Epping Forest District Council Corporate Risk Register

Date: 17 March 2016

Contents

Section		Page No.
1.	Introduction	3
2.	The Process	4
Appendix 1	Risk Profile	6
Appendix 2	Corporate Risk Register /Action Plans	7 - 19

1. Introduction

A strategic risk management 'refresh' exercise was conducted on 15th May 2013 with assistance from Zurich Risk Engineering. This exercise was an opportunity for the Management Board to refresh (or update) through identification, analysis and prioritisation those risks that may affect the ability of the Council to achieve its strategic objectives and Corporate Plan. In doing so, the organisation is recognising the need to sustain risk management at the highest level.

The refresh exercise involved a workshop with Management Board to identify new business risk areas and to update and re-profile important risks from the existing corporate risk register.

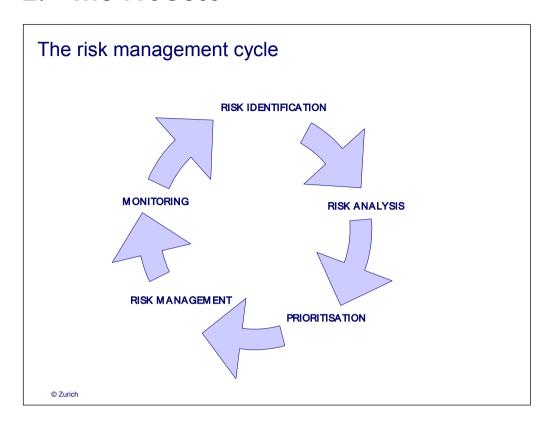
In total 8 strategic risks were profiled at the workshop and during the workshop, each risk was discussed to ensure common agreement and understanding of its description and then prioritised on a matrix. The risk matrix measured each risk for its likelihood and its impact in terms of its potential for affecting the ability of the organisation to achieve its objectives.

For the risks that were assessed with higher likelihood and impact, the group validated the risk scenarios and determined actions to manage them, including assessing the adequacy of existing actions and identifying the need for further actions in order to move the risk down the matrix.

Management Board agreed a timescale for re-visiting these risks in order to assess if they are still relevant and to identify new scenarios. Risks in the red zone will be monitored on a monthly basis and those in the amber zone on a quarterly basis.

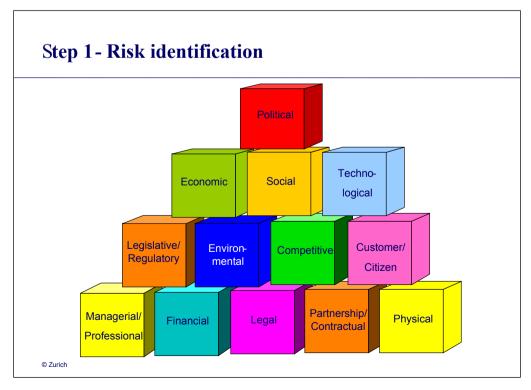
The following report outlines the process utilised by Zurich Risk Engineering and the results achieved.

2. The Process



Risk identification

The first of five stages of the risk management cycle requires risk identification. This formed the initial part of the workshop. In doing so the following 13 categories of risk were considered.



Risk analysis

During the workshop, the identified risks were discussed and framed into a risk scenario format, containing risk cause and consequence elements, with a 'trigger' also identified, This format ensured that the full nature of the risk was considered and also helped with the prioritisation of the risks.

Risk prioritisation

The discussion resulted in 8 risk scenarios being agreed (Appendix 2) and these were then assessed for impact and likelihood and plotted onto a matrix (Appendix 1). The likelihood of the risks was measured as being 'very high', 'high', 'medium', or 'low/very low'. The impact, compared against the key objectives and Corporate Plan was measured as being 'major', 'moderate', 'minor' or 'insignificant'.

Once all risks had been plotted the matrix was overlaid with red, amber and green filers, with those risks in the red area requiring further particular scrutiny in the short-term, followed by those in the amber area.

Risk management and monitoring

The next stage is to monitor the revised management action plans. These plans frame the risk management actions that are required. They map out the target for each risk i.e. to reduce the likelihood, impact or both. They also include targets and critical success factors to allow the risk management action to be monitored.

A risk owner has been identified for each risk. It is vital that each risk should be owned by a member of Management Board to ensure that there is high level support, understanding and monitoring of the work that is required as part of the plans. Risks should also be reviewed as part of the business planning process, in order to assess if they are still relevant and to identify new issues.

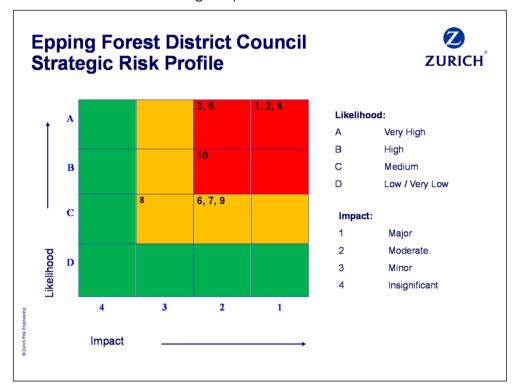
The monitoring of these action plans takes place at Corporate Governance Group, Management Board and the Risk Management Group. The action plans are also reported to Members quarterly.

As part of the regular review and reporting an additional risk on Safeguarding was added to the register in January 2014. The most recent addition was a risk covering various aspects of Housing Capital Finance and this was added in June 2015.

Appendix 1 – Risk Profile

Risk profile

During the workshop, 8 risks were identified and framed into scenarios. The results are shown on the following risk profile.



Appendix 2 details all of the above risks.

It is important that an action plan element is written for each of the risks, with particular focus on those with the highest priority, as it is this which will allow them to be monitored and successfully managed down.

An opportunity was also taken as part of this refresh to 'spring clean' the risk numbers, and they were numbered in priority order as follows:

Risk number	Short name
1	Local plan
2	Strategic sites
3	Welfare reform
4	Finance – income
5	Economic development
6	Data/information
7	Business continuity
8	Partnerships
9	Safeguarding
10	Housing Capital

.

Appendix 2 – Corporate Risk Register and Action Plans

Risk No 1 Local Plan A1	register and Action Flans		
Vulnerability	Trigger	Consequence	Risk Owner
On-going changes to Planning system increase importance of having up to date Local Plan, in particular, Central Government's announcement that Local Authorities must complete by 2017 or face sanctions	Failure to make timely decisions and adhere to Local Development Scheme Project Plan.	Reduced ability to manage development in line with local priorities and provide strategic direction. Possible Government intervention through designation as a failing authority, loss of control over the local plan process and loss of new homes bonus.	Derek Macnab
Proposed changes to the New Homes Bonus regime where planning approvals granted on appeal will not qualify for bonus.	Failure to make timely decisions and adhere to Local Development Scheme Project Plan.	Loss of New Homes Bonus revenue.	
Changes in government planning policy require new Local Plan to take approaches significantly different from predecessors e.g. Duty to Co- operate, release Green Belt.	Failure of Council to approve a draft plan in line with National Planning Policy Framework.	Plan not "sound", leading to further delay, wasted resources, and vulnerability to planning appeal decisions.	
Difficulties in implementing "Duty to Co-operate" may make it difficult or impossible to achieve "sound" Local Plan in timely fashion	Inability to agree, particularly on amount and distribution of objectively assessed development needs.	As above	
Particular vulnerability to delay in approvals from Highways England on strategic modelling delay ability to understand impacts of delivering to objectively assessed need levels.	Failure to make timely decisions on Preferred Approach plan due to lack of required information	As above	
Protracted process of achieving local highway modelling	As above	As above	
Failure to make timely progress increases likelihood of "planning by appeal"	Failure to adhere to Local Development Scheme leads to developers making significant planning applications in advance of new Plan.	Significant diversion of professional resources to appeals. Risk of costs awards against Council.	
Planning policy recruitment and retention issues. Not considering alternative options of delivering work i.e outsourcing.	S106/CIL arrangements. Planning policy recruitment and retention issues. Not considering alternative options of delivering work i.e outsourcing	Delays in achieving timetable, loss of New Home Bonus revenue.	

Risk No 1 Local Plan -	Action Plan					
Existing Controls/actions to address risk	Effectiveness of controls/actions	Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Project management approach in place including regular updates, resource planning.	Project plan needs to incorporate more time for political engagement at key decision points.	Agree mechanisms and timing with lead members, incorporate in revised project plan	Derek Macnab	Future adherence to project plan.	MB review 6 weekly	None – process ongoing.
Local Development Scheme revised June 2015.	Local Development Scheme adopted by Cabinet 11 June 2015.	Review progress against key milestones.	Derek Macnab	Local Development Scheme remains robust	As necessary	Review likely within 12 months
Workshops for EFDC and Town/Parish councillors on key issues to enhance awareness and understanding of new government requirements.	Workshops popular and helpful.	Supplement workshops with other forms of briefing to EFDC members as agreed with leading members.	Derek Macnab	Timely decision making in line with project plan.	As necessary	
Engagement with other key stakeholders e.g. ad hoc meetings with Town/Parish councils, Resident Associations and website.	Utilising existing mechanisms including Local Council Liaison Committee and Forester. Intensive engagement takes place in lead up to formal consultations. Ongoing discussions being had around Neighbourhood Plans.	Consider hiring a PR firm to assist in delivering the next statutory consultation.	Derek Macnab	Stakeholders feel well informed about process and decisions. Informed responses to public consultation.	As necessary	

Understanding with key councils in the Strategic Market Housing Area.	progress now being made. Meetings held with most other key bodies with positive outcomes, issues identified. Constant review of Planning Inspectorate local plan decisions re Duty to Co- operate.	exploring additional items to be included on discussion agenda. Engage further key bodies e.g. Lee Valley Regional Park. Discuss informally with Planning Inspectorate as necessary.				Governance arrangements agreed. "Duty to Co-operate" Member meetings now ongoing.
Lobbying of DCLG and local MP's re Highways England delays together with SHMA partners. Pursuit of MoU with Natural England. Consistent close working with Essex County Council through relevant structures, and individual officers	Effect as yet unknown	Joint letter from Leaders to local MPs	Derek Macnab	As above	As above	
Consultants in place to support project management, resource planning, Sustainability Assessment, transport modelling, master planning.	Staff cannot be prevented from leaving. Exit interviews should reveal any specific patterns. Market is picking up, making recruitment more difficult. EFDC is not offering the most competitive salaries compared to other Essex and London authorities.	Ongoing review of strategy by senior planners and Management Board.	Derek Macnab	No delays to timetable due to staffing gaps or lack of critical skills		Further review of staffing and resourcing February 2016.

Risk No 2 Strategic Site	es A1						
Vulnerability		Trigger		Consequence			Risk Owner
The Council has a number of Strategic sites which it needs to make the right decisions about and then deliver on those decisions. One key individual is driving forward the projects.		Not maximising the opportunity of the strategic sites either through decisions or delivery. Loss of key individual		 Financial viability of Council harmed Lack of economic development and job creation External criticism 			Derek Macnab
One key marvidual is driving for	ward the projects.	L033 01 KC	y marviadai	Project delaye	ed or mismanaged		
Existing Controls/actions to address risk	Effectivenes controls/acti		Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Work on strategic sites is co- ordinated through a dedicated Cabinet Committee.	Work is progressing developing a number of the control of the cont	er of sites: ill site way and blet the ohns by ncil ary of nd ECC overage; PQQ ruary with mission rogress lets; fting on t; aking	Reports to Cabinet Committee and Cabinet to obtain decisions on development options. Identification of alternative Housing depot and re- location. Conduct a fresh tendering exercise for the main contract.	Derek Macnab	Development of strategic sites completed in accordance with Cabinet decisions.	Monthly	None

Vulnerability		Trigger		Consequence			Risk Owner	
The government has pledged to make substantial savings from the overall welfare bill. This will require a major reform of the welfare system which is likely to have serious impacts on the Council and the community. This includes Universal Credit, changes to Council Tax and other benefits and direct payments to tenants.			eform changes have a al effect on the Council and y	 Tenants no longer able to afford current/new tenancies. Increase in evictions and homelessness Increased costs of temporary accommodation Unable to secure similar level of income due to payment defaults Increase in rent arrears Public dissatisfaction Criticism of the Council for not mitigating the effects for residents. 			Alan Hall	
Existing Controls /actions to address risk	Effectivenes controls/act		Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date	
Joint Benefits and Housing working group established. Mitigation action plan developed.	Two thirds of the achave been implement the remaining action abeyance pending Government annour on Universal Credit	ented and ns are in incements	Working Group to continue and amend mitigation action plan as necessary.	Alan Hall	A smooth implementation of welfare reforms. Minimise number and cost of redundancies.	Monthly	Start date for full version of universal credit still unclear.	

Risk No 4 Finance Income	e A1						
Vulnerability	erability Trigger			Consequence		Risk Owner	
the Government will be consulting in 2016 on gnificant changes in the responsibilities and nancing. District Councils are likely to suffer large eductions in grant income and New Homes Bonus. I large number of rating appeals have been eceived and the outcome of these is uncertain. Velfare reform may require substantial change to be calculation and administration of benefits with a kely reduction in funding received. The medium term financial strategy requires substantial net CSB reductions over three years.		ue to reduced demand for changes in legislation or hange in funding	 Staffing and s Increase Cou Increase in ch Greater use cachieved 		avings not	Bob Palmer	
Existing Controls /actions to address risk	Effectivenes controls/act		Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Monitoring of key income streams and NDR tax base. Savings opportunities pursued through service reviews and corporate restructure.	Effective to date as have been achieve meet the financial t by Members.	d that	Update Medium Term Financial Strategy as announcements are made on changes to central funding and welfare. Continue to pursue opportunities to reduce net spending.	Bob Palmer	Savings targets achieved with net expenditure reductions over the medium term as part of a structured plan.	Monthly	Issue of revise scheme for Ne Homes Bonus likely late summer.

Risk No 5 Economic Devel	opment A2						
Vulnerability		Trigger		Consequence		Risk Owner	
Economic development and employment is very important, particularly in the current economic climate. The Council needs to be able to provide opportunities for economic development and employment (especially youth employment) in the District.			erforms relatively poorly I to other authorities.	vely poorly • Unable to secure sufficient opportunities			Derek Macnab
Existing Controls/actions to address risk			Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Work has commenced on an updated Economic Development Strategy. Cabinet approved four new posts.	Too early to determ effectiveness of ne management and r	W	Completion of Strategy and allocation of appropriate resources.	Derek Macnab	Growth in NDR tax base and employment opportunities. Council to be viewed as punching above its weight.	Monthly	March 2016.

Vulnerability		Trigger		Consequence		Risk Owner	
The Authority handles a large amount of personal and business data. Either through hacking or carelessness, security of the data could be compromised.			by the Council ends up in iate hands.	 Breach of corporate governance Increased costs and legal implications Reputation damaged 			Colleen O'Boyle
Existing Controls/actions to address risk	Effectivenes controls/acti		Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Updated Data Protection policy agreed by Corporate Governance Group and rolling out through meta-compliance. Data Protection formed part of Member induction from May 2014, with requirement to confirm acceptance of the Council's DP policy. Consolidation of Data Protection and Freedom of Information work in one area. Security Officer is continually monitoring situation and potential risks. Most systems have in built controls to prevent unauthorised access. Controls in systems have been strengthened in response to specific occurrences.	Generally effective with no significant la far in 2015/16.		Consider separation of Environmental Information Requests and ensure these are handled in accordance with the appropriate regulations. New system for handling F.O.I. requests purchased and being implemented early 2016. Review after six months for extension to Data Protection. Data sharing and fair processing notices to be reviewed and standardised. Maintain GCSx compliance and system controls. A working group is reviewing data held by Directorates to eliminate duplication and any inadvertent Data Protection issues.	Colleen O'Boyle	Continued security of personal data held by the Council in accordance with the Data Protections Act 1998. No criticism from the ICO over how requests are handled. No data loss or system downtime due to unauthorised access of EFDC systems or data.	Quarterly	None

Risk No 7 Business Cor	ntinuity C2						
Vulnerability		Trigger		Consequence			Risk Owner
The Council is required to develop and implement robust Business Continuity Plans in line with the requirements of the Civil Contingencies Act. Following the consolidation into four directorates plans need to be updated and changes in responsibilities confirmed.		Unable to respond effectively to a business continuity incident (e.g. IT virus/flu pandemic)		 Services Possible Staff abse Hardship Council c 	Derek Macnab		
Existing Controls/actions to address risk	Effectiveness of controls/actions		Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Most services already have business continuity plans in place and a separate flu pandemic plan has been developed. The Corporate Plan has been updated and adopted.	The effectiveness of is assessed periodic through test and ex	cally	Guidance to be issued to services on updating plans. Arrange periodic tests and exercises.	Derek Macnab	Having plans in place which are proved fit for purpose either by events or external scrutiny.	Quarterly	None

Vulnerability		Trigger		Consequence		Risk Owner	
The Council is involved in a plethora of multi agency partnerships e.g. LSP - LEP, and these have a variety of governance arrangements. Localism act may cause transfer of Council services to providers with governance issues.		provided v	ership fails or services via arrangements lacking governance.	 Relationships Claw back of Unforeseen a Council Censure by a Adverse impa 	Glen Chipp		
Existing Controls/actions to address risk	Effectiveness of controls/actions		Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Active participation in key partnerships by appropriate officers/Members. Structured reporting back to designated Select Committee. Members can request	No significant issues to date. However, some concern exists about the working of the North Essex Parking Partnership. Internal Audit conducted an		Continue existing monitoring procedures for current partnerships and construct appropriate arrangements for any new partnerships. Service areas need to	Glen Chipp	No significant impacts on service delivery or Council reputation from any partnership failures.	Quarterly	None
representatives on outside bodies to report to Full Council.	audit of partnership gave a rating of sub assurance.		ensure their own risk registers cover any significant partnerships they are involved with.				

Risk No 9 Safeguarding C2							
Vulnerability	Trigger	Consequence	Risk Owner				
The Council needs to demonstrate its ability to meet its duties under Sections 11 and 47 of the Children Act 2004. In addition, with the introduction of the Care Act 2014 new legislation requires the Council to comply with a range of new duties for adults with needs for care and support. This includes a new responsibility for safeguarding adults from self-neglect.	The Council fails to meet its duties in regard to safeguarding children, young people and adults with needs for care and support.	 A child, young person or vulnerable adult suffers significant harm A child, young person or vulnerable adult suffers from exploitation Avoidable death of a child, young person or vulnerable adult living in the District Reputational risk for Council Censure and special measures applied 	Alan Hall				

Risk No 9 Safeguarding	Risk No 9 Safeguarding - Action Plan								
Existing Controls/ actions to address risk	Effectiveness of controls/actions	Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date			
The Council has a Safeguarding Policy (2015), which is updated in line with new legislation. The policy details what is required of all staff and Elected Members and is supported by a set of procedures which set out the process for recording safeguarding concerns, incidents and allegations. A corporate Safeguarding Group ensures sharing of best practice and information across Directorates and enables the identification of any weaknesses in the Council's work.	The Council has reduced the risk of safeguarding issues going unnoticed by staff and Elected Members by providing a range of training and production of the new Policy and procedures in 2015. This group has become an effective forum for sharing of best practice and commitment from all Directorates is shown.	Leadership Team and Managers to continue to promote vigilance amongst staff. The Council needs to ensure timely response to changes in legislation or local procedures. Directorates need to continue to commit time for representatives to attend the Corporate Working Group.	Alan Hall	The Council meets all of its duties under Section 11 and 47. The Council meets the new duties of the Care Act 2014. The Council fully meets all aspects of the ESCB/ESAB Safeguarding self - assessment.	Monthly	October 2015 Self-Assessment Audit to be undertaken. December 18 th 2015 submission of District LA responses from above and associated Action Plan.			
Council policies have been developed for all new and emerging safeguarding issues such as Child Sexual Exploitation (CSE). A Safeguarding Strategy and Action Plan has been adopted by Cabinet.	Several of these policies have been used across Essex as examples of best practice. The Safeguarding Strategy and Action Plan set out the areas requiring further improvement.	An ongoing rolling programme of training needs to be in place, to update and refresh staff and Elected Member awareness in the new and emerging issues.							
The Safeguarding Officer and part time Admin. posts have now been proposed as CSB growth.	These posts have enabled a Safeguarding 'Hub', which all EFDC safeguarding issues are filtered through. The number of safeguarding concerns identified in the last year has quadrupled since these posts were introduced.	Finance Cabinet to agree proposal for CSB growth bid to make posts permanent.							
Nursery Worker Accommodation Task Group established.		The group has developed an action plan which is submitted to Management Board.							

Vulnerability		Trigger		Consequence			Risk Owner
If the Council is unable to spend right to buy receipts in set timescale on qualifying capital schemes we will have to pay the money to the Government along with interest at a penalty rate. Changes to legislation which reduce income to the HRA. The Government is introducing right to buy for tenants of housing associations financed through the forced sales of Council properties as they become void. A scheme is being piloted initially with five housing associations to assist with the development of a national scheme.		Schemes are delayed by either the planning process or unanticipated site problems. Imposition of rent reduction proposal. Imposition of right to buy scheme which requires the disposal of a large proportion of the Council's void properties.		 Loss of capital resources Revenues cost of penalty interest Loss of HCA affordable housing grant Loss of rental income Delays in provision of new social housing Increase in housing waiting list Current 30 year business plan may become unsustainable. 			Alan Hall
Existing Controls/actions to address risk	Effectiveness of controls/actions		Required further management action	Responsibility for action	Critical success factors and measures	Review frequency	Key date
Position being monitored by the House Building Cabinet Committee and a number of contingency options are available including purchasing on the open market.	Effective to date as no loss of funds yet.		Continue close monitoring of financial position. Keeping Members fully informed of the potential consequences of their actions.	Alan Hall	No loss of right to buy receipts.	Monthly	Ongoing
The Council belongs to the Association of Retained Council Housing which lobbies on such issues.	Too early to comment yet as the policy is still being developed.		Monitor policy development/announcem ents and participate in lobbying if appropriate.	Alan Hall	No loss of Council properties to support right to buy for HA tenants.	Monthly	