

Epping Forest District Council Corporate Risk Register

Date: 18 January 2018

Contents

Section		Page No.
1.	Introduction	3
2.	The Process	4
Appendix 1	Risk Profile	6
Appendix 2	Corporate Risk Register /Action Plans	7 - 21

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.

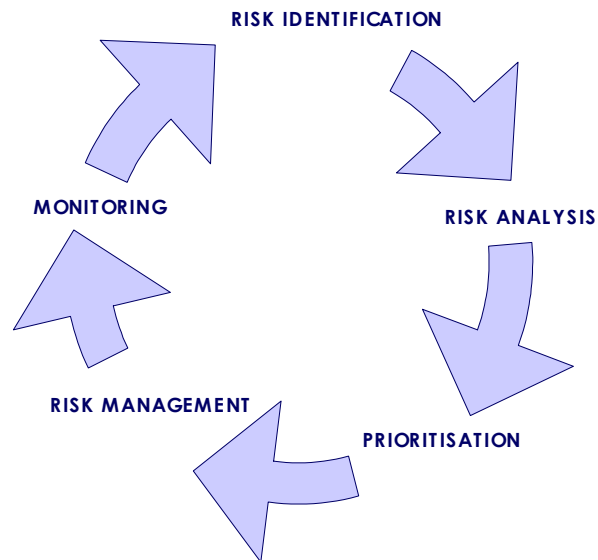
For the risks that were assessed with higher likelihood and impact, the group validated the risk scenarios and determined actions to manage them, including assessing the adequacy of existing actions and identifying the need for further actions in order to move the risk down the matrix.

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

The risk management cycle

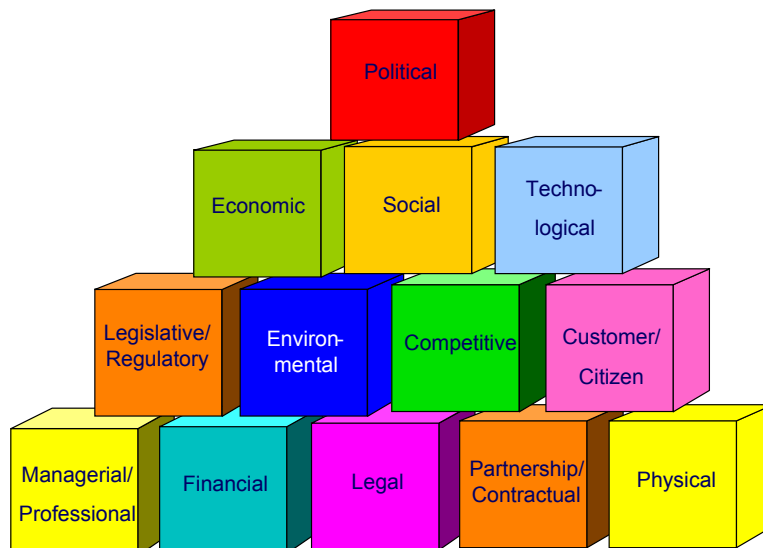


© Zurich

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.

Step 1- Risk identification



© Zurich

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 filters, 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.

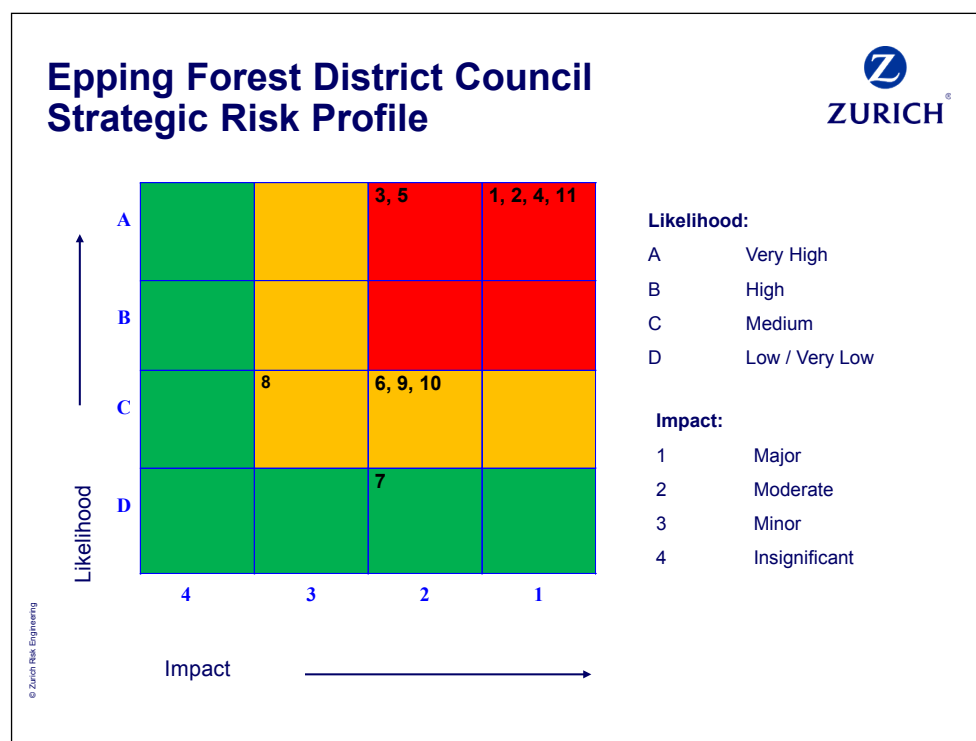
As part of the regular review and reporting an additional risk on Safeguarding was added to the register in January 2014. The most recent addition was a risk covering various aspects of Housing Capital Finance and this was added in June 2015.

A new risk covering the Transformation Programme has been drafted and is included as risk 11 for consideration at this meeting.

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
11	Transformation

Appendix 2 – Corporate Risk Register and Action Plans

Risk No 1 Local Plan A1			
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 submit their Submission Version by 31 March 2018 or have to provide higher numbers under the standard methodology.	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.	Derek Macnab
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.	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 adhere to Local Development Scheme leads to developers making significant planning applications in advance of new Plan.	As above	
Protracted process of achieving local highway modelling			
Failure to make timely progress increases likelihood of "planning by appeal"		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.	Inability to fill vacancies.	Delays in achieving timetable.	

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.
Submission Version 2017 Agreed by Council 14 December 2017.	Key milestone to achieve new LDS.	Collation of Representations to be submitted to Planning Inspectorate by 31 March 2018.	Derek Macnab	Adherence to revised LDS	MB review 6 weekly	Submit by 31 March 2018.
Local Development Scheme revised July 2018.	Local Development Scheme adopted by Cabinet July 2018.	Review progress against key milestones.	Derek Macnab	Local Development Scheme remains robust	As necessary	
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, making positive use of external PR firm.	Utilising existing mechanisms including Local Council Liaison Committee. Intensive engagement takes place in lead up to formal consultations. Ongoing discussions being had around Neighbourhood Plans.	Assess responses to consultation.	Derek Macnab	Stakeholders feel well informed about process and decisions. Informed responses to public consultation.	As necessary	

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
Systematic approach to Duty to Co-operate, engaging public bodies and developing Memorandum of Understanding (MoU) with key councils in the Strategic Housing Market Area (SHMA).	Difficulties and delay in engaging councils in serious discussion re MoU, however 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.	Important that key decisions do not precede Duty to Co-operate i.e. “fait accompli”- Group is 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.	Derek Macnab	Submitted plan passes legal test of Duty to Co-operate.	MB review six weekly	Officer Meetings – monthly now underway. Governance arrangements agreed. “Duty to Co-operate” Member meetings now ongoing.
Pursuit of MoU with Natural England regarding the effect of development on Epping Forest. Intention to extend MoU outside of SHMA Area to include neighbouring London Boroughs.	Effect as yet unknown	Invitation now extended to additional partners. Work to review outcomes of draft MoU has commenced.	Derek Macnab	Review and agreement of wider area MoU to include agreed mitigating actions.		As above
Consistent close working with Essex County Council through relevant structures, and individual officers	ECC and Highways England regular attendees at Co-op Member and Officer meetings.					
Consultants in place to support project management, resource planning, Sustainability Assessment, transport modelling, master planning. IR35 Regulations from 7 April complicating and compounding recruitment of consultants.	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. Scrutiny Function to be undertaken by Neighbourhood Select Committee.	Derek Macnab	No delays to timetable due to staffing gaps or lack of critical skills		

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
Employment Allocation Determined in 23ha and allocated in Submission Version of Local Plan.	Effective to date.	Based on representations received prior to Examination in Public.	Derek Macnab	Employment allocation in Reg.19 Submission, considered sound at Examination in Public.	Monthly	31 March 2018.

Risk No 2 Strategic Sites 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.		Not maximising the opportunity of the strategic sites either through decisions or delivery.	- Financial viability of Council harmed - Lack of economic development and job creation - External criticism			Derek Macnab
One key individual is driving forward the projects.		Loss of key individual	Project delayed or mismanaged			
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
Work on strategic sites is co-ordinated through a dedicated Cabinet Committee.	Work is progressing on developing a number of sites:		Derek Macnab	Development of strategic sites completed in accordance with Cabinet decisions.	Monthly	None
	1. Winston Churchill, negotiations taking place with potential tenants for retail space	Complete letting of retail space.				
	2. St Johns, negotiations are ongoing with Epping Town Council;	Identification of alternative Housing depot and re-location to Oakwood Hill depot in progress.				
	3. Langston Road, in discussion with retailers as three units still to let;	Complete letting of last few units.				April 2018
	4. Waltham Abbey Leisure Centre; leisure centres are now managed by Places for People and they are developing sites. Construction has commenced, contractor digging out pool;	Monitor construction of new centre. Currently on programme.				November 2018
	5. Pyrles Lane Nursery, July Cabinet agreed disposal strategy. Marketing beginning January 2018.	Nursery Services to re-locate to Town Mead.				May 2018

Risk No 4 Finance Income A1						
Vulnerability		Trigger	Consequence			Risk Owner
The Government are consulting on significant changes in responsibilities and financing. Despite four year settlements being in place further reductions still likely. A large number of rating appeals have been received and the outcome of these is uncertain. Welfare reform may require substantial change to the calculation and administration of benefits with a likely reduction in funding received. The medium term financial strategy requires substantial net CSB reductions over three years.		Unable to secure required level of income due to reduced demand for services, changes in legislation or adverse change in funding mechanisms.	• Council unable to meet budget requirements • Staffing and service level reductions • Increase Council Tax • Increase in charges • Greater use of reserves if required net savings not achieved • Higher level of saving in subsequent years.			Bob Palmer
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
Monitoring of key income streams and NDR tax base. Savings opportunities pursued through service reviews and corporate restructure.	Effective to date as budgets have been achieved that meet the financial targets set by Members.	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	22 February 2018, budget to Council.

Risk No 5 Economic Development 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.		Council performs relatively poorly compared to other authorities.	• Unable to secure sufficient opportunities • Local area and people lose out • Insufficient inward investment • Impact on economic vitality of area • Loss of revenue			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
Members have agreed the key objectives to be delivered by the Economic Development Strategy. Work on final strategy has paused pending outcome of further evidence work e.g. Employment/Visitor Economy being undertaken as part of the Local Plan. Economic Development Team fully staffed.	Too early to determine effectiveness.	Amend and update following consultation on Local Plan.	Derek Macnab	Growth in NDR tax base and employment opportunities. Council to be viewed as punching above its weight.	Monthly	None
Employment Study for Local Plan completed and considered at Member workshops.	Effective to date.	Agreement on potential distribution of employment land required between partners in the Functional Economic Market Area.	Derek Macnab	Employment allocation in Reg. 19 submission, considered sound at Examination in Public.	Monthly	December 2017

Risk No 6 Data / Information C2						
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.		Data held by the Council ends up in inappropriate hands.	• Breach of corporate governance • Increased costs and legal implications • Reputation damaged			Colleen O'Boyle
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
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 to date, with no significant lapses so far in 2017/18.	Update F.O.I. publication scheme and guide to information. New system for handling F.O.I. requests purchased and being implemented. 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 meeting monthly looking at changes necessary for implementing GDPR.	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 25 May 2018 deadline for GDPR.

Risk No 7 Business Continuity D2						
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 re-organisation plans will 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 disrupted / Loss of service - Possible loss of income - Staff absence - Hardship for some of the community - Council criticised for not responding effectively			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 controls is assessed periodically through test and exercises	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

Risk No 8 Partnerships C3						
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.		Key partnership fails or services provided via arrangements lacking adequate governance.	- Relationships with other bodies deteriorate - Claw back of grants - Unforeseen accountabilities and liabilities for the Council - Censure by audit/inspection - Adverse impact on performance			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 representatives on outside bodies to report to Full Council.	No significant issues to date. Internal Audit conducted an audit of partnerships and gave a rating of substantial assurance.	Continue existing monitoring procedures for current partnerships and construct appropriate arrangements for any new partnerships. Service areas need to ensure their own risk registers cover any significant partnerships they are involved with.	Glen Chipp	No significant impacts on service delivery or Council reputation from any partnership failures.	Quarterly	None

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 and the Care Act 2014, which refer to adults with needs for care and support. This includes a specific 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 - 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. 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. The Safeguarding Officer and part time Admin. Posts have now been included in the establishment. Nursery Worker Accommodation Task Group established.	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. 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. These posts have enabled a Safeguarding 'Hub', which all EFDC safeguarding issues are filtered through. The number of concerns identified in the last year has increased significantly.	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. 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 group has developed an action plan which is submitted to Management Board.	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	ESCB (Safeguarding Children) Audit to be submitted May 2018.

Risk No 10 Housing Capital Finance C2						
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. The initial pilot is being expanded in 2017/18 with funding from the Treasury. What will happen beyond 2017/18 remains unclear.		Schemes are delayed by either the planning process or unanticipated site problems. Imposition of further restrictions on rent levels. 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 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.	Continue close monitoring of financial position.	Alan Hall	Loss of right to buy receipts is minimised.	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/announcements and participate in lobbying if appropriate.	Alan Hall	No loss of Council properties to support right to buy for HA tenants.	Monthly	

Risk No 11 Transformation Programme A1						
Vulnerability		Trigger		Consequence		Risk Owner
The Council has embarked on a major programme to modernise working practices and improve efficiency. The three key projects within the programme are people, accommodation and ICT. These are all challenging pieces of work and if any of them fail or are significantly delayed the whole programme may collapse.		There are many issues with the potential to disrupt one or more of the projects. Each project requires resourcing financially and with staff time. Loss of a key individual or a lack of finance would make delivery difficult. Restrictive listing of offices could obstruct the work on accommodation.		• Service improvements not achieved for residents. • Improvements in efficiency not delivered. • Pressure on future budgets. • Reputational damage to the Council.		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
Regular meetings of Transformation Programme Board (TPB) and monitoring reports presented to every Cabinet meeting. Response issued to Historic England and MP briefed on potential listing.	ICT and People strategies approved by Cabinet and progressing. Not effective as Civic building, bridge and staircase now listed.	TPB to continue to monitor projects and ensure adequate human and financial resource available. Discussion needed with Historic England to establish what can and cannot be done with the building.	Glen Chipp	Projects delivered on time and in budget with full benefits realisation. Detailed success factors and measures are set out in the project management documents for each project.	Monthly	Key dates are set out in the project management documents for each project.