigger	Result	Owner	Corporate Priorities	Likelihood	Impact	Score and RAG	Key Controls	Likelihood	Impact	Score and RAG	Actions	Owner	Target Date	Revised Target Date	Action Status RAG
A 5	Norwich and Homes & Communities Agency Strategic Partnership (NAHCASP) Three elements: 1)Development of land at Bowthorpe for mixed tenure (amber) 2) Other affordable housing and regeneration schemes (amber) 3. South city centre masterplan work	of contract 2. Change of rules by the government – tighter deadline for bidding for affordable housing grant - deadlines missed 3. Need to establish a future investment programme using funds from Bowthorpe development - Failure to establish investment programme	2. Adverse public opinion 3. Increase in local unemployment 4. Funding may have to be returned 5. Core infrastructure and affordable homes may not be	Dep CEO	3	2	4	8 (A)	1. Contract. Strategic Board includes Members and HCA. 2. Officer Implementation Board. 3. Annual Business Plan. 4. Project managers for individual projects. 5. Regular financial and budget reports. 6. Two audit reports gave good assurance on controls. 7. New outline planning permission in April 2012 to provide development framework for phased delivery of the site. 8. Consultants appointed for south city centre masterplan work. 9. Council to take on role of development partner for affordable housing in phase one and care home development partner has been agreed.	2	3	6 (A)					
A6	Delivery of Joint Core Strategy (JCS). The council, through the Greater Norwich Growth Board, is seeking to promote delivery of the JCS. If delivered, JCS will see more than 30,000 homes built in the greater Norwich area, and 35,000+ jobs created over next 15 years	or bring forward detailed development plans to deliver the JCS in the next five years. 2. Markets failing to deliver on preferred development sites	Significant likelihood that the overall development strategy for the Greater Norwich area will not be delivered	Dep CEO	3	3	4	12 (A)	Ensuring that strategies being prepared with GNGB colleagues are as robust as possible and firmly grounded in reliable evidence. Inter-authority working based on consensus decision-making ensures all parties are in agreement with the proposed policy framework. All policy work is supported by comprehensive evidence in accordance with government guidelines.	2	3	6 (A)					
A7	Community right to challenge	community right to challenge.		EHoBRM	All	2	4		1. Keep services under review to ensure they are delivering value for money. 2. If a challenge is successful ensure that the procurement process takes in to account all elements of the service including overheads. 3. Ensure any contracts as a result of challenges are flexible and allow the council to manage budgets.	2	3	6 (A)					

		Details o	of Risk			In	herent R	isk		Re	sidual R	isk			Actions		
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A8	As part of the reform of the HRA the council has taken on a substantial debt to replace the former negative housing subsidy system. This debt will be repaid over a period not exceeding 30 years. In addition to debt repayments the council has adopted a	1. Should the cost of works increase and/or the level of income reduce, then it may be necessary to review the housing investment strategy. 2. In addition, below inflation/rpi increases in rents will impact on income. 3. Reduction in rental income (arising from a high level of council house sales, increasing debt or other factors). 4. Significant increase in the cost of delivering improvement works	3. Increased tenant dissatisfaction4. Reduced new build programme.	Dep CEO & CFO	3	3	3		Regular review of HRA business plan and housing investment plan to reflect financial position of the HRA. The main control will be the timescale for delivering the Norwich Standard to all properties together with the delivery of any agreed new build programme.	2	3	6 (A)	1. Opportunity to bid for central government grant to raise the HRA cap to help finance the new build programme		Imminent, but exact date unknown		G
	FINANCE AND R	RESOURCES															
В1		the economic position 3. New policies and regulations place a major financial burden	1. Major reduction in public sector funding, including consequences of changes in funding arrangements for other bodies. 2. Impact on balancing the budget – significant change and financial savings required. 3. Unable to make saving within the required timescales 4. Erosion of reserves 5. Major financial problems 6. Reputation damage 7. Possible industrial action 8. Changes become "knee jerk" 9. Govt intervention 10. Council loses critical mass in key areas 11. Service failures 12. Potential disproportionate impact on the poorest and most vulnerable members of society	CFO	AII	5	4		1. Medium Term Financial Strategy incl. reserves policy, financial reporting to BMG& cabinet, transformation projects regularly monitored, MTFS is regularly reviewed and updated. 2. HRA business plan. 3. Weekly review by CLT of government announcements to assess implications and response required.	5	3	15 (A)					

		Details o	f Risk			Inl	nerent R	isk		Re	sidual R	isk			Actions		
Risk No.	Risk Description	Trigger	Result	Owner	Corporate Priorities	Likelihood	Impact	Score and RAG	Key Controls	Likelihood	Impact	Score and RAG	Actions	Owner	Target Date	Revised Target Date	Action Status RAG
B2	Income generation	levy) income is below expectations. 4. Collapse in world markets leading to loss of income 5. Low economic growth or recession reduces income 6. Other triggers: a) Bethel St Police Station – market value payment b) Triennial pensions review. c) VAT partial exemption. d) Variable energy prices. e) Increasing voids due to market and economy factors. f) Loss of major tenant. g) GNDP board decision or cabinet decision on CIL investment arrangements	1. Inability to raise capital receipts 2. Impact on balancing the budget - significant change and financial savings required. 3. Decline in income streams (eg rents from investment properties) – insufficient funds to maintain current service levels 4. Unable to make saving within the required timescales 5. Erosion of reserves 6. Major financial problems 7. Reputation damage 8. Govt intervention 9. Council loses critical mass in key areas 10. Service failures 11. Potential disproportionate impact on the poorest and most vulnerable members of society 12. Damage/costs across void portfolio 13. Essential infrastructure to deliver growth in the GNDP area is delayed.	CFO	All	5	4		1. Medium Term Financial Strategy incl. reserves policy, capital and revenue financial reporting to BMG & cabinet, transformation projects regularly monitored, MTFS is regularly reviewed and updated. 2. HRA business plan. 3. GNDP have an agreed investment plan for the Greater Norwich area and have appointed consultants to advise on the use of CIL to help deliver this programme.	3	4	12 (A)					
В3	Level of reserves The council has a legal duty to ensure it has a prudent level of reserves to conduct its business	Government policy. Economic climate Reserves fall below acceptable levels	Inadequate levels of reserves publicly reported by external auditors Government intervention Impact on reputation of the council	CFO	All	3	4	12 (A)	Medium term financial strategy. HRA Business Plan. Planning and delivery of transformation (savings) programme. Contract and business relationship management to identify and respond to business delivery risks. Budget development, in-year monitoring and control	2	3	6 (A)					

		Details o	f Risk			In	herent Ri	sk		Re	sidual R	isk			Actions		
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	PROCESSES AN	ID SYSTEMS															
C1	Emergency planning and business continuity (The council delivers a range of complex services to vulnerable elements of the community. Organisations generally are	FloodingSea level riseFuel shortages			All	4	4	16 (R)	1. The council is a member of the Norfolk Resilience Forum, which has produced a Norfolk Community Risk Register 2. Business continuity team with access to resources; action plans have been used to deal with actual total City Hall IT failure; alternative site for customer contact team; disaster recovery plan and the use of Blackberries for communications. 3. The council has a major emergency management strategy and emergency planning room established at City Hall. Approach has also been used to test business continuity in the event of the main works contractor changing. 4. Flu pandemic plan. 5. The Norfolk Climate Change Partnership has produced a climate change risk assessment for Norfolk local authorities. 6. Adaptations to protect the council from the local effects of climate change and address the causes are covered by corporate strategies such as the environmental strategy and sustainable community strategy, together with service plans.	4	3	12 (A)					
C2		organisation moving forward and the lean blueprint for a new council	2. Systems not customer friendly 3. Systems are not integrated with one and other 4. Drain on resources as staff work around the systems 5. Lack of accuracy in key data.	EHoBRM	All	3	4	12 (A)	NCC has developed an ICT strategic direction document detailing the key areas where ICT is required to support business objectives and change. Management of the LGSS relationship will seek to ensure that NCC requirements are delivered.	2	4	8 (A)					
СЗ	Information security	Sensitive and/or personal data is sent to the incorrect recipient or not kept securely, or is lost Data is emailed to insecure email addresses. Lap top or memory stick containing data is lost or stolen. Information is sent to incorrect addresses. Hard copy data is lost or stolen	1. Fine up to £0.5 million 2. Reputational risk	EHoBRM	5	5	4	, ,	1. Regularly remind all managers, employees and members of their responsibilities for the use of and security of data. 2. Avoid using mobile devices to store or process sensitive or personal data. 3. Encrypt lap tops and data sticks when they are used to store or process sensitive or personal data. 4. Proper disposal of confidential waste. 5. Updated IT User Security policy issued June 2013 to all staff and other people who access the councils systems (e.g. partners, contractors etc.).	3	4	12 (A)					

		Details o	f Risk			In	herent R	isk		Re	sidual R	isk		ı	Actions		
Risk No.	Risk Description	Trigger	Result	Owner	Corporate Priorities	Likelihood	Impact	Score and RAG	Key Controls	Likelihood	Impact	Score and RAG	Actions	Owner	Target Date	Revised Target Date	Action Status RAG
C4	Failure of major contractor or legal challenge following an unsuccessful tender bid	1. The council has a number of key contractors who may be vulnerable to market and economy factors. 2. In addition the number of legal challenges (and therefore injunctions preventing a contract award) is increasing due to the financial pressures and reducing workload 3. Key contractor goes into administration or an injunction is issued preventing the award of a new contract	contract 5. Cost and time to defend legal challenge	EHoBRM	5	4	3	12 (A)	1. Monitor major contractors for warning signs and make any necessary contingency plans. Recently put into practice and contingency plans tested. 2. Ensure a robust procurement process is followed in accordance with the appropriate procurement regulations, NCC processes and best practice. 3. NPS JV extended to include works division. This arrangement will enable the JV to carry outwork that was previously contracted to private sector. This approach is in line with the Councils operating model. This will provide enhanced security over the supplier and increased direct control by the council. 4. Contingency budget and allowance for failures within the calculation of prudent minimum balance of reserves 5. More use of shared services reduces size and scope of contracts with private sector providers (eg ICT) 6. Increased use of framework contracts increases resilience against contractor failure.	3	3	9 (A)					
C5	Fraud and corruption	1. Poor internal controls lead to fraudulent acts against the council, resulting in losses. 2. Bribery Act 2010 came into force 1 July 2011 – lack of guidance or policies - council fails to prevent bribery 3. Failure in internal control. 4. Discovery of fraudulent acts. 5. Allegations received. 6. Member of staff or councillor breaks the law.	Loss of income or assets Adverse public opinion Effect on use of resources Increased costs of external audit Cost of investigation and rectifying weaknesses Prison	CFO	5	3	3		Internal audit Anti-fraud and corruption policy, Payment Card Industry security assessment to protect card payments, National Fraud Initiative, Fraud team, Whistleblowing policy and prosecution policy. Review and update as necessary policies and procedures. Assess risk of bribery, train staff and monitor and review procedures.	2	3	6 (A)					

		Details o	of Risk			In	nerent R	isk		Re	sidual Ri	sk		-	Actions		
Risk No.	Risk Description	Trigger	Result	Owner	Corporate Priorities	Likelihood	Impact	Score and RAG	Key Controls	Likelihood	Impact	Score and RAG	Actions	Owner	Target Date	Revised Target Date	Action Status RAG
	LEARNING AND	GROWTH															
D1	Industrial action	Changes to pension regulations and pay restraint and changes to terms and conditions could lead to industrial action by employees National negotiating framework - failure to agree. Ballot of union members. Implementation of changes to the LGPS. Implementation of government interventions on pay	Loss of income Reputation	EHoSPD	All	3	4	12 (A)	2 stages – managing the threat of industrial action and responding to industrial action 1. Identify and agree with UNISON exemptions from strike action 2. Identify and implement business continuity/contingency plans to maintain essential services and ensure statutory duties are met 3. CLT agree and implement strategy for response to strike action ie assessing the scale of the action, communications, response depending on nature of the action, wider industrial relations implications, deductions from pay etc 4. National and regional guidance 5. Statutory immunities – Trade Union Labour Relations (Consolidation) Act	2	3	6 (A)					

Council Priorities 2012-15:

- 1. To make Norwich a safe and clean city
- 2. To make Norwich a prosperous city
- 3. To make Norwich a city with decent housing for all
- 4. To make Norwich a city of character and culture
- 5. To provide value for money services

Summary of Residual Scores for Corporate Risks (17)

	Very High	5					
Impact	High	4		A2, A3, A4, C2	B2, C3		
	Medium	3		A5, A6, A7, A8, B3, C5, D1	C4	C1	B1
	Low	2			A1		
	Negligible	1					
			1	2	3	4	5
			Very rare	Unlikely	Possible	Likely	Very Likely
			Likelihood				

Red scores – in excess of the council's risk appetite (score over 15) – action needed to redress, quarterly monitoring. In exceptional circumstances cabinet can approve a residual risk in excess of the risk appetite if it is agreed that it is impractical or impossible to reduce the risk level below 16. Such risks should be escalated through the management reporting line to CLT and cabinet.

Amber scores – likely to cause the council some difficulties (score over 4 and below 15) – quarterly monitoring

Green scores (score under 5) – monitor as necessary