

CORPORATE RISK REGISTER (March 2021)

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

RISK NO.	RISK SCORE	DESCRIPTION
1	B1	Local Plan
2	C2	Welfare Reform
3	C1	Financial Resilience
4	B1	Economic Development
5	C2	Data/Information
6	C2	Business Continuity
7	C2	Housing Capital Finance
8	C2	Cyber Security
9	C1	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 (LP) 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.</p>	<p>Failure to deliver at the required NPPF threshold of 95% of the housing requirement over the previous 3 years triggers a requirement for EFDC to prepare an action plan in line with national planning guidance to assess the causes of under delivery & identify actions to increase delivery. The govt announced results of the Housing Delivery Test 19/01/21. Epping Forest figures show a 49% delivery rate when measured against the standard methodology numbers; the number is under 75% of the target so subject to the presumption in favour of sustainable development. Delay in submitting the LP due to the JR and Natural England's (NE) requirement not to issue planning decisions until a mitigation strategy is in place for Epping Forest SAC, would have ongoing consequences for delivery. An interim Air Pollution Mitigation Strategy has been agreed with NE and adopted by the Council, allowing planning applications to be determined.</p>	VERY HIGH	MAJOR	A1	<p>1) Local Plan Submission Version 2017 agreed by Council Dec 2017 and published. Following the Judicial Review (JR) the plan was submitted for examination which took place between Feb & June 2019. The Inspector's advice issued 2 August 2019 requires the Council to undertake further work to support the Local Plan, which has largely been completed – the Habitat Regulations Assessment (HRA) is still to be finalised.</p> <p>2) Revised Local Development Scheme (LDS) adopted by Local Plans Cabinet Cttee Nov 2018 following submission of plan for independent examination. This will be updated once there is some certainty on programme for consultation on MMs. At the current time the Council is finalising the MMs with the Inspector with consultation anticipated in May/June 2021)</p> <p>Systematic approach to Duty to Co-operate, engaging public bodies including Natural England and the Conservators to finalise the HRA.</p> <p>4) Consultants in place to support HRA, 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) Revised timeline of the programme of work for the final tranche of the Main Modifications (MM) agreed with the Local Plan Inspector. Regular updates provided and posted on the Council's website. Last being on 8/2/21 in which the Inspector explained that good progress was being made towards MM consultation</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, Debt and the Effects of Covid-19 for Individuals and Families	<p>Vulnerability: The government introduced a programme of welfare reform including the introduction of Universal Credit, Local Council Tax Support and other benefits and direct payments to tenants. All new claimants for Housing Benefits automatically claim Universal Credit instead. However, the migration of existing Housing Benefit claims has paused so the full impact of the welfare reforms has not been realised. Covid has placed a huge financial strain on individuals and families and the end of the national furlough scheme could lead to a spike in unemployment and an increase in debt.</p>	<p>Welfare reform changes and the effects of Covid have a detrimental effect on the Council and community.</p> <p>Consequences:</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. Rise in mental health impacts Rise in safeguarding issues around domestic abuse 	MEDIUM	MAJOR	C1	<p>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. This includes signposting to support for debt, housing and homelessness advice, mental well-being, safeguarding and skills and employment. It is currently targeting those who are at highest risk when furlough ceases i.e. younger working age.</p> <p>The Council is developing a Community Hub at the refurbished Civic Offices which will bring the virtual hub to a physical environment. The hub will also provide a multi-agency response to help support those individuals, families and the community with effects of the Covid pandemic. The initial meeting of the Hub Steering Group is being held on the 10th March 2021.</p>	MEDIUM	MODERATE	C2	<p>To continue to develop the online customer offering and nuance it according to changing circumstances.</p> <p>The Government in Spring Budget of 2021 extended the furlough scheme and £20 weekly uplift in Universal Credit until September 2021. These measures will help mitigate against the impacts of Covid during this period. A review of the level of this risk will need to be made at that stage.</p>	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>Balanced budget now set for 2021/22 but includes use of £1.350 million from General Fund Reserve (Budget to full Council 25/02/21). Underlying budget deficit of £1.593 million identified for 2022/23 (gross of assumed £0.5 million contribution from General Fund Reserve (MTFP to full Council 25/02/21).</p> <p>Slippage in timetabled income and benefits from Qualis initiative (although positive progress being made).</p> <p>Updated HRA Business Plan now high priority to identify and address financial sustainability risk (especially in the light of large Housing Development Programme).</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>	VERY HIGH	MAJOR	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 (forecast GF overspend at Q3 stage down to circa £300k).</p> <p>Medium/Long Term financial impacts being managed through Medium-Term Financial Planning process (updated MTFP adopted by full Council 25/02/21)</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 involving team restructure out to consultation (phased implementation expected to conclude 30/09/21).</p> <p>Specialist professional advice utilised to address specific risks to Housing Revenue Account</p>	MEDIUM	MAJOR	C1	<p>Complete review of HRA Business Plan and roll out results as at 30/09/21.</p> <p>Complete transformation of Corporate Finance function, in the short-term focussing on strengthening professional capacity.</p> <p>In the medium-term, continue cultural change process and address current deficit in efficiency and effectiveness</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>	HIGH	MAJOR	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>	Partnerships & Economic Development specialist	Monthly

<p>Risk No 5</p> <p>Data / Information</p>	<p>Vulnerability:</p> <p>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>	<p>HIGH</p>	<p>MAJOR</p>	<p>B1</p>	<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 (IGG) 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 actions will be reviewed and monitored through this Information Governance Group</p>	<p>MEDIUM</p>	<p>MODERATE</p>	<p>C2</p>	<p>IGG is reviewing current arrangements and ensure these are strengthened where required. The IGG is working with the Information Asset Owner Group to embed understanding of the importance of information governance across the authority.</p> <p>The IGG Work Programme is being prioritised and the expectations of the Council managed.</p> <p>A Retention and Disposals Policy will be launched in March 2020</p> <p>Additional support will be put in place to assist service areas to coordinate and collate, in addition to the FOI/SARS Support Officer.</p> <p>eLearning modules being developed for data protection, FOI/SARS and cyber security with a review of relevant policies to accompany the eLearning launch (data to be confirmed)</p>	<p>Service Director – Business Services (SIRO)</p>	<p>Quarterly</p>
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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.</p> <p>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>Strain on/or lack of staff resources;</p> <ul style="list-style-type: none"> ▪ Increased sickness absence due to Covid19 – staff availability to work ▪ Additional capacity needed for projects ▪ ICT restructure 	<p>An Internal Audit of Business Continuity arrangements identified a number of weaknesses which were addressed through the BC project.</p> <p>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</p> <p>Corporate strategy now sits above all plans and has been tested.</p> <p>Currently, the organisation is continuing to deliver services to a high standard, working remotely, in new ways etc, however there are strains on project delivery and in some areas BAU due to staff absence, restructures, turnover.</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> <p>Mitigation re staff resources:</p> <ul style="list-style-type: none"> ▪ New recruitment process and careers page to attract new candidates. More efficient and less bureaucratic processes ▪ The category A, B, C list of staff availability has recently been reviewed ▪ ICT Portfolio Governance Group is established ▪ Flexible use of salary budget to plug short term gaps 	MEDIUM	MODERATE	C2	<p>Following the desktop exercise scenario in this year, and as a result of covid-19 emergency, Service Plan owners are tasked with reviewing their plans and amending and adjusting accordingly.</p> <p>The Corporate Plan will be reviewed by the Leadership Team by the end Sept 2021.</p> <p>Service Managers will review their BC Plans by end of September 2021 following the opening of the Civic Offices and our new WoW</p> <p>Senior managers to keep situation under regular review. Staffing issues is a standing item on fortnightly Wider Leadership Team Meeting</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> <p>4) Grant Thornton employed to carry out an overall review finances process</p> <p>5) Consultant has been appointed to review and update the HRA business plan</p> <p>6) RTB receipts Policy approved by Cabinet</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 an HRA finance expert made. They will assist the Council in putting systems in place to mitigate risk</p> <p>5) Action plan to be developed following the report from GT by April 21</p>	Project Director HRA	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. 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>	MEDIUM	MODERATE	C2	<p>Continued monitoring & researching security attack methodologies and best practice procedures</p> <p>An eLearning module provided by the National Cyber Security Centre will be rolled out across the Council. This will follow a review of relevant policies, date of launch to be confirmed</p>	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	Regular meetings held with key stakeholders including Natural England to update the HRA and develop a mitigation strategy. Interim mitigation strategy (SAMMS) 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. The outstanding concerns in relation to the Green Infrastructure Strategy/ SANG strategy and the need for site specific projects to mitigate the impact of recreational pressure associated with growth in the South of District has been addressed in the GI Strategy now going to Stronger Place Select Committee on 29 March and Cabinet on 20 April 2021 Draft Air Pollution Strategy was agreed by Cabinet in July 2020 for further consultation with Natural England. An updated strategy has been prepared and was adopted by Council on 8 February 2021 following confirmation from Natural England that the strategy was agreed.	MEDIUM	MAJOR	C1	<p>Mitigation strategy in place for both recreational pressure and air quality issues.</p> <p>Interim air pollution strategy has been agreed with Natural England and has been adopted by the Council through a PFH report which was called in to a Full Council meeting on 8 February 2021.</p> <p>Budget has been set aside and a planning officer and transport planner are in post to assist with issuing planning decisions once this strategy has been agreed – decisions will be issued as soon as Counsel advice is received on how decisions are to be taken.</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	<p>A Climate Change 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.</p> <p>The action plan will cover all service areas and the wider District emissions. A Members briefing on the Climate Action Plan took place on 18th February 2021. An introduction to the action plan was given followed by a focussed discussion on the short and long term priorities to be considered in the plan.</p> <p>A three-month Demand Responsive Transport trial service launched on 2nd January, replacing the Arriva 87 bus, which ceased due to ECC funding problems. EFDC staff offered free use of DRT service during January.</p>	HIGH	MODERATE	B2	<p>Continued development of the action plan using knowledge gained from the workshop and Members briefing with the aim to submit a draft to Cabinet for consultation approval in April 21.</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 <p>which ultimately impacts on the Council's objectives and delivery of services</p>	<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 end of March 2021. With building handover within 2 weeks. Monthly Accommodation Board meeting manages risks and issues raised by workstream leads A timeline of EFDC use of the building has been put together based on the government restrictions and roadmap. This will also include use of the building for the elections. This is all to ensure there is a safe and secure return for those using the Civic. There has been a focus on the removal and recycling of storage where possible and within legal restrictions. This is dependent on the services reviewing what they have. Storage will then be found at alternative sites. 	MEDIUM	MODERATE	C2	<p>Embed new ways of working (WoW) based on the space created and how it will be used. Align with digital collaboration tools for office based and remote working.</p> <p>Adoption of Effective Flexibility is dependent on the work within service areas to adopt the key pillars of the guidance.</p> <p>Potential clients for 2nd floor lease will make visits once site has been released. Financial savings will be realised through the development of the Conder building via Qualis and is part of the Qualis financial plan.</p>	Service Director Strategy, Delivery and Performance	Monthly