

Corporate Risk Register - January 2024


Summary Position January 2024

LIKELIHOOD	Almost Certain	5					
	Highly Likely	4				CORSER002 ICT001 SUS001	
	Possible	3				HRA001 HRA002 CORSER001 FIN002 FIN003 PEOPLE001	CONT001
	Unlikely	2		ECDEV001			FIN001 COMP001
	Negligible	1					
			1	2	3	4	5
			Negligible	Low	Medium	High	Very High
IMPACT							


Key

- CORSER002- Business Continuity arrangements
- ICT001- Cyber Security
- CONT001 -Waste service delivery failure
- HRA001- Increase in demand from homeless could increase financial need
- HRA002-Council house build programme
- SUS001- Climate Change
- COMP001-Compliance with social housing regulations
- CORSER001-Data information breach
- FIN002- Ensuring the financial viability of Qualis.
- FIN003- Maintaining and improving VFM.
- ECDEV001- Economic Development
- FIN001- Delivering a balanced budget and Sustainable Medium-Term Financial Plan (MFTP)
- PEOPLE001 – Future proofing the workforce


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RISK REF (ID)	RISK (IF-THEN) - (one line snapshot)	INHERENT LIKELIHOOD	INHERENT IMPACT	INHERENT RISK SCORE	MITIGATION CURRENT CONTROLS	RESIDUAL LIKELIHOOD	RESIDUAL IMPACT	RESIDUAL RISK SCORE	FURTHER ACTIONS REQUIRED	RISK OWNER (Officer & PFH)	COMPLETE OR NEXT REVIEW DATE	STATUS OPEN/ CLOSED	
HRA001	Increase in numbers of homeless households and lack of supply of suitable accommodation could result in adverse financial impact directly affecting the general fund.	5	4	20	<ol style="list-style-type: none"> 1. Senior officers authorise all placements. 2. Entered into a block booking arrangement with a local provider at a reduced cost. 3. Building our own stock. 4. New provision other social housing providers. 5. Taskforce of key staff in place to improve collection rates of charges 	3	4	12		Interim Service Director Housing & Property	Apr 24	OPEN	
	CAUSE - EFFECT (detail narrative)										DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Jan 24	We have seen an unprecedented increase in households becoming homeless due to national factors (cost of living and the implications of the Domestic Abuse Act). There is a possible additional risk of increasing numbers locally from the bridging hotels (2 in the district) if they are made to leave without arrangements for rehousing elsewhere being in place.					TREAT			<ol style="list-style-type: none"> 1) Project to improve tenancy sustainment in the private rented sector has been included in the Service Plan for 2023/4. The purpose being to prevent homelessness at an earlier stage. 2) Review the effectiveness of current support to people experiencing domestic abuse and our ability to prevent homelessness. 3) Investigating an Essex wide solution. North Essex housing summit 4) Asset Management Strategy for the HRA due March 24. Will explore with Qualis whether they can assist with options to support homelessness. 			(All) EG	Mar 24 Ongoing Feb 24 Mar 24


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						TREATMENT STATUS	DIRECTION OF TRAVEL	ACTION OWNER			ACTION DATE		
HRA002	Inability to deliver new affordable housing through our own pipeline, the strategic partnership or other ventures.	5	4	20	<ol style="list-style-type: none"> 1. Programme-wide risk management schedule is in place. 2. Project management of all schemes to ensure effective delivery of time, budget, and quality. 3. Carry out 360 Reviews with contractors to review performance. 4. Deliver schemes in line with RIBA development stages 1- 7. 5. Involve Planning staff at early stages and throughout. 6. Carry out robust feasibility studies. 	3	4	12	<ol style="list-style-type: none"> 1. Purchase and Implement sequel to manage cashflows for the schemes rather than outsourced. 2. Deliver schemes in the current pipeline. 3. Explore development opportunities with Qualis, strategic partners and other developers. Considering all contract types. 4. Review the local plan for development opportunities. 5. Review of HRA business plan including development schemes underway. Close monitoring of expenditure required. 6. Monthly meetings with finance business partner to manage cashflow of schemes. 7. Review programme as issued by the contractor. 8. Put together development strategy and implement. 9. Monitor development funding opportunities – notably Homes England. 	Interim Service Director Housing & Property	Apr 24	OPEN	
CURRENT REVIEW DATE	CAUSE – EFFECT (detail narrative)					TREAT							
Jan 24	If the Council fails to deliver new build housing, we are unable to provide housing to our most vulnerable residents who remain on the waiting list. RTB (Right to Buy) impact on the level of stock and without new build delivery we are unable to increase stock.										<ol style="list-style-type: none"> 1)RH 2)RH 3)SB 4)SB 5)RH 6)RH 7)RH 8)RH 9)RH 	<ol style="list-style-type: none"> June 24 Sept 24 Ongoing June 24 June 24 Ongoing June 24 June 24 June 24 	


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											DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
ECDEV001	A failure to deliver projects linked to the council's UK Shared Prosperity Fund (UKSPF) bid, mean that the Council will miss out on the benefits linked to £1 million worth of external funding.	4	5	20	1. Joint meetings between Community & Wellbeing and Economic Development 2. Shared priorities 3. Designated project leads in place. 4. Designated Lead Officer for reporting back to Government 5. Development of internal and external partnerships to ensure funding is utilised on identified need and outputs and outcomes met.	2	2	4	<ul style="list-style-type: none"> Present to Strategic Leadership Team on the delivery plan. Regular meetings (quarterly) with delivery partners to ensure projects are performing and meeting targets. Develop delivery plan for 2024/25 funding. 	Service Director Customer & Community	Apr 24	OPEN	
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)					TREATMENT STATUS							
Jan 24	i) A lack of staff resource to coordinate the programmes, means that the council is unable to report adequately back to the UK Government on the use of funds. ii) A failure to follow UK Government legal and procurement rules risks the delivery of UKSPF projects. iii) A failure to attend to marketing and communications rules linked to the programme leads to risk of the UK Government withdrawing funding support.					TREAT					FF	Jan 24	
											FF	Ongoing	
											FF	Feb 24	


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CORSER001	Risk of data held by the Council ends up in inappropriate hands.	4	4	16	1) The Council continues to have a designated Senior Information Risk Officer (SIRO), Data Protection Officer (DPO), and Freedom of Information (FOI) Officer. 2) A Strategic Information Governance Group and an Information Asset Owner Group are in place and meet quarterly to monitor breaches and learn lessons where needed 3) The Information Governance Group 23/24 work programme is in place and is being prioritised and subject to ongoing review by the SIRO, Head of Internal Audit and DPO quarterly. 4) GDPR & cyber security e-learning training on Litmos. People Team review employees who have not undertaken the training. Automated reports are sent to managers 5) Training is underway with SLT, started on 30 January 2023 is ongoing until March 2024. Quarterly sessions in place for 2023. 6) ICT information Governance policy review completed. 7) Align electronic data to retention and disposal policy. Data cleanse project launch summer 2023 initially focussing on F drives. 8) Microsoft Tenant Audit completed.	3	4	12	1) FOI infographic eLearning on Litmos along with raising awareness communication and data governance will be rolled out during 2023 and 2024. 2) Data quiz to be circulated. 3) Reviewing implications of Data Protection and Digital Information Bill that is with the House of Lords at Committee stage 4) ICT and Strategic Information Governance Group to discuss further controls following review of the Microsoft Tenant audit – this links into Colchester work 5) Members code being reviewed for Members using personal email addresses on Council business	Service Director Corporate Services	Apr 24	OPEN
CURRENT REVIEW DATE	CAUSE – EFFECT (detail narrative)					TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Jan 24	Breach of the 2018 Data Protection Act (DPA) and the General Data Protection Regulations (GDPR) leading to significant fines or/and intervention by the Information Commissioner's Office (ICO) <ul style="list-style-type: none"> • Increased costs and legal implications • Reputational damage to the Council 					TREAT					PM/S M/LR	Mar 24
									PM/M KS	Comp		
									PM/M KS	Mar 24		
									MKS/ PM	Sept 24		
									PM/N B	Mar 24		


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						TREATMENT STATUS					DIRECTION OF TRVEL	ACTION OWNER
CORSER002	Failure to ensure robust plans are in place for critical services and regularly tested could result in an event occurring having adverse impact on service delivery.	5	5	25	1. There is a well-established MIM process for ICT issues to be managed. 2. Majority of 'office' based employees can work from home. 3. The Council has alternative locations it could work from. 4. BC Plan templates and manager training completed in April 2023 conjunction with Essex Police BC Team. 5. BCP framework in place. 6. Service BC Plans and BIAs in place for majority of Council 7. All management involved in desktop test.	4	4	16		Service Director Corporate Services	April 24	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)					TREATMENT STATUS				DIRECTION OF TRVEL		
Jan 24	The Council is required to develop and implement robust Business Continuity Plans in line with the requirements of the Civil Contingencies Act 2004. Failure to do so can result in loss of service delivery. <ul style="list-style-type: none"> • Possible loss of income • Staff absence • Hardship for some of the community • Council criticised for not responding effectively 					TREAT			1. Finalise Corporate BC Plan. Include the role of internal Gold officer and Group also Silver and Bronze response. – Final draft yet to be completed. 2. For both sets of BC Plans identify specific processes and agreed decisions related to the situation. 3. BC Officer booked to attend specific BC course and take Exam 4. Some service areas BC Plans are requiring completion 5. Lessons learnt from desktop test required 6. Ensure that adequate contingency arrangements are in place for the Elections		1) LL 2) LL 3) LL 4) LL 5) LL 6) PM/ RP	Jan 24 Comp Oct24 Mar 24 Feb 24 Mar 24


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ICT001 Cyber security	If the Council are subject to a serious cyber incident, the impact to our services and communities could be extensive.	5	5	25	<ul style="list-style-type: none"> - Data backed-up off-site. - Documented and tested incident management procedures in place. - Mandatory cybersecurity training for staff, run in conjunction with Essex Police. - People Team notifies ICT of all leavers to ensure access rights are promptly disabled. - Single sign-on and/or multi-factor authentication applied wherever possible. - Mystery Phishing campaigns run - Updated Information Security, Security Breach, ICT Remote Access, and ICT Security policies in place. - Public Sector Network compliance, with penetration testing completed. - Network firewalls in place to protect network; device firewalls and anti-virus software deployed 	4	4	16	<p>1. Microsoft audit has been undertaken across Epping and Colchester and a prioritised action plan will be created to increase our security posture – ongoing</p> <p>2. Additional information sharing and best practice across Essex Councils – on-going</p> <p>3. Continued emphasis on educating and supporting colleagues, as human mistakes remain biggest threat – ongoing</p> <p>4. Further mitigations in relation to suppliers and supply chains</p>	Joint ICT & Transformation Director	Apr 24	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)					TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Jan 24	<p>Every organisation carries multiple risks in relation to cyber threats in particular government organisations</p> <p>The Authority handles a large amount of personal and business data. Cyber risks stem from 3 main root causes that require a cross organisational response</p> <ul style="list-style-type: none"> • Insufficient technical controls • Poor staff awareness and practice • Third party and supply chain risks <p>potentially leading to</p> <ul style="list-style-type: none"> • Loss of system access and/or data • Interruption and degradation of Council services • Increase costs • Reputational damage • Corporate fines 					TREAT					MW	Apr 24
										MKS	Ongoing	
										MW	Ongoing	
										MKS/JW	June 24	


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CON001 Waste service delivery failure	Failure to implement future waste services project by Nov 2024 Current Provider fails to continue to deliver service	5	5	25	1-OPS Ltd appointed to project manage Future Waste Services Project. 2-There are 3 workstreams: Workstream 1 – Waste services delivery	3	5	15	1) Cabinet approved on 10 th July to set up a wholly owned EFDC subsidiary to deliver waste services from November 2024. 2) Future Waste services project steering group meet fortnightly. 3) Planning permission submitted for operations hub at North Weald Airfield. 4) Procurement for contractor to construct Operations hub underway 5) Monthly Highlight Report to PMO.	Service Director - Contracts	Apr 24	OPEN	
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)				Workstream 2 - Mobilise a waste vehicle facility at NWA. Workstream 3 - Procure a Vehicle Fleet.	TREAT							
Jan 24	Failure to obtain planning permission for waste vehicle depot at NWA Consequences: <ul style="list-style-type: none"> • Reputational damage to the Council • Significant additional costs to the Council Environmental impact – increased rubbish on street, and health issues if waste left out too long before collected				3-Interim Managing Director appointed for the new waste company 4-Award contract for Procurement of waste vehicles approved by Cabinet 15 th Jan 2024 5- Waste Licence obtained for waste vehicles at NWA 6- Waste Management Partnership Board 7- Contingency plans in place						JW	Feb 24	


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COMP001	If the Council, is unable to demonstrate compliance with numerous statutory H&S requirements it could face a Regulatory Notice and/or heavy fines. There is also a need to meet Consumer Standards and Consumer Standards as laid out in the Social Housing (Regulation) Bill (2023). If the Council is unprepared, it will face serious reputational damage.	4	5	20	<ol style="list-style-type: none"> 1) Comprehensive suite of policies in place. 2) Specialist compliance IT solution has started to be implemented 3) Weekly oversight of compliance by ELT. 4) COO is agreed lead on Health and Safety for Housing (as required by the Regulator) 5) The Director for Housing & Property is lead for Consumer Standards. As required by the Regulator. 6) Outcomes of the stock condition survey have informed the HRA business plan and takes into consideration the H & S and compliance requirements went to Scrutiny 16/01/2024 	2	5	10		Interim Service Director Housing and Property	Apr 24	OPEN
	CAUSE - EFFECT (detail narrative)											
Jan 24	In addition to the requirements of the Social Housing Regulator described above there are requirements from the Building Safety Act 2022 and Fire Safety Act 2021. HSE is now the new regulator for building safety and whilst currently applies to 7 storeys and above the intention is to reduce this down to lower storey blocks. Requires a competent person to be formally appointed and 'golden thread' of records and retention of documents. Fire Safety Act 2021 – applies to EFDC from January 2023 and will amend the existing regulatory (reform) Fire safety order 2005. Applies to all buildings not just housing. The Council must self-refer if not compliant. Fire Safety (England) Regulations 2022.					TREAT			<ol style="list-style-type: none"> 1) Remaining 50% Stock condition survey to be completed. 2) Survey of phase 2 of social housing residents' satisfaction with housing services will take place 3) HRA Asset Management Strategy to be in place for March 24 ensuring that structural and compliance needs for the council's council housing are given priority and are fully resourced. 4) HAMS project phase 2 due for completion autumn 2024 key areas asset management and repairs. 		<ol style="list-style-type: none"> 1) SB 2) SB 3) SB 4) SB 	<ol style="list-style-type: none"> Mar 25 Mar 24 Mar 24 Oct 24


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FIN001 Delivering a Balanced Budget and Sustainable Medium-Term Financial Plan (MTFP)	Failure to maintain a Balanced Budget and Sustainable Medium-Term Financial Plan (MTFP) would breach a legal duty to maintain a balanced budget and could potentially result in the bankruptcy of the Council.	5	5	25	1) The active monitoring and reporting on internal and external factors affecting the MTFP, including the 2024/25 Budget through the established Financial Planning Framework 2) Regular communication of financial position and future prospects to Members (through the Cabinet and Scrutiny process) and senior management (via SLT route).	2	5	10		Strategic Director of Resources (Section 151 Officer)	Apr 24	OPEN
CURRENT REVIEW DATE	CAUSE – EFFECT (detail narrative)					TREATMENT STATUS			1) Maintain (effective) Recruitment Freeze in 2023/24. 2) First Draft balanced budget for 2024/25 now completed (Dec 23). Now need to complete final balance budget by Feb 2024. 3) Develop Shared Services Strategy 4) Develop and deliver Transformation Plan (including Shared Services)	DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Jan 24	The Council has a legal duty under the Local Government Finance Act 1992 to maintain a balanced budget. Furthermore, Section 114 (3) of the Local Government Finance Act 1988 dictates..." the CFO (Section 151 Officer) of a relevant authority shall make a report under this section if it appears to them that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure". The updated Medium-Term Financial Plan (MTFP) 2024/25 to 2028/29 approved by Cabinet on 9th October 2023 showed a forecast General Fund budget deficit of £3.720 million for 2024/25. The Q2 General Fund forecast for 2023/24 was also showing a substantial overspend (£1.3 million) and the General Fund Reserve was on course to fall well below its recommended contingency balance of £4.0 million. A first draft (balanced) budget for 2024/25 was presented to Cabinet on 18th December 2023.					TREAT				AS CH AS MKS	April – March (23/4) Feb 24 June 24 June 24	


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FIN002 Ensuring the financial viability of Qualis.	Failure to ensure the continued financial viability of Qualis represents a major financial and reputational risk to the Council.	3	5	15	1) Quarterly monitoring and reporting on progress against Qualis Business Plan through the established Governance Framework. 2) Quarterly reporting on Council budget position (including Qualis loan margins and other transactions) through Cabinet and Scrutiny process. 3) Enhanced reporting (with effect from 2023/24 in compliance with December 2021 codes) through Audit & Governance Committee re Capital and Treasury Management strategies (especially on Qualis-related Service and Commercial Investments). 4) Monitoring and reporting on monthly Cash Flow Statement from Qualis.	3	4	12	1) Monitor and report quarterly on Qualis-related Council risk exposure.	Strategic Director of Resources (Section 151 Officer)	Apr 24	OPEN
CURRENT REVIEW DATE	CAUSE – EFFECT (detail narrative)					TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Jan 24	The Council's LATCO, the Qualis Group, has had to operate in particularly difficult economic and trading conditions since its inception. This is proving challenging in property development especially, with the recent sharp increase in worldwide interest rates threatening the viability of planned housing and regeneration schemes. In particular, the Council's medium-term income assumptions are dependent on the successful delivery of these schemes through the margins that it makes on on-lending to Qualis. The Council has obtained security wherever possible against its financial commitments to Qualis, so has purposely mitigated risk to a large extent. Nevertheless, in the event that Qualis fails to establish and maintain its financial viability in the medium-term, the Council would potentially suffer significant financial loss, as well as reputational damage.					TREAT				AS	Mar 24	

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FIN003 Maintaining and improving VFM.	A failure to maintain and improve Value for Money (VFM) in the commissioning and delivery of services would potentially jeopardise public funds and cause the Council significant reputational damage.	4	5	20	1) Quarterly performance monitoring and reporting through established Cabinet and Scrutiny progress. 2) Ad hoc scrutiny of Qualis service-delivery performance.	3	4	12		Strategic Director of Resources (Section 151 Officer)	Apr 24	OPEN
CURRENT REVIEW DATE	CAUSE – EFFECT (detail narrative)					TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Jan 24	The Council is a Best Value authority under the Local Government Act 1999 and is under a general Duty of Best Value, which requires it to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness” (an optimal balance thereof representing “Value for Money”). The Council’s Duty of Best Value is further reflected in Sections 20 and 21 of the Local Audit and Accountability Act 2014, which require (external) auditors to be satisfied that the Council “has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources”. The Council is redesigning service delivery arrangements in a range of areas (including the transfer of some services to Qualis), so has to ensure that the Duty of Best Value continues to be met.					TREAT					AS	Mar 24
									1) Ensure protection of taxpayers’ interests in Grounds Maintenance contract from 2023/24. 2) Ensure protection of taxpayers’ interests in Commercial Assets contract from 2023/24. 3) Further develop, monitor and report on VFM metrics, including benchmarking and ‘baselining’ services prior to outsourcing. 4) Benchmark Housing Maintenance contract performance against industry standards. 5) Complete VFM assessment of Housing Maintenance contract based on 2022/23 performance.	AS	Mar 24	

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PEOPLE001 Future proofing the workforce	Experiencing significant workforce issues around not having the right skills, behaviours, productivity and capacity in place to deliver services to our residents and deliver the Corporate Plan 2023-27.	4	5	20	1. People Strategy 2024/27 in place that recognises the importance of attraction & retention, employee development, supports our new ways of working and engagement with employees and trade unions, and wellbeing support. 2. A successful Apprentice Scheme which maximises expenditure of the Apprenticeship Levy 3. Well established and embedded hybrid/flexible ways of working 4. Leadership development programmes and career pathways. 5. A dedicated L&D (Learning and OD Development) budget and team 6. Partnership working/shared services other authorities and public services which offers potential career, specialist and personal development. 7. Officers involved in a range of Essex wide groups/LGA/EELGA discussing attraction and recruitment to wider Essex.	3	4	12	1. Service workforce development plans become an element of our Service Planning Process 2. Workforce planning upskilling is an essential skill for all leadership and line managers. 3. Shared Services in discovery phase	Head of Service – People	Apr 24	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)			TREATMENT STATUS		DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE				
Jan 24	The Council requires a highly skilled and motivated workforce to deliver the Corporate Plan and services to our residents. Public services are facing challenging times regarding; <ul style="list-style-type: none"> ▪ financial restraints ▪ cost of goods and services for employees and employers ▪ tight labour markets ▪ increasing trade union unrest The Council needs to attract, recruit, and retain a workforce that can meet these challenges whilst meeting high standards of delivery	TREAT		1) JB/C G		Mar 24 Mar 24 Mar 24						