Report to Audit committee Item

17 March 2015

Report of Head of internal audit and risk management, LGSS

**Subject** Review of corporate risk register

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### **Purpose**

To update members on the review by the corporate leadership team of key risks facing the council, and the associated mitigating actions as noted in the corporate risk register.

#### Recommendation

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

### 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**

Jonathan Idle, head of internal audit and risk 01223 715317

management (LGSS)

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### **Background documents**

None

## Report

#### **Background**

- 1. Risk management is a fundamental aspect of the council's business practices. Cabinet has an executive role in the management of risks across the council in its role of ensuring the delivery of the council's priorities.
- 2. Audit committee provides independent assurance of the adequacy of the council's risk management framework and the associated control environment.
- 3. In line with the risk management strategy, the template for risk registers includes scoring for inherent risks (before any mitigating controls are considered) and residual risk (after taking account of key controls, which are listed). Any further planned actions to mitigate risks are also shown.
- 4. The current corporate risk register was previously reported to audit committee on 18 November 2014 and approved by cabinet on 10 December 2014.

#### Review of corporate risks

- 5. In line with the risk management strategy, on 4 March the corporate leadership team carried out its quarterly review of the key risks to achieving the council's priorities and updated the register.
- 6. The updated corporate risk register is attached at **appendix 1**.

### Changes to the corporate risk register

- 7. The only major change to the register following the latest review is the removal of risk A5 Norwich and Homes & Communities Agency strategic partnership. CLT agreed it was no longer a corporate risk as the scope of the project has narrowed and the partnership is now fully focussed on the Three Score development at Bowthorpe. Also, funding which was reliant on HCA is now quite low.
- 8. Other changes mainly relate to the addition of some causes in column three and additional/expanded key controls in column ten. In a few cases, key controls which are no longer relevant have been removed.
- 9. Finally, the council priorities listed at the end of the register have been updated in line with the recently approved corporate plan 2015-2020.
- 10. The register attached at appendix 1 highlights where changes have been made.

#### Summary of residual risk scores

11. As with the previous register, a summary is included at **appendix 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.

#### Conclusion

- 12. 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.
- 13. 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.
- 14. The risk management strategy requires managers to keep all risks under review, and the corporate risk register will be regularly updated accordingly.



# **CORPORATE RISK REGISTER**

Version Date: March 2015

														Version Da	te: March	2015	
		Details of F	Risk			Ini	nerent	Risk		Re	sidual	Risk		A	ctions		
Risk No.	Risk Description	Caused by	Effect	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     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		EH-CC&C	All	4	4	16 (R)	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)	Customer service improvement plan for F2F service - Phase 1	Head of customer services	Ongoing	Mar-16	G
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	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	7. Continual over-stretching of capacity 8. Inconsistent approach taken across council 9. Full benefits not realised		AII	n	4	12 (A)	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 of I	Risk			Inl	herent	Risk		Re	esidual	Risk		A	ctions		
Risk No.	Risk Description	Caused by	Effect	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
А3	Relationship management with key service delivery partners and the management of contracts.  The council has a number of key partnerships with LGSS, NPS Norwich, and NP Law. There is also a highways agency agreement with Norfolk County Council. This approach to service delivery requires a different managerial approach by the city council. The council also has a number of key contracts – eg with NORSE, BIFFA, and Anglia Windows Ltd, – which require strong, consistent procurement and client management.	1. Partnerships not managed effectively and key service outcomes not achieved.  2. Contracts not managed effectively, and key service outcomes not achieved.	1. The council doesn't get value for money 2. Benefits of partner and contract arrangements not realised 3. Constant negotiation around the service delivery agreement 4. Specification not adhered to 5. Services not provided at an acceptable level 6. Customer and staff complaints	EH-BRM&D	5	3	4	12 (A)	<ol> <li>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.</li> <li>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.</li> <li>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.</li> <li>September 2013 Scrutiny meeting reviewed the LGSS service provision and noted the improvements in the revenues &amp; benefits service.</li> <li>Internal audit is currently reviewing arrangements to ensure that robust governance by client managers is in place. Results to be reported to CLT in March 2015.</li> </ol>	2	4	8 (A)					

		Details of F	Risk			Inl	nerent	Risk		Re	sidual	Risk		A	ctions		
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A4	Safeguarding children, vulnerable adults and equalities duties	and its contractors/ commissioned services/ partners. 2. Change in council service delivery model with an increase in the number of partnership arrangements will require new	identity dealt with inappropriately and at risk of exclusion  3. Risk of judicial review on accessibility of services  4. Risk of damage to reputation if an employee discrimination claim is made based on equalities legislation	EH-SP&N	1 & 3	3	4	12 (A)	<ol> <li>Safeguarding children policy and procedures in place and reviewed annually through safeguarding group.</li> <li>Safeguarding adult policy and procedures in place and reviewed annually.</li> <li>Safeguarding duties included in new contracts to ensure duties are embedded with new contractors. Where appropriate, joint training/awareness sessions are held.</li> <li>Equalities duties overseen by BMG</li> <li>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</li> <li>Equality training undertaken for all staff and managers</li> <li>Managing mental health training for managers</li> <li>Safeguarding training provided to all staff.</li> <li>Safeguarding guidance provided to all councillors</li> <li>External reviews of the council's approach</li> </ol>	2	4	8 (A)	Work is progressing with contract managers to ensure monitoring and annual reporting of cross cutting themes including safeguarding and equalities is undertaken consistently with contractors. Training for all staff being reviewed to ensure it is relevant to job roles and reflects emerging safeguarding issues and priorities.	Head of local neighbourhood services	Jul-14	Sep-15	G
<del>A5</del>	Norwich and Homes & Communities Agency-Strategic Partnership (NAHCASP) Three elements: 1)Development of land at Bowthorpe for mixed tenure 2) Other affordable housing and regeneration schemes 3. South city centre masterplan work	1. Reputation - material breach 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 4. Need to establish deliverable development proposals and funding. 5. Need to identify partner for delivery of affordable housing and care home provision. 6. Funding for some projects may not be obtained	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	EH-R&D	4	양	4	<del>8 (A)</del>	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.	CI	3	<del>6 (A)</del>					

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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	Delivery of the JCS may be jeopardised by:  1. One or more district councils failing to identify sufficient sites or bring forward detailed development plans to deliver the JCS in the next five years.  2. Markets failing to deliver on preferred development sites identified for housing  3. The government changing allowed approaches to calculating housing land supply to require all the backlog in housing supply that has arisen since 2008 to be met in the next five-year period rather than over the remainder of the plan period of the JCS (ie up to 2026).  4. Failure to deliver the infrastructure required to support development  5. The council increasingly relies on income from NNDR (business rates). This may be at risk if other councils allow commercial developments on the edge of the city but outside the boundary.		EH-R&D	2 & 4	3	4	12 (A)	1. Ensuring that strategies being prepared with GNGB colleagues are as robust as possible and firmly grounded in reliable evidence.  2. Inter-authority working based on consensus decision-making ensures all parties are in agreement with the proposed policy framework.  3. All policy work is supported by comprehensive evidence in accordance with government guidelines.  4. Greater Norwich Growth Board responsible for ensuring funding is available for investment in infratsructure to support growth.	2	3	6 (A)					
A8	exceeding 30 years.	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  5. Failure to deliver by contractors	1. Failure to deliver the Norwich Standard within the expected timescale 2. Lack of resources to support a new build programme. 3. Increased tenant dissatisfaction 4. Reduced new build programme.	EH-SP&N	4	3	3	9 (A)	<ol> <li>Regular review of HRA business plan and housing investment plan to reflect financial position of the HRA.</li> <li>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.</li> <li>Regular review of key projects.</li> <li>Effective contract management</li> <li>Work with Registered Providers to maximise use of retained Right to Buy receipts for the development of new social housing where spend by the Council is not possible.</li> </ol>	2	3	6 (A)					

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	FINANCE AND R	ESOURCES															
B1	Public sector funding	1. Further economic decline. 2. Change in national government policy as a result of the economic position 3. New policies and regulations place a major financial burden on the council eg RSG and HRA restructuring. 4. Effects of funding cuts on major partners despite increased referrals, eg health and social care, may result in increased costs for the council	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	20 (R)	1. Comprehensive 5-year transformation programme based on minimum resource allocation and robust benefit realisation.  2. Medium Term Financial Strategy incl. reserves policy, financial reporting to BMG & cabinet, transformation projects regularly monitored, MTFS is regularly reviewed and updated.  3. HRA business plan.  4. Weekly review by CLT of government announcements to assess implications and response required.  5. Keep service design under review  6. Continual review of financial position by the council and major partners	5	3	15 (A)					
B2		1. Further economic decline. 2. Under-utilisation of assets 3. CIL (community infrastructure 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. h) The council increasingly relies on income from NNDR (business rates). This is a volatile income stream and may be at risk from changes to Government policy around planning and if other councils allow commercial developments on the edge of the city but outside the boundary. i) Lack of experience in some services for generating income	10. Service failures 11. Potential disproportionate impact on the poorest and most vulnerable members of society 12. Damage/costs across void	CFO	All	5	4	20 (R)	1. Comprehensive 5-year transformation programme based on minimum resource allocation, maximisation of income generation and robust benefit realisation.  2. 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.  3. HRA business plan.  4. 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.  5. Clear strategy for investment  6. Commercial skills training provided to all Heads of Service  7.CIL programme controlled by Norwich prioritised and caution taken to ensure spend not incurred until monies certain to be received.	3 4	4 3	12 (A)					

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B3	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	Government intervention     Impact on reputation of the	CFO	All	3	4	12 (A)	1. Medium term financial strategy (MTFS). 2. Development of the 5-year corporate plan and transformation programme in conjunction with the MTFS. 3. HRA Business Plan. 4. Planning and delivery of transformation (savings and income generation) programme. 5. Contract and business relationship management to identify and respond to business delivery risks. 6. Budget development, in-year monitoring and	2	3	6 (A)					
B4	Capital developments	may take longer to proceed than planned.  2. Housing / other developments may cost more than planned.	2. Reduced net revenue		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. Capital Management Group set up and Capital Board ToR being developed  4. Continual review of investments  5. Balanced risk profile	3	4	12(A)					

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	PROCESSES AN	ID SYSTEMS						•			•	•					
C1	III Irdanisations	<ul> <li>ICT failure</li> <li>Contractor collapse</li> <li>Severe weather events – storms, heatwaves, strong winds</li> <li>Flooding</li> </ul>	deliver services 2. Disruption of the delivery of goods and services to the council 3. Increased requests for council resources and services 4. Health and safety impact on staff and vulnerable residents 5. Damage to council property and impact on tenants 6. Reputation damage 7. Years to recover	EH-BRM&D	AII	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 5. 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. 6. A new business continuity management policy and framework was approved by cabinet 25 June 2014. 7. A business impact analysis for each service is reviewed and assessed by CLT once complete.	4	3	12 (A)					
C2		organisation moving forward and the lean blueprint for a new council	Systems not customer friendly     Systems are not integrated with one and other     Drain on resources as staff work around the systems		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.      The council has introuced a new ICT Programme Board, attended by LGSS IT.	2	4	8 (A)					

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СЗ	Information security	1. Sensitive and/or personal data is sent to the incorrect recipient or not kept securely, or is lost 2. Data is emailed to insecure email addresses.  3. Lap top or memory stick containing data is lost or stolen.  4. Information is sent to incorrect addresses.  5. External malicious attack (hacking)  6. Hard copy data is lost or stolen	2. Reputational risk	EH-BRM&D	5	5	4	20 (R)	1. Regularly remind all managers, employees and members of their responsibilities for the use of and security of data.  2. Prohibit using mobile devices to store or process sensitive or personal data unless device is encrypted.  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.)  6. The council has achieved public sector network (PSN) & payment card industry (PCI) compliance  7. The council has introuced a new ICT	3	4	12 (A)			September 2014	April 2015	G

	Details of Risk					Inl	herent	Risk		Re	sidual	Risk		A	ctions		
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C4	Failure of major contractor or legal challenge following an unsuccessful tender bid	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	4. Cost and time to retender contract  5. Cost and time to defend legal challenge	EH-BRM&D	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.	<ol> <li>Loss of income or assets</li> <li>Adverse public opinion</li> <li>Effect on use of resources</li> <li>Increased costs of external audit</li> <li>Cost of investigation and rectifying weaknesses</li> <li>Prison</li> </ol>	CFO	5	3	3	9 (A)	<ol> <li>Internal audit</li> <li>Anti-fraud and corruption policy,</li> <li>Payment Card Industry security assessment to protect card payments,</li> <li>National Fraud Initiative,</li> <li>Fraud team,</li> <li>Whistleblowing policy and prosecution policy.</li> <li>Review and update as necessary policies and procedures.</li> <li>Assess risk of bribery, train staff and monitor and review procedures.</li> <li>Robust procurement procedures, e-tendering portal and governance by the procurement team</li> <li>Delegation procedures</li> </ol>	2	3	6 (A)					

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	<b>LEARNING AND</b>	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	EH-SP&N	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 2015-2020:

- 1. To make Norwich a safe, clean and low-carbon city
- 2. To make Norwich a prosperous and vibrant city
- 3. To make Norwich a fair city
- 4. To make Norwich a healthy city with good housing
- 5. To provide value for money services

Key to risk ow	ners (above):
EH-SP&N	Executive head of strategy, people & neighbourhoods
EH-BRM&D	Executive head of business relationship management & democracy
EH-CC&C	Executive head of customers, communications & culture
EH-R&D	Executive head of regeneration & development
CFO	Chief finance officer (s151)

		Details of F	Risk			Inl	herent	Risk		Re	sidual	Risk		Α	ctions		
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# **Norwich City Council**

# **Summary of Residual Scores for Corporate Risks (all 17 are amber)**

	Very High	5					
Impact	High	4		A2, A3, A4, C2	B4, C3		
	Medium	3		A5, A6, A8, B3, C5, D1	C4	B2, 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 (risk score 16 to 25) – 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 (risk score 5 to 15) – quarterly monitoring

Green scores (risk score 1 to 4) – monitor as necessary