

Corporate Risk Register- March 2023

Summary Position March 2023

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

Key

- CORSER002- Lack of and/or inadequate BC Plans
- ICT001- Risk of cyber security incident
- CONT001 -Failure of Contractor/Service – waste
- HRA001-Increase in demand for housing
- SUS001- Failure to achieve carbon emission targets
- COMP001-Non-compliance with social housing regulations
- CORSER001-Risk of data/ information breach
- FIN002- Failure to ensure continued financial viability of Qualis.
- FIN003- Failure to maintain and improve VFM.
- ECDEV001- Economic Development
- FIN001- Failure to maintain a Balanced Budget and Sustainable Medium-Term Financial Plan (MTFP)
- PEOPLE001 - People Strategy failure

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HRA001 Increase in demand for Housing	Inadequate provision provided by the Council to deal with the cost-of-living pressures and responses to the Domestic Abuse Act which have resulted in increased demand for homelessness assistance directly affecting the general fund.	5	4	20	1) Extensive work undertaken to provide a private sector lettings resource to increase prevention of homelessness, reduce demand for Temporary Accommodation and instances where a full rehousing duty would otherwise be owed	4	4	16		Interim Service Director Housing & Property	Jun 23	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)					TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Feb -23	<p>If the Council fails to implement a strategy and action plan to deal with increased demand for temporary accommodation, then this will result in the following scenarios:</p> <ul style="list-style-type: none"> Tenants will no longer be able to afford current/new tenancies in the private rented sector Residents will no longer be able to afford mortgages. <p>This will lead to</p> <ul style="list-style-type: none"> An increase in evictions and homelessness And Increased costs of temporary accommodation <p>This will result in adverse financial impact for the Council, failure of service delivery and reputational damage. The wider economic picture cannot be fully mitigated by the Council.</p>				<p>2) Monthly tracking for early identification of spikes in demand</p> <p>3) Job coach has been employed to improve employment amongst homeless households</p> <p>4) Review the effectiveness of current support to people experiencing domestic abuse and our ability to prevent homelessness</p> <p>5) 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</p>	TOLERATE				DB	1.4.23	

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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) Strategic Partnerships specialist/Economic Lead responsible for overseeing delivery of various business support programmes to be delivered through economic development team.	2	2	4	<ul style="list-style-type: none"> Deliver 2022-2023 programmes, which include the procuring of several business support programmes alongside the completion of the Ninefields Playground which is partially funded through the UKSPF. Conduct quarterly and six-monthly reports highlighting outcomes and outputs associated with 2022-23 UKSPF projects. Understand status of Rural England Prosperity Fund which would bring an added £450,000 worth of extra funding into play in tangent with the existing UK Shared Prosperity Fund programme. Bid submitted but no confirmation of award yet. Continue to build communications channels with neighbouring authorities to understand any changes in UK Government reporting requirements and areas for joint delivery. 	Local Strategic Partnership Manager	Jun 23	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)				2) A full-time officer is working on ensuring that other departments accessing the funds are aware of all the expectations around deploying these.	TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Feb 23	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.				3) This full-time officer is also responsible for organising quarterly and six-monthly reports back to the UK Government around delivery.	TREAT					DH	Mar 23
					4) Dedicated account manager working with economic development team is aware of key requirements regarding financial returns to government.							
					5) A process has been set up between the economic development team and the legal and procurement teams, to ensure all contracts for projects are reviewed before sign off.							

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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 SIRO, Data Protection Officer, and FOI Officer 2) A Strategic Information Governance Group and an Information Asset Owner Group is in place.	3	4	12		Service Director Corporate Services	Jun 23	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)				3) The Information Governance Group has put together a work programme and is updated quarterly.	TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Feb-23	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 				4) GDPR & Cyber security e-learning training on Litmos was provided during 2022. 5) Training is underway with SLT, started on 30 January 2023	TREAT			1) The IGG Work Programme is being prioritised and is subject to ongoing review by the SIRO and Chief Auditor. 2) ICT information Governance policy review to be undertaken by Policy sub-group chaired by the SIRO. 3) Executive Team Information Governance training to take place in 2023. 4) People Team are reviewing staff who have not undertaken the GDPR and cyber security training. 5) FOI infographic eLearning on Litmos along with raising awareness communication and data governance will be rolled out during 2023.	PM/SM MM PM AP LR	Mar 24 Oct 23 Feb 23 Jun 23 Jun 23	

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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. All 'office' based employees can work from home. 3. The Council has alternative locations it could work from	4	4	16		Service Director Corporate Services	Jun 23	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)			TREATMENT STATUS						DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
Feb-23	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								LL
									1. BCP Framework being worked on by BCP Officer and Service Director 2. Finalise Corporate BC Plan. Include the role of internal Gold officer and Group also Silver and Bronze response. 3. Subject matter expert has been instructed to work with Service Managers to produce their Service BC Plan and BIA. 4. For both sets of Plans identify specific processes and agreed decisions related to the situation 5. Work with Essex Police BC Team on Plan templates and manager training 6. BC Officer booked to attend specific BC course and take exams – September 2023		LL	Jul 23
											LL	May 23
											LL	May 23
											LL	May 23
											LL	Sep 23

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ICT001	Failure to ensure adequate controls and firewalls are in place, along with close monitoring and training of staff could result in a cyber security incident.	5	5	25	All data back up now directly to the cloud. Documented and tested incident management procedures in place.	4	4	16	1.Mystery Phishing campaign will commence the first week of February 2023 2.Microsoft security audit data collection has been undertaken and a prioritised remedial action plan will be created, and resources planned to mitigate key risks found. 3.PSN compliance check, both internal and external, are booked w/c 27th Feb. A remedial action plan will then be created for action from April 2023 4.An updated draft information security policy has been created. After feedback from the above compliance checks and tests it will be shared with the business in Q4 2022/23. This requires input from and ratification from the SIGG.	S151/ Interim Strategic Director	Jun 23	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)			Cyber security training completed by all users and the People Team notifies ICT of all leavers to ensure access rights are promptly disabled.	TREAT			DIRECTION OF TRAVEL		ACTION OWNER	ACTION DATE	
Feb-23	The Authority handles a large amount of personal and business data. Either through hacking or carelessness, security of the data could be compromised resulting in: <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 			Access to the Council's Active Directory domain is protected by both two-factor authentication and robust password security settings. Firewall appliances has been deployed to protect the Council's network.						MM		

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CONT001	Failure of Waste Contractor to deliver service and failure of the Council to procure a new Contractor to commence in Nov 2024	4	5	20	1. Daily communications with Biffa, keeping members and residents informed. 2. Biffa have agreed a further 2-year pay deal with the GMB. Biffa have already managed to recruit an additional 6 drivers who will commence employment shortly. 3. Biffa have invested resources to improve the service delivery in terms of increasing pay, training, and new vehicles. Additional external waste contractor has been deployed to help deal with the missed collections. 4. Cabinet approval for capital and permission to develop an EFDC waste depot at NWA granted in Feb 23. 5. Cabinet decision to go out to procurement for the waste contract was agreed in October 2022.	4	4	16		Service Director Contracts	Jun 23	OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)					TREAT						
Feb-23	1) Failure of Waste Contract Inability of the Council's partnering contractor, Biffa Municipal Limited to provide waste collection services as specified in Contract. 2) Failure to procure new Waste Contractor to commence in Nov 2024 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. • Ongoing service delivery issues 								1) A Waste Management Portfolio Holder Advisory Group has been agreed by Cabinet in November 2022 to look at current issues and service improvements. 2) Biffa have a vehicle repair/replacement plan in place. Biffa are applying for planning permission to have a workshop at their depot to maintain the vehicles. 3) Procurement documents will go to market on 13 th March 2023	JW JW JW	Apr 23	

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						TREATMENT STATUS	DIRECTION OF TRAVEL	ACTION OWNER				
COMP001	Failure of compliance with social housing regulation	4	4	16	<ol style="list-style-type: none"> 1) An external consultancy has given advice on compliance to the council, including policies and procedures. 2) Extensive work has been undertaken to connect spreadsheets containing compliance data to a dashboard for senior management to review monthly. 3) Weekly gas meetings take place monitoring and improving gas compliance. 	4	3	12		Interim Service Director Housing and Property	Jun 23	OPEN
	CAUSE - EFFECT (detail narrative)											
Feb-23	<p>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.</p> <p>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.</p>				<ol style="list-style-type: none"> 4) Improvement plan for asbestos being produced for mid-March 2023. 5) Interim Strategic Director is agreed lead on Health and Safety for Housing (as required by the Regulator) 6) The Director for Housing & Property is lead for Consumer Standards. As required by the Regulator. 7) Results of the mid-point of the stock condition survey were made available on 8.3.23. This will inform an assessment of Decent Homes Progress. 	TREAT		<ol style="list-style-type: none"> 1) Live dashboard is in place and being reviewed regularly 2) Stock condition survey will be completed at the end of April 2023 3) Survey of social housing residents' satisfaction with housing services will take place in the summer of 2023. 4) Asset Management Strategy will be in place for Autumn 2023 ensuring that structural and compliance needs for the council's council housing are given priority and are fully resourced. 	PW			

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FIN001	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.	3	5	15	<ol style="list-style-type: none"> The active monitoring and reporting on internal and external factors affecting the MTFP, including the 2024/25 Budget through the established Financial Planning Framework 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)	June 2023	OPEN
March 2023	<p>The Council has a legal duty under the Local Government Finance Act 1992 to maintain a balanced budget.</p> <p>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".</p> <p>The updated Medium-Term Financial Plan (MTFP) 2023/24 to 2027/28 adopted by the Council on 28th February 2023 showed a forecast General Fund budget deficit of £2.389 million for 2024/25, which needs to be eliminated in order to set a balanced budget.</p>				TREAT		<ol style="list-style-type: none"> Maintain (effective) Recruitment Freeze in 2023/24. Develop and deliver Action Plan for balancing 2024/25 Budget. Develop Shared Services Strategy Develop and deliver Transformation Plan (including Shared Services) 		AS CH TBC TBC	April – March (23/4) Oct 23 Oct 23 Feb 24		

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FIN002	Failure to ensure the continued financial viability of Qualis represents a major financial and reputational risk to the Council.	3	5	15	<ol style="list-style-type: none"> Quarterly monitoring and reporting on progress against Qualis Business Plan through the established Governance Framework. Quarterly reporting on Council budget position (including Qualis loan margins and other transactions) through Cabinet and Scrutiny process. 	3	4	12		Strategic Director of Resources (Section 151 Officer)	June 2023	OPEN
CURRENT REVIEW DATE	CAUSE – EFFECT (detail narrative)					TREATMENT STATUS				DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE
March 2023	<p>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.</p> <p>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.</p>					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).	TREAT		<ol style="list-style-type: none"> Monitor and report on monthly Cash Flow Statement from Qualis. Monitor and report quarterly on Qualis-related Council risk exposure. Ensure the protection of local taxpayers' interests in the Grounds Maintenance contract from 2023/24. Ensure the protection of local taxpayers' interests in the Commercial Assets contract from 2023/24. 		AS	Apr 23
											AS	July 23
											AS	Mar-Apr 23
											AS	Mar-Apr 23

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FIN003	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.	3	4	12	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)	June 2023	OPEN		
CURRENT REVIEW DATE	CAUSE – EFFECT (detail narrative)					TREATMENT STATUS					DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE	
March 2023	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	Jul 23	
									1) Further develop, monitor and report on VFM metrics, including benchmarking and ‘baselining’ services prior to outsourcing. 2) Benchmark Housing Maintenance contract performance against industry standards. 3) Complete VFM assessment of Housing Maintenance contract based on 2022/23 performance.		PW	Jul 23		
											AS	Jul 23		

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PEOPLE001 People Strategy failure	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 2020/22 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 hybrid/flexible ways of working 4. Leadership development programmes 5. A dedicated L&D (Learning and 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 discussing attraction and recruitment to wider Essex	3	4	12	1. Finalise agreement of our People Strategy 2023/27 which supports delivery of the corporate plan, improve skills & behaviours, attraction, develop the whole workforce, engagement, wellbeing, and digital transformation. 2. People Team service plan activating year 1 of the People Strategy 3. Service workforce development plans become an element of our Service Planning Process	Service Director – Corporate Services		OPEN
CURRENT REVIEW DATE	CAUSE - EFFECT (detail narrative)			TREATMENT STATUS		DIRECTION OF TRAVEL	ACTION OWNER	ACTION DATE				
Feb-23	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			J Budde n	June 2023				
										J Budde n	June 2023	
										J Budde n / C Graham	Sept 2023	