

Subject:		1 Corporate		Status:	For P	ublicat	tion	
	Register Update (April, May & June) 2022/23							
Report to:	Audit and Accounts			Date:	28 th September 2022			
Report of:	Chief Finance Officer		er	Portfolio	Resources			
-				Holder:				
Key Decision:		Forward Pl	an 🗌	General Exceptio	n 🗌	Spec	ial Urgency	
Equality Impact Assessment: Req		Required:	No	Attac	hed:	No		
Biodiversity Impact Assessment:		Required:	No	Attac	hed:	No		
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1. RECOMMENDATIONS

- 1.1 That the Audit and Accounts Committee note the Corporate Risk Register as detailed in the report.
- 1.2 That members note the risk consequence, mitigation action and level of risk as detailed in Appendix 1.

2. EXECUTIVE SUMMARY

- The Quarter 1 (Q1) Corporate Risks Register Update is reporting for months April, May and June.
- The report includes updates for the 11 Corporate Risks.
- Overall, council performance is strong but the growing financial pressures in-year are creating cost pressures which the council must monitor closely as the year progresses.
- The report concludes:
 - 3 Corporate Risks rated 'red' on the RAG status.

3. BACKGROUND

- 3.1 The council details its approach to managing risk in its Risk Management Strategy. This was updated in March 2016.
- 3.2 The strategy sets out the framework of monitoring and reporting of risks. The council has identified 11 corporate risks and these are monitored via quarterly performance reporting schedule using a RAG rating dashboard to report the risk status. These are reported to both the Overview and Scrutiny Committee and Cabinet.
- 3.3 If a potential issue was identified during the periodic monitoring of the risk, the responsible officer would be required to identify the risk and note the actions needed to mitigate the level of risk.

4. OVERALL SUMMARY OF PERFORMANCE

- 4.1 The council has reviewed and continues to monitor the council's corporate risks.
- 4.2 The corporate risks as categorised at the end of Q1 are as follows:

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	Quarter 1 2022/23
Low	2
Medium	6
High	3

4.3 The corporate risks rated as 'red' are as follows:

Corporate Risk 1	Likelihood	Impact	Overall risk	Status
Sustainability of the Medium Term Financial Strategy (MTFS)	A	1	A1	RED

The February 2022 MTFS indicates that the MTFS funding gap will continue to increase over the current lifecycle unless further savings/income generation schemes are identified. Recovery from the Covid-19 pandemic and the impact from increasing inflation continue to place additional pressure on the MTFS. It is likely that the legal claims arising from the Empty Homes scheme will also have an adverse impact on the MTFS if settled in the claimants' favour. Officers are monitoring the scheme closely and managing the claims where possible.

Corporate Risk 6	Likelihood	Impact	Overall risk	Status
Sustainable Workforce	В	2	B2	RED

Although the cumulative staff turnover at the end of quarter 1 (3.52%) is within the key performance indicator target (15% per annum) recruitment continues to be challenging with unsuccessful recruitment exercises in Finance, Planning and Operations with a number of senior officer vacancies, including Head of Operations, Head of Finance and Head of Housing and Regeneration. The main reason cited for failure to recruit or retain staff is lower salaries compared to the private sector and other local authorities, other reasons include opportunities to work more agile and career progression. Vacant posts have a detrimental impact on the moral of staff and additional pressures top maintain delivery of services.

Work is being undertaken to review service area business continuity planning to mitigate any disruptions due to threat of industrial action. Overall trade union membership is 24% (staff making contributions from their wages) – 34% operations staff and 17% office based staff. In the event of any industrial action the Operations Service would prioritise services, for example in refuse the priority would be to continue to empty general waste bins.

Corporate Risk 13	Likelihood	Impact	Overall risk	Status
Impact of COVID-19 on the Financial	Α	2	A2	RED
Sustainability of Council Owned				
Leisure Assets				

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The Trust are likely to end the 2021/22 financial year in a break even position. This is due to efficient operations, a number of Covid-19 grants and other financial support which helped mitigate losses. This current financial year will be much more challenging due to increasing fuel prices, increased wages following an increase in the living wage and recovery from Covid-19. Work is underway to develop a long term strategy linked to possible facility development that will put the Trust in a long term sustainable position. The projected financial position does pose a significant financial risk to the council.

The risks will continue to be monitored by Management Team on a regular basis and are referred to in the Q1 Performance Management Report, pages 29-40.

6. FINANCE

6.1 Any financial implications related to specific risks are noted in this report and detailed in the appendices.

7. LEGAL

7.1 There are no immediate legal considerations attached to the recommendations in this report.

8. POLICY AND EQUALITIES IMPLUICATIONS

8.1 Effective risk management is very important to the council, and the council is committed to improving on an on-going basis how it manages and mitigates risk. A very important part of this process is robust and transparent scrutiny and taking timely, corrective action to improve risk management.

9. REASON FOR DECISION

9.1 The Corporate Risk Register is dynamic. The updates to the risks demonstrate active mitigation of the existing risks. The Committee will want to explore the implications of each corporate risk in the appendices.

Backgro	ound Papers
Corporate Risk Register	Appendix 1

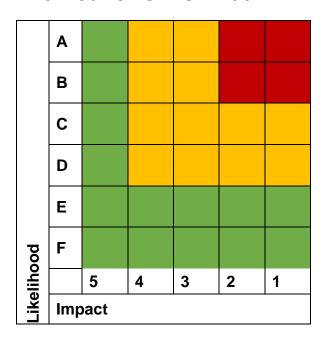
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Corporate Risks Appendix 1

Risks are those things which might present a barrier to us delivering the things we have undertaken to achieve. Each year the council reviews the potential risks it is facing and looks at what it might do to minimise the occurrence of such risks. This information is then regularly monitored and reviewed. This quarter the council has added a new risk to the corporate risk register. This is focused on the financial vulnerability of the borough's leisure assets and classified as Risk 13.

We profile our risks using a matrix (shown below) which is based on our making two judgments about each potential risk faced by the council. The definition of the likelihood and impact can be found in the council's Risk Management Strategy 2016.

The Council's Risk Matrix



Likelihood

How likely is it that the risk may occur (rated A-F, A being the most likely)

Impact

How serious might the consequences of the impact be (rated 1-5, 1 being the highest consequence).

Therefore, a risk rated A1 is the highest risk rating and a risk of F5 is the lowest risk rating.

Risk RAG (Red, Amber and Green) rating status indicators			
Risk Status	Status description		
GREEN	The likelihood and impact of the risk is low		
AMBER	The likelihood and impact of the risk is medium		
RED	The likelihood and impact of the risk is high		

Risk 1 - Sustainability of the Medium Term Financial Strategy

Responsible Officer - Karen Spencer

Description

The Council's latest Medium Term Financial Strategy (MTFS) update published February 2022 indicates an underlying funding gap of c£600k per annum from 2023/24 onwards. The council must take appropriate action in order to balance its annual expenditure against its available annual income and other revenue resources. The council has a legal obligation to publish an annual balanced budget; this means its budget expenditure must equal its available income and any available reserves. Council reserves are limited and equate to only circa 3 years given the anticipated funding gap. Therefore additional income must be identified or annual costs reduced in future years. The current cost of living crisis may also add to the pressure on the MTFS through pay award, utility costs, contract inflation and Council Tax/NNDR collection rates.

Risk Consequence

If the council is not able to prepare a balanced budget there would be legal ramifications, but it would ultimately impact on the level of services the council is able to deliver to Rossendale residents and would result in major reputational damage.

Initial risk assessment RAG status (without	Likelihood	Impact	Overall	Status
mitigation)	В	2	B2	RED

Mitigation

The MTFS does not indicate a significant narrowing of the gap in the next four years. New income generating opportunities will need to be identified to generate additional revenue, along with improved efficiency and effectiveness of service delivery. Departments across the council will need to be challenged to become more effective.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall	Status
	С	2	C2	AMBER

Quarter 1 Update

The February 2022 MTFS indicates that the MTFS funding gap will continue to increase over the current lifecycle unless further savings/income generation schemes are identified. Recovery from the Covid-19 pandemic and the impact from increasing inflation continue to place additional pressure on the MTFS. It is likely that the legal claims arising from the Empty Homes scheme will also have an adverse impact on the MTFS if settled in the claimants' favour. Officers are monitoring the scheme closely and managing the claims where possible.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall	Status
	Α	1	A1	RED

Risk 2 - Major disaster affecting the delivery of council services

Responsible Officer - Clare Law

Description

The council has statutory duties under the Civil Contingencies Act (2004) and to carry out emergency planning and business continuity management activities to minimise the impact of a civil emergency or business interruption on people living, working and visiting the borough.

Risk Consequence

Failure to have robust contingency plans in place could result in the failure to deliver council services, such as, the collection of residential and trade waste, burial services and payment of suppliers and benefits.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	С	1	C1	AMBER

Mitigation

A robust overall council Emergency and Business Continuity Plan is in place. Service continuity plans are updated and tested regularly through a quarterly Emergency Planning meeting. The plans are embedded with the Corporate Management Team as critical working documents to support the continued delivery of essential council services. All managers have a copy of the overall plan and their service plan and keep them under review. RBC is a member of Lancashire County Council Local Resilience Forum (LRF). Officers attend meetings and undertake regular training exercises. RBC plans are available on the Resilience Direct website. Mutual aid agreements are in place with all Local Authorities across Lancashire.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	С	2	C2	AMBER

Quarter 1 Update

The council has adopted a flexible working policy to support staff working more agile, all office based staff have the equipment to allow them to work from home if needed to do in an emergency situation. The council continues to follow Covid-19 government guidance and staff that test Covid-19 positive if fit will continue to work from home (Covid-19 absences has reduced to 7.2% in Q1). Covid-19 sickness related absences will be managed under the Absence Management Policy.

An Emergency Planning Team Meeting was held on 14th June 2022, one out-of-hours emergency planning incident was reported in Q1, to support the emergency accommodation of a homeless person. At the meeting the plans for death of a Senior Figure were reviewed and updated. The training plan for 2022/23 for Emergency Planning Team members has been developed.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	С	2	C2	AMBER

Risk 3 – Incident resulting in death or serious injury or HSE investigation

Responsible Officer – Clare Law

Description

Under the Health and Safety at Work Act (1974), the council has a duty of care towards the health, safety and wellbeing of its employees and others who may be affected by our work. In the event of a RIDDOR reportable accident, there is a risk of an HSE investigation and potential for a civil claim for damages.

Risk Consequence

Failure to comply with current legislation and demonstrate compliance may result in harm to staff and others, financial loss and enforcement action.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	D	2	D2	AMBER

Mitigation

The council has health and safety policies and procedures including a health and safety incident reporting procedure in place along with a safe working culture. Actions need to be completed to address and implement a consistent approach across the council in order to secure compliance.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	E	2	E2	GREEN

Quarter 1 Update

The 4-year health & safety plan has been compiled and implementation has commenced. The Workplace Inspection Schedule 2022/23 has been developed, to include main council offices at Futures Park and Henrietta Street and other satellite sites such as Stubbylee Hall, Tup Bridge and cemeteries depots. Work has commenced to review Hand Arm Vibration (HAVs) compliance to safeguard staff using hand held vibrating equipment in Operations. In May, the first Health and Safety Culture survey was completed in Operations with a response rate of 44%. The survey focussed on training, Personal Protective Equipment (PPE) and reporting of accidents, incidents and safety concerns. Overall the respondents had a positive view that safety was a high priority for the Council.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	D	2	D2	AMBER

Risk 4 – Sustainability of the County Council budget

Responsible Officer - Karen Spencer

Description

Like all local authorities, Lancashire County Council has to maintain a balanced budget. If the County Council are required to make savings this may impact on service provision across the county.

Risk Consequence

Budget reductions may have an impact on service provision for our residents. There is also a risk of cost shunting to district councils.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall	Status
	С	3	C3	AMBER

Mitigation

The council will continue to work with Lancashire County Council to find ways of reshaping services to reduce costs whilst ensuring shared outcomes are achieved. The council continues to support joint leadership and Chief Executive meetings to find new ways of working together for the benefit of our residents. The council will continue to interrogate Lancashire County Council savings proposals and identify risks to our residents and to our services.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall	Status
	С	3	C3	AMBER

Quarter 1 Update

The Lancashire County Council's 2022/23 budget approved in February 2022 announced further savings of c£11m, however these are mainly resulting from income generation schemes and a change in internal working practices. The council continues to suffer from increased fly-tipping and the associated costs, which has in part resulted from the implementation of the reduced opening hours of the Lancashire County Council Household Waste Recycling Centres savings proposal.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall	Status
	С	3	C3	AMBER

Risk 5 – Changes to Government policy on the delivery of the council's services

Responsible Officer - Neil Shaw

Description

Like all local authorities the council is a statutory body that is subject to changes being consulted upon and or implemented by central government that might affect how we operate and serve our residents/businesses.

Risk Consequence

The risk that the council fails to react and be prepared for any changes being proposed or implemented by central government.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	E	2	E2	GREEN

Mitigation

The council is a member of the Local Government Association and District Councils Network who keep us informed of government policy and consultations and lobby on behalf of councils to mitigate the impact of any change. The council is also signed up to receive daily emails from Local Government Information Unit who provide daily government news and other Local Government Information Unit (LGiU) policy briefings. The Chief Executive and Leader of the council meets regularly with our two MPs. The council's Corporate Management Team monitor and assess government's position on funding to be distributed to local authorities and other Government announcements that impact funding.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	Е	2	E2	GREEN

Quarter 1 Update

The council continues to monitor the potential impact of the Levelling Up & Regeneration Bill introduced to Parliament in May 2022. The Bill proposes opportunities to 'level up' areas of the UK and could have an impact on current and future rounds of Levelling Up funding. This should not affect the council's current proposed bid to the Fund.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	E	2	E2	GREEN

Risk 6 - Sustainable Workforce

Responsible Officer - Clare Law

Description

There is a requirement to have a sustainable workforce to deliver the council services to residents and customers.

Risk Consequence

Failure to have a fully resourced, trained staff could result in the failure to deliver statutory and non-statutory service in a safe and professional manner to residents and customers.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	D	3	D3	AMBER

Mitigation

The council has robust HR policies and procedures, an agreed Authorised Establishment, performance management framework and Service Area Business Continuity Plans in place to mitigate any staffing challenges such as loss of staff due to the impact of an epidemic or pandemic. HR will work with managers to develop workforce succession planning. The council provides an attractive benefit package including final pension scheme, flexible working, generous annual leave, a purchase leave scheme, free onsite parking, family friendly policies, discounted gym memberships and a cycle scheme to attract and retain staff.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	E	3	E3	GREEN

Quarter 1 Update

The cumulative staff turnover at the end of quarter 1 is 3.52%. Recruitment continues to be challenging with unsuccessful recruitment exercises in Finance, Planning and Operations including the Head of Operations. The main reason cited for failure to recruit or retain staff is the lower salaries compared to the private sector and other local authorities, other reasons include opportunities to work more agile and career progression. Vacant posts have a detrimental impact on moral of staff and additional pressures to maintain delivery of services.

Work is being undertaken to review service area business continuity planning to mitigate any disruptions due to threat of industrial action. Overall trade union membership is 24% (staff making contributions from their wages) – 34% operations staff and 17% office based staff, in the event of industrial actions Operations service would prioritise services, for example in refuse the priority would be to continue to empty general waste bins.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	В	2	B2	RED

Risk 7 - Insufficient data and cyber security

Responsible Officer - Andrew Buckle

Description

Cyber security presents one of the most challenging areas for both the public and private sectors. With the proliferation and severity of attacks constantly increasing this represents a major threat.

Risk Consequence

Cyber-attack resulting in a complete loss of all systems coupled with malware being spread across the entire network. Data breach resulting in information loss causing reputational damage and resulting in a financial penalty due to non-compliance with statutory requirements such as General Data Protection Regulation (GDPR), Payment Card Industry Data Security (PCI-DSS).

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	С	1	C1	AMBER

Mitigation

To protect against a data breach RBC, host all council data in Tier 3 Data Centres located in different geographical regions and are backed up daily. RBC Data Centres hold the following accreditations: ISO27001:2013, PCI-DSS. RBC adopts a Risk Insight approach to determine the treat Landscape and more importantly its evolution. RBC has received notification of meeting the Public Services Network (PSN) which means the councils' infrastructure met all the security requirements to allow connection to the PSN. Cyber security training is to be provided for all staff.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	D	1	D1	AMBER

Quarter 1 Update

The PCI-DSS Penetration and scan testing were completed in June 2022 and Rossendale have been informed that the council has passed the PCI-DSS security tests. The PSN testing and certification process was completed in June 2022. In addition external vulnerability scanning has been successfully implemented, this provides a checking process to identify the latest external threats and vulnerabilities detailing both the security and business risk. All relevant staff have undertaken Cyber security training and this has now been rolled out to Elected Members.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	D	1	D1	AMBER

Risk 8 - Poor communications and public relations

Responsible Officer - Clare Law

Description

Good communication and public relations is essential to inform, maintain and develop relationships with residents, customers and partners to provide effective and efficient council services.

Risk Consequence

Failure to communicate and respond to issues as they develop and inadequately or inappropriately communicating could lead to a major loss of reputation for the council on a local, regional and national level. A loss of reputation can damage staff morale, trust between the council and residents and impair the relationship between the council and its partners meaning projects and services delivery is damaged.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	В	1	B1	RED

Mitigation

Communication methods are in place to support face to face, mail or electronic communications with a developed website and social media channels to provide 24/7 communication service. The council has an experienced public relation and communications function to support council officers to deal with communications in a timely manner and promote the work of the council.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	D	1	D1	AMBER

Quarter 1 Update

VivaPR has continued to deliver the agreed communications plan including updates to the council's websites and social media posts to residents and communities. CMT receive a weekly communications update, which includes horizon scanning and potential risks.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	D	1	D1	AMBER

Risk 9 - Non - Delivery of Corporate Projects

Responsible Officer - Neil Shaw

Description

The council has agreed the 11 corporate projects for 2022/2023 to support the delivery of Corporate Plan.

Risk Consequence

Failure to deliver the corporate projects would have a detrimental impact on the delivery of the council's Corporate Plan 2021-25, and result in a reputational risk to the council's commitment to the residents. The failure to deliver the corporate projects could potentially have a negative impact on the council's revenue budgets (by failure to deliver income generating projects) and delivery of the medium term financial strategy, and the associated economic and social benefits may not be realised.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	С	2	C2	AMBER

Mitigation

Each corporate project has a Project Sponsor (member of the Corporate Management Team), a Project Manager and Finance Officer. Each corporate project will have a robust project plan and live risk register. The Project Sponsor will be responsible for the strategic overview of the corporate project, and the Project Manager will be responsible for the day-to-day management of the corporate project. The council's Programme Board meets quarterly to review the progress of the corporate projects. The Project Sponsor will be responsible for highlighting any concerns to the Corporate Management Team throughout the life of the corporate project.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	E	2	E2	GREEN

Quarter 1 Update

The Programme Board continues to monitor all the projects (last meeting on 9th May 2022). All projects are on track and within budget.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	E	2	E2	GREEN

Risk 10 - Response and Recovery to Covid-19 Pandemic

Responsible Officer - Neil Shaw

Description

Covid-19 is a strain of the coronavirus, the government declared the virus as a pandemic in the UK in March 2020.

Risk Consequence

The pandemic causes a potentially risk to the delivery of the council services and the health and wellbeing of the wider community.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	E	2	E2	GREEN

Mitigation

The council has an Emergency Plan and Service Area Business Plans to support a pandemic emergency. The plans have been activated, regularly reviewed and stress tested throughout the pandemic. Risk Assessments and Safe Systems of Work have been developed and reviewed with staff and Trade Unions throughout the pandemic to provide a safe working environment. Council officers have worked with the Lancashire Resilience Forum and multi-agency partners to mitigate any potential risks throughout the pandemic. At the start of 2022, most Covid-19 restrictions had been lifted but the council will keep the situation under review.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	В	3	B3	AMBER

Quarter 1 Update

The council continues to follow Government advice on managing the impact of Covid-19. We continue to monitor the number of positive Covid-19 cases and have maintained a contingency plan for a potential tightening of Government restrictions. However, this has not developed during Q1 and therefore the overall level of risk in terms of the impact of the Covid-19 pandemic on the council has reduced. We continue to monitor the situation closely.

Quarter 1 risk assessment RAG status (current)	Likelihood	Impact	Overall Risk	Status
	D	3	D3	AMBER

Risk 11 - Impact of Covid-19 on the Financial Sustainability of Council Owned Leisure Assets

Responsible Officer – Adam Allen

Description

National Lockdowns due to Covid-19 resulted in council owned leisure facilities closing for extended periods. During closure no income was received and outside of lockdown periods, income was significantly reduced. This has impacted the financial sustainability of the trust.

Risk Consequence

If the council owned leisure assets are to be sustained in the longer term, the operators of the facilities have little recourse to additional funding to survive other than through the council. This financial impact was managed in 2021/22 through additional government grants and council support, however the real impact is likely to be felt in 2022/23. The impact of a new private gym provider is still unknown.

Initial risk assessment RAG status (without mitigation)	Likelihood	Impact	Overall Risk	Status
	Α	2	A2	RED

Mitigation

The Leisure Trust and council have consolidated all council owned leisure assets under the umbrella Trust to maximise efficiency. Ski Rossendale, CLAW and the Whitaker have been transferred. A report on the impact of all facilities has been produced by KKP and recommendations to minimise impact have been implemented. Senior council Officers are attending the Trust Board to ensure we work together to minimise costs and an intensive monitoring process is in place. Funding through a Covid-19 specific Sport England Fund has been received though this is limited in its amount and did not cover retrospective losses. Constant monitoring of future business plans and work in partnership to maximise income and reduce costs continues.

Risk assessment RAG status (after mitigation)	Likelihood	Impact	Overall Risk	Status
	Α	2	A2	RED

Quarter 1 Update

The Trust are likely to end the 2021/22 financial year in a break even position. This is due to efficient operations, a number of Covid-19 grants and other financial support which helped mitigate losses. This current financial year will be much more challenging due to increasing fuel prices, increased wages following an increase in the living wage and recovery from Covid-19. Work is underway to develop a long term strategy linked to possible facility development that will put the Trust in a long term sustainable position. The projected financial position does pose a significant financial risk to the council.

Quarter 1 risk assessment RAG status	Likelihood	Impact	Overall Risk	Status
	Α	2	A2	RED