

CORPORATE RISK REGISTER (November 2020)

LIKELIHOOD	A Very High			2	9
	B High			10	1 3 4
	C Medium			5 6 7 8 11	
	D Low / Very Low				
		4 Insignificant	3 Minor	2 Moderate	1 Major
IMPACT					

RISK NO.	RISK SCORE	DESCRIPTION
1	B1	Local Plan
2	A2	Welfare Reform
3	B1	Financial Resilience
4	B1	Economic Development
5	C2	Data/Information
6	C2	Business Continuity
7	C2	Housing Capital Finance
8	C2	Cyber Security
9	A1	Delays in issuing Planning Permission
10	B2	Climate Emergency
11	C2	Accommodation project

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Risk No 1 Local Plan	<p>Vulnerability: Without an adopted Local Plan and with the introduction of the Housing Delivery Test from November 2018, the Council's ability to deliver housing at the required rate will lead to the presumption in favour of sustainable development being applied and the requirement to prepare an action plan.</p> <p>Consequence: Without an adopted plan setting the Council's housing requirement at 518 the measurement used will be the 2014 household projection figures/standard method for assessment with an annual requirement of 923 homes. This will result in vulnerability to planning appeal decisions and potential development in the Green Belt as the presumption in favour of sustainable development will apply. (Note the published 2018 household projection figures have resulted in an annual requirement of 868 homes per annum)</p>	<p>The failure to deliver at the required threshold set out in the NPPF of 95% of the housing requirement over the previous three years triggers a requirement for the Council to prepare an action plan in line with national planning guidance to assess the causes of under delivery and identify actions to increase delivery. Although there are transitional arrangements with lower thresholds for November 2018 and 2019, the delay in submitting the Local Plan as a result of the Judicial Review and Natural England's requirement not to issue planning decisions until a mitigation strategy is in place for Epping Forest SAC, is likely to have ongoing consequences for delivery. There is now further delay as a result of Natural England's objections to the Habitat Regulations Assessment, which has led to the Inspector's advice that further work is required to inform the mitigation strategy, which is now almost complete.</p>	VERY HIGH	MAJOR	A1	<p>1) Local Plan Submission Version 2017 agreed by Council on 14 December 2017 and published between 18 December 2017 and 29 January 2018. Following the JR the plan was submitted for examination in September 2018 and took place between February & June 2019. The Inspector's advice issued on 2 August 2019 requires the Council to undertake further work to support the Local Plan, which is now underway.</p> <p>2) Revised Local Development Scheme (LDS) adopted by Local Plans Cabinet Cttee 22 November 2018 following submission of plan for independent examination. this will be updated once there is some certainty on programme for consultation on MMs.</p> <p>3) Systematic approach to Duty to Co-operate, engaging public bodies including Natural England and the Conservators.</p> <p>4) Consultants in place to support project management, resource planning, Sustainability Assessment, transport modelling, master planning.</p> <p>5) Regular reports at officer and Member level through the Cooperation for Sustainable Development Group.</p>	HIGH	MAJOR	B1	<p>1) A revised timeline of the programme of work for the final tranche of the Main Modifications (MM) agreed with the Local Plan Inspector. Regular updates are provided and posted on the Council's website. The last update was provided on 2 October 2020 in which the Inspector explained that due to other commitments there would be a delay in reviewing the MMs submitted as agreed in September. The MM consultation due late October for 6 weeks is therefore delayed which will push back the adoption to Spring/Summer 2021.</p> <p>2) Review progress against new key milestones</p> <p>3) Important that key decisions do not precede Duty to Co-operate i.e. "fait accompli".</p> <p>4). Scrutiny Function to be undertaken by Stronger Place Select Committee</p>	Planning Services Director	Regular programme meetings (but at least monthly)

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Risk No 2 Welfare Reform	<p>Vulnerability: 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.</p> <p>Consequence:</p> <ul style="list-style-type: none"> • 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 and Council Tax arrears • Public dissatisfaction • Criticism of the Council for not mitigating the effects for residents. 	Welfare reform changes have a detrimental effect on the Council and community.	VERY HIGH	MAJOR	A1	<p>Cross-service and sector working group established to access impacts of the introduction of Universal Credit and to produce an action plan to mitigate the effects.</p> <p>Working group has been created to meet on a regular basis.</p> <p>Action Plan developed in 2019/20 by baselining the effects of Universal Credit is being implemented in 2020/21. A multi-agency hub has been created in Waltham Abbey to act as a one stop shop for vulnerable residents and is seen as a potential model for the district in affected areas. Covid lockdown has temporarily curtailed this. A virtual portal has been created to provide a resource for customers to use that signposts them to the online services from partners involved in the physical hub. It is currently targeting those who are at highest risk when furlough ceases i.e. younger working age</p>	VERY HIGH	MODERATE	A2	To continue to develop the online customer offering and nuance it according to changing circumstances.	Customer Services Director	Monthly

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Risk No 3 Financial Resilience	<p>Covid-19</p> <p>The Council has had a strong Balance Sheet for several years with a high level of unallocated General Fund Reserves. However, the impact of Covid-19 is posing a significant threat to accumulated reserves; there is also some legacy risks to the base budget as income streams from sources such as car parking and leisure may never recovery to pre-pandemic levels. The following matters therefore assume heightened importance;</p> <p>Qualis Income</p> <p>Securing planned income returns from the LACTO initiative is vital to maintaining financial self-sufficiency and avoiding service cuts; and</p> <p>Financial Control</p> <p>Tighter financial control is essential in a more challenging financial environment that lies ahead</p>	<p>Covid-19 estimated overall financial pressure £7.782m (at 24 October 2020)</p> <p>Slippage in timetabled income and benefits from Qualis initiative (although positive progress being made)</p> <p>Corporate financial planning, management and reporting processes in transition following significant upheaval during 2019/20.</p> <p>CIPFA Financial Management Code effective from 1 April 2021: step change improvement required to achieve compliance</p>	MAJOR	VERY HIGH	A1	<p>Covid-19</p> <p>Short term financial impacts controlled through management of Government support packages and budgetary control mitigation measures in 2020/21</p> <p>Medium/Long Term financial impacts to be managed through Medium Term Financial Planning Process (first iteration of 2021/22 to 2025/26 due to Cabinet in November 2020)</p> <p>Qualis</p> <p>Council's interests directly overseen and managed by Section 151 Officer with tailored support from specialist professional advisors</p> <p>Financial Control</p> <p>Process improvements being rolled out by Deputy S151</p> <p>Interim support for Finance Team to address temporary capacity shortages; permanent solution under development</p> <p>Specialist professional advice utilised to address specific risks to Housing Revenue Account</p> <p>Continued improvement in monitoring</p>	HIGH	MAJOR	B1	<p>Deliver updated Financial Planning Framework for 2021/22 to 2025/26 (adopted by Cabinet 2020), including developing a sustainable budget for 2021/22 that addresses underlying structural deficit (either in one-year or over an extended period, through the selected use of reserves).</p> <p>Complete transformation of Finance function</p>	Strategic Director & 151 Officer	Monthly

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Risk No 4 Economic Development	<p>Vulnerability: 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.</p> <p>Consequence:</p> <ul style="list-style-type: none"> • Unable to secure sufficient opportunities • Local area and people lose out • Insufficient inward investment • Impact on economic vitality of area • Loss of revenue 	<p>Risk that Council performs relatively poorly compared to other authorities.</p> <p>Risk remains high in terms of the general economy, however, the Council is making good headway in terms of the Council's response to Covid-19 and economic recovery. For example, from the initial appraisal of Waltham Abbey, that there is a lower vacancy rate than the national average; assessed as being 5%. In addition, the Council has no vacant commercial premises.</p>	VERY HIGH	MAJOR	A1	<p>Economic Development Plan (Nurturing Growth) was drafted and presented to Economic Development Board and subsequently to Cabinet Cttee for approval. Cabinet requested further consultation with stakeholders, and this was carried out through October & November, culminating in a consultation event on November 13th. A revised Economic Strategy and associated report was submitted to Cabinet in May which was agreed and contained a request for additional staff to undertake High Street Recovery work.</p> <p>With the impact of Covid-19 a completely new action plan has been developed which considers a range of options for recovery of local high streets as this is now seen as the priority for Economic Development.</p>	MEDIUM	MODERATE	B1	<p>At its' meeting of 19th Oct, Cabinet formally agreed the priority projects for Covid Economic Recovery; these include regeneration of the five Town Centres in the District, Employment and skills, NWA Business Zone, Sustainable Transport and Local Gazetteer. A decision was made to remove the Digital Gateway for Place project.</p> <p>The work on these projects will serve to help recovery and sustainability of the local economy, but will not provide certainty for local businesses. Therefore the risk for the local economy remains high</p>	Community and Partnerships Service Director	Monthly

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Risk No 5 Data / Information	<p>Vulnerability: The authority handles a large amount of personal and business data. Either through hacking or carelessness, security of the data could be compromised.</p> <p>Consequence:</p> <ul style="list-style-type: none"> Breach of the 2018 Data Protection Act (DPA) and the General Data Protection Regulations leading to significant fines or/and intervention by the Information Commissioner's Office (ICO) Increased costs and legal implications Reputation damaged and loss of public confidence 	<p>Risk of data held by the Council ends up in inappropriate hands. System loss. Generally effective to date, with no significant lapses since the introduction of the 2018 DPA.</p> <p>The work programme for the Information Governance Group, who oversees this risk, is comprehensive but has limited resource to progress the work.</p>	HIGH	MAJOR	B1	<p>Significant work was undertaken by the Council to ensure it was compliant in time for the introduction of the GDPR in May 2018. This included review of policy and procedures, staff and Member training and awareness, completing an information asset register/register of processing activities and reviewing security of data arrangements.</p> <p>The Council continues to have a designated Data Protection Officer in post and a system of data breach and subject access request monitoring in place.</p> <p>A recent audit on data retention and disposals has been completed which identified a number of actions.</p> <p>A Senior Information Risk Owner has been identified and an Information Governance Group has been formed. In addition, an Information Governance Group and Information Asset Owner Group has been set up.</p> <p>The Information Governance Group has put together a draft work programme and other acts will be reviewed and monitored through this Information Governance Group</p>	MEDIUM	MODERATE	C2	<p>The introduction of the Information Governance Group is reviewing current arrangements and ensure these are strengthened where required.</p> <p>The IGG will work with the Information Asset Owner Group to embed understanding of the importance of information governance across the authority.</p> <p>The IGG Work Programme will need to be prioritised and the expectations of the organisation managed.</p> <p>A Retention and Disposals Policy will be launched by mid November</p> <p>Additional support will be put in place to assist service areas to coordinate and collate FOI/SARS requests. This is in addition to the FOI/SARS Support Officer.</p>	Service Director – Business Services (SIRO)	Quarterly

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Risk No 6 Business Continuity	<p>Vulnerability: The Council is required to develop and implement robust Business Continuity Plans in line with the requirements of the Civil Contingencies Act. Following the re-organisation and negative outcomes from Internal Audit's review plans need to be updated and changes in responsibilities confirmed.</p> <p>Consequence:</p> <ul style="list-style-type: none"> • Services disrupted / Loss of service • Possible loss of income • Staff absence • Hardship for some of the community • Council criticised for not responding effectively 	<p>An Internal Audit of Business Continuity arrangements identified a number of weaknesses which were addressed through the BC project. An external consultant has been engaged to develop the strategy and provide coaching to staff to develop plans. This has largely been completed and an exercise to test was undertaken in Feb 2020.</p> <p>All departments now have their own departmental BC plans Corporate strategy now sits above all plans and has been tested</p>	VERY HIGH	MAJOR	A1	<p>Improvement of current business continuity (BC) management arrangement is currently in progress.</p> <p>Our organisational response to the current covid-19 emergency demonstrates a generally effective BCP with essential services / critical functions continuing.</p> <p>Next phase is to co-ordinate the review and updating of plans on an ongoing progressive program.</p>	MEDIUM	MODERATE	C2	<p>Following the desktop exercise scenario earlier this year, and as a result of covid-19 emergency, Service Plan owners are tasked with reviewing their plans and amending and adjusting accordingly. This work will start January 2021 and be completed by March 2021.</p> <p>Alongside this the Emergency Planning Officer will review the Corporate BC Plan from January 2021</p>	Business Services Director	Quarterly

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Risk No 7 Housing Capital Finance	<p>Vulnerability: 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.</p> <p>Changes to legislation which reduce income to the HRA.</p> <p>Consequence:</p> <ul style="list-style-type: none"> • Loss of capital resources • Revenues cost of penalty interest • Loss of rental income • Delays in provision of new social housing • Increase in housing waiting list • Current 30-year business plan may become unsustainable. 	<p>Risk schemes are delayed by either the planning process or unanticipated site problems.</p> <p>Imposition of further restrictions on rent levels.</p>	HIGH	MODERATE	B2	<p>1) Position being monitored by the House Building Cabinet Committee and a number of contingency options are available including purchasing homes or land on the open market or purchasing from S106 developments. A Consultant has been engaged to work to utilise the receipts before the deadline of the end financial year.</p> <p>2) The Council belongs to the Association of Retained Council Housing which lobbies on such issues.</p> <p>3) The development team are working with finance to develop reports to enable clear visibility around capital funding</p>	MEDIUM	MODERATE	C2	<p>1) Loss of right to buy receipts is minimised.</p> <p>2) Impact of Policy changes is minimised as far as possible.</p> <p>3) Financial reporting requirements to be developed to ensure clear accounting and governance</p> <p>4) The appointment of a HRA finance expert has been agreed. They will assist the Council in putting systems in place to mitigate risk</p>	Service Manager Housing Management and Home Ownership	Monthly

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Risk No 8 Cyber Security	<p>Vulnerability: The Authority handles a large amount of personal and business data. Either through hacking or carelessness, security of the data could be compromised.</p> <p>Consequence:</p> <ul style="list-style-type: none"> Loss of system access and/or data Unable to provide Council services Increased costs Reputation damaged Ransomware payment Corporate fines 	<p>Risk of data held by the Council ends up in inappropriate hands. System loss. However, no loss of data. Systems have remained protected from cyber-attack.</p> <p>EFDC is targeted directly. Unknown vulnerabilities in systems. Misconfigured systems. EFDC staff error. Disgruntled EFDC staff.</p> <p>System Loss, Data unavailable, Data stolen, Data changed,</p>	VERY HIGH	MAJOR	A1	<p>Security Officer is continually monitoring situation and potential risks. Most systems have in built controls to prevent unauthorised access.</p> <p>Controls in systems have been strengthened in response to specific occurrences.</p> <p>IT monitoring & installing system updates & patches</p> <p>Data is backed up daily with forty days retained. Three backups are also stored off site.</p> <p>Staff training.</p>	HIGH	MODERATE	C2	Continued monitoring & researching security attack methodologies and best practice procedures	Business Services Director	Quarterly

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Risk No 9 Delays in issuing Planning Permission	<p>Vulnerability: Delays in issuing Planning Permission for development due to objections by Natural England regarding the impact of development on air quality in Epping Forest SAC.</p> <p>Consequence:</p> <ul style="list-style-type: none"> Delays in granting Planning Permission in the District and getting an adopted Local Plan in place. Loss of New Homes Bonus Restricted Business Rates tax base growth Reputation damaged 	The Habitats Regulations Assessment (HRA) January 2019 found that the Plan would be likely to have a significant effect upon the Epping Forest Special Area of Conservation (the SAC) in respect of both atmospheric pollution and disturbance from recreation & urbanisation.	VERY HIGH	MAJOR	A1	<p>Regular meetings held with key stakeholders including Natural England to update the HRA and develop a mitigation strategy. Interim mitigation strategy was agreed by Council in October 2018 to mitigate the impact of recreational pressure on the Forest and Natural England have confirmed it is appropriate. Draft Air Pollution Strategy was agreed by Cabinet in July 2020 for further consultation with Natural England. An update HRA has been prepared and comments received from Natural England on 11 September 2020. Leading Counsel's advice and further updates were sent to NE on 29 September and a meeting held on 15 October. As a result of further comments received on 23 October further amendments are being made with a view to finalising the APMS and policy wording in the Local Plan.</p> <p>Budget has been set aside to buy in additional resource to assist with issuing planning decisions once this strategy has been agreed. A draft template S106 is currently being finalised</p>	VERY HIGH	MAJOR	A1	<p>Mitigation strategy in place for both recreational pressure and air quality issues.</p> <p>Interim air pollution strategy has been prepared and updated following July 2020 Cabinet in light of the draft 2020 HRA.</p> <p>Legal Opinion and a note for NE has been prepared following their comments on the draft amended policies on Air Quality and EFSAC.</p> <p>The Chief Executive and PFH meeting with NE representatives on 3 November has been postponed. Work is progressing to achieve final sign off of the APMS under delegated powers.</p>	Planning Services Director	Monthly – regular updates are being provided to the inspector

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Risk No 10 Climate Emergency	<p>Vulnerability: The Council declared a climate emergency and has pledged to do everything within its power to make the Epping Forest District carbon neutral by 2030.</p> <p>The Council has identified a number of initial areas of focus, including: Local Plan site allocations achieving high standards of sustainability; carbon reduction of council owned properties; the promotion of sustainable transport and implementing an air quality strategy.</p> <p>Consequence:</p> <ul style="list-style-type: none"> • Reputational damage • Increased costs from Climate Change Mitigation requirements 	Failure in achieving identified carbon reduction targets and taking action to reach the carbon neutral District by 2030 pledge.	VERY HIGH	MODERATE	A2	A Climate Change Officer and a Sustainable Transport Officer have started in post. They are working to develop an action plan with short, medium and long term targets with the overall objective of becoming carbon neutral by 2030. The action plan will cover all service areas so a workshop is taking place with key officers to capture projects and initiatives both undertaken and planned that will contribute to the action plan.	HIGH	MODERATE	B2	<p>Agree on short term priority climate and sustainable transport actions to propose to Cabinet in December. Continued development of the action plan using knowledge gained from the workshop and appraisal of possible carbon reduction initiatives to identify suitable targets.</p> <p>The move to staff working from home and covid-19 associated projects including increasing active travel as part of the Safer Places project for High Street recovery, will contribute towards a positive impact on carbon reduction</p>	Chief Operating Officer	Quarterly

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Risk No 11 Accommodation project	Failure of the accommodation project to deliver: <ul style="list-style-type: none"> • New ways of agile working • Better use of Council assets • Financial savings which ultimately impacts on the Council's objectives and delivery of services	<p>Background: The Council has embarked on ambitious plan for the renovation and refurbishment of the civic offices that will involve a decant and repopulation of staff and Members. As well as offering space to external partners.</p> <p>Effects</p> <ul style="list-style-type: none"> • Need to ensure IT resilience that supports agile working practices 	VERY HIGH	MAJOR	A1	<ul style="list-style-type: none"> • Contractor ISG started refurbishment in July and programme is progressing well. Current target completion date is mid-March 2021. • Currently in the process of planning how the space will be utilised with a focus on flexible working and collaboration • Monthly Accommodation Board meeting manages risks and issues raised by workstream leads • Lessons learned from C19 will inform the new ways of working focused on collaboration. 	MEDIUM	MODERATE	C2	<p>Embed new ways of working based on the space created and how it will be used. Align with digital collaboration tools for office based and remote working.</p> <p>Hire of a change manager to support the embedding of New Ways of Working</p> <p>Financial savings will be realised through the development of the Conder building via Qualis</p>	Strategic Director	Monthly

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Risk No 12 Staff Travel plan	Failure of the Staff Travel Plan compromises the ability of collaborative working at the Civic Offices Potential knock on effect of being able to lease out office space (links with risk 11 above – accommodation project)	Failure to develop and implement a park and share solution at NWA due to cost, not getting planning permission and not finding a way to transport staff from NWA to Civic. Inability to free up parking spaces for Civic office tenants This, however, has been superseded by the flexible working arrangements developed as a result of Covid-19. There are a limited number of bookable car parking spaces at Civic Offices	HIGH	MODERATE	B2	Demand responsive transport, car share and dynamic car park booking and usage systems to be developed. Staff continue to work from home	HIGH	MAJOR	B4	Embed new ways of working based on the space created and how it will be used. Align with digital collaboration tools for office based and remote working. This is being overseen by the Accommodation Board.	Service Director Contracts and Technical Services	Monthly

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Risk No 13 Qualis	The Council is heavily reliant on income from Qualis e.g. margin on loans, shared services and ultimately dividends from 2020/21.	<p>Much of the income from Qualis is relatively risk free but delays in development planning approvals could significantly impact on the timing of income; also for asset purchase and construction finance leading to a loss of Council income in 202/21 meaning developments cannot go ahead.</p> <p>The set up of the Qualis Management company has been completed</p>	VERY HIGH	MAJOR	A1	<p>Oversight through the Group Company Steering Group/ interim Board until the Qualis Board is in place.</p> <p>Annual review of Qualis business cases and Business Plans by Cabinet.</p> <p>Impact of the Qualis annual business case feeds into EFDC's Annual Budget for approval by Cabinet and recommended for approval to Council.</p> <p>Cabinet decision on any loans to Qualis.</p> <p>Quarterly progress reports from Qualis to Cabinet.</p> <p>Section 151 Officer able to exercise the "open book" requirement and report to Cabinet.</p>	MEDIUM	MODERATE	2	The Section 151 Officer will act on behalf of EFDC as the main conduit with Qualis Group and other Qualis Companies.	Section 151 Officer	Monthly