WELWYN HATFIELD

EXECUTIVE MEMBER DELEGATED POWERS DECISION NOTICE   **[2020-15]**

LOCAL GOVERNMENT ACT 2000 SECTION 9E

1   DETAILS OF EXECUTIVE MEMBER TAKING THE DECISION

Councillor Fiona Thomson, Executive Member (Governance, Public Health and Climate Change)

2   TITLE OF NOTICE

Risk register status as at 5 November 2020

3   DECISION TAKEN

To note and approve the strategic risk register covering the period July 2020 to October 2020

4   IF URGENT, REASONS FOR URGENCY

N/A

5   DETAILS OF OTHER EXECUTIVE MEMBER(S) CONSULTED

Cllr Tony Kingsbury
Cllr Duncan Bell
Cllr Stephen Boulton
Cllr Terry Mitchinson
Cllr Nick Pace
Cllr Bernard Sarson

Name   Cllr Fiona Thomson

Signature   _____

Date this decision was taken   __16 November 2020 ____

Date of circulation/publication of this decision   ___ 17 November 2020 _____

6   EXPLANATION/BACKGROUND

6.1   As part of its governance framework, the council maintains a risk register. Members are asked quarterly to discuss and agree the content of this risk register including the risk controls that are in place for key identified risks. This Executive Member Decision Notice asks the relevant Executive Member to agree the risk register for strategic risks (as shown in schedule A) which were discussed with Cabinet Members on 5 November 2020 and covering the quarter July 2020 to October 2020.

6.2 **Legal Implications:**

The Accounts and Audit Regulations 2015 require that "[a] relevant authority must ensure that it has a sound system of internal control which [among other matters] includes effective arrangements for the management of risk."

6.3 **Financial Implications:**

There are none directly arising from this report, though of course any risk event may have its own financial consequences.

6.4 **Risk Implications:**

Failing to maintain adequate and effective arrangements for the management of risk may lead to risk events not being foreseen, an inadequate response to a risk event occurring and a failure to exploit opportunities.

6.5 **Other Implications** (including communications, security and terrorism, human resources, procurement, climate change, human rights, health and wellbeing, equality and diversity)

None, other than those inherent within each identified risk.

6.6 **Alternative options considered and reasons for their rejection (if any):**

None.

7   BACKGROUND PAPERS USED TO INFORM THE DECISION

8   Schedule A shows the strategic risk register. Each strategic risk has ownership by a Corporate Director and an Executive Member.

9   The strategic risks are available on the Member Information Hub to facilitate scrutiny.

10   DETAILS OF ANY MEMBERS OR OFFICERS WHO HAVE DECLARED AN INTEREST IN THIS MATTER AND NATURE OF ANY SUCH INTEREST AND ANY DISPENSATIONS GRANTED

10.1 None

11   ADDITIONAL CONFIDENTIAL OR EXEMPT INFORMATION CONSIDERED

11.1 None.

Contact Officer: Andy Cremer
                          Risk and Resilience Manager
                          a.cremer@welhat.gov.uk
                          01707 357169

Risk Report

WELWYN HATFIELD

Working better, together

Description of Risk	Risk Manager	Controls
Strategic - Community Consultation and Engagement Description: Failure to properly consult customers in line with legislative and regulatory requirements (as appropriate to relevant service areas). Failure to involve communities when planning services. Consequences: Intervention by regulatory bodies, Legal - challenge, Reputational damage, Additional costs, Inadequate service shaping	Simone Chinman Russell	Alliance Strategy Borough Panel Community Partnership Team engagement events Corporate Strategy - Tenant Involvement Strategy (Housing) New Corporate Community and Stakeholder Engagement Strategy Policy and Procedure Framework Tenants' Panel

Current Score

32

Indicator

Probability	Impact
2	4

Comment: We continue to work towards completing this work, which has suffered delays due to the Covid Pandemic.

Description of Risk	Risk Manager	Controls
Strategic - Management of Council Owned Housing Property Assets Description: Failure to provide and maintain council housing property assets and services. Taking opportunities to invest in assets. Consequences: Increased homelessness, Community impact, Economic development, Unsafe assets, H&S - Injuries and ill health, Intervention by regulatory bodies, Customer dissatisfaction, Reputational damage, Additional costs, Financial Implications	Simone Chinman Russell	Asbestos Management Electrical safety Fire Risk Assessment H and S - Organisation And responsibilities LGSR compliance Planned works delivery I Policy and Procedure Framework

Current Score

32

Indicator

Probability	Impact
2	4

Comment: Property Services continues with its programme of stock condition assessments. In addition the team ensures that new additions to the housing stock are fully assessed upon handover and brought up to the required standard, before being let.

Description of Risk	Risk Manager	Controls
Strategic - Safeguarding Description: Failure to meet obligations in respect of children and adults at risk from abuse. Consequences: Undetected Abuse, Legal - Litigation, Reputational damage, Risk to residents wellbeing	Simone Chinman Russell	Mandatory safeguarding training programme Reporting pathways communicated and updated Safeguarding Action Plan Safeguarding Policies

Current Score

32

Indicator

Probability	Impact
2	4

Comment: The council's Safeguarding group continues to oversee the effective implementation of our safeguarding procedures. In particular the group has ensured that the impacts of Covid have been addressed, through joined up working with the LRF in terms of protecting vulnerable households.

Description of Risk	Risk Manager	Controls
Strategic - Change Management Description: Anew oneteam culture and set of behaviours have been rolled out across the council and are now being embedded to support our modernisation and improvement journey. This risk addresses the consequences of any failure to robustly manage change. Consequences: Inadequate service shaping, Additional costs, Reputational damage	Ka Ng	Appraisal and one to one process Chief Executive Briefings Close Working Relationship with HR Communication HR - Employee Forum HR - Meetings with Trades Unions HR - Reporting to ROSC LGAMembership Peer Challenge Staff Use of consultants

Current Score

32

Indicator

Probability	Impact
2	4

Comment: The modernisation programme has been moving forward over the summer, although in a slightly different way. Staff have been involved in workstreams for their areas communications have been developed and are sent out regularly to ensure staff are aware of what is happening and what reviews are planned next.

Description of Risk	Risk Manager	Controls
Strategic - Staff/Workforce Description: Failure to recruit or retain staff with key skills. Lack of resources due to high levels of sickness, turnover or industrial action. Failure to develop and train existing staff. Breach of legislation or failure to follow our HR policies. Consequences: Legal - Litigation, HR - High Staff Turnover, Low morale, Additional costs	Nick Long	Appraisal and one to one process
		Apprenticeship Scheme
		Corporate Governance - Management Assurance Statement
		Departmental Training Plans
		Flexible Working
		Green Travel Plan
		Health and Wellbeing Programme
		HR - Agency Staff Policy
		HR - Disciplinary and Grievance Policy
		HR - Employee Forum
		HR - Meetings with Trades Unions
		HR - Recruitment and Selection Process
		HR - Reporting to ROSC
		HR - Sickness Absence Policy
		HR - Workforce Development Strategy
		HR Policies (overall framework)
		Training and Awareness of HR Staff

Current Score

48

Indicator

Probability	Impact
3	4

Comment: Although the pandemic offers remote working and offers the potential to recruit from a wider geographical pool recruitment for certain key disciplines (for example Planning, Finance, Environmental Health, Estates) still remains a challenge. This is because the pool of talent is nationally very small and there is a high demand for these staff. Whilst additional external funding for some posts (eg. EHO) is very welcome the risk remains we still may not be able to recruit to these posts. Over recent months reported sickness levels have actually reduced. Our training has been scaled back but we have looked to deliver critical training in appropriate social distanced ways. We continue to monitor the significant potential impacts from the pandemic. Following on from the peer review, the action plan and direction of travel have been agreed; we will at the appropriate time continue the work on developing the corporate workforce development strategy. In the current pandemic climate we have reviewed and adjusted all of our recruitment methods to accommodate social distancing requirements. We are also mindful of the need to understand existing work force skills and the potential for redeployment of staff in response to the pandemic. We have commenced the modernisation review for HR which will incorporate learning from the pandemic.

Description of Risk	Risk Manager	Controls		
Strategic - Prevent Description: Not properly implementing the government's 'Prevent' agenda to address the risks of radicalisation. Consequences: Reputational damage, Undetected Abuse, Prevent Delayed referral to Channel, Prevent - lack of staff awareness, Poor partnership working	Nick Long	Prevent - Channel Prevent - Lease and Hire Agreements Prevent - Nominated Lead Officer for Prevent Prevent - Security and Terrorism implications in report template Prevent - Venue Guidance Prevent - WRAP workshops Prevent matters discussed at Safeguarding meetings. Representation at County Prevent Board	**Current Score** **32** **Indicator** Probability **2** Impact **4**	Comment: Herts County Council have recruited a new Prevent Programme Manager, who has begun to forge constructive working relationships with other agencies. At present the county approach is to essentially 're-boot' Prevent and there is much greater clarity around roles and responsibilities now, with suitable template documents being shared. The Internal Prevent Group will continue to meet, to bring together relevant WHBC professionals. The Risk and Resilience Manager has drafted a WHBC Prevent Organisation Delivery Plan and this will be considered by the group. A Venue Management Policy will also be drafted.

Description of Risk	Risk Manager	Controls		
Strategic - Corporate Resilience Description: Failure to meet the requirements of the Civil Contingencies Act 2004, including the material failure or inadequacy of plans Failure to respond appropriately to a civil emergency or business continuity incident, including the duty of care to the community. Consequences: Community impact, Economic development, Unsafe assets, Customer dissatisfaction, Reputational damage, Poor partnership working, Intervention by regulatory bodies	Nick Long	Resilience - Business Continuity Management Process Resilience - Care of People Plan Resilience - Crisis Support Team Resilience - Extended Floodline Resilience - Local Resilience Forum Resilience - Resilient Telecommunications Resilience - Training and Exercising Resilience - WHBC Emergency Plan	**Current Score** **25** **Indicator** Probability **1** Impact **5**	Comment: The council remains a key member of the local resilience forum and the CEX/Corporate Director are representing the 10 district and borough councils on the strategic coordinating group that has been set up to respond to the current Covid-19 pandemic. Good links have enabled us to work together to plan for such an emergency and deal with such emergency situations. Officers from across the council have been brought in to support the emergency response and recovery from the pandemic this is needing to be balanced against business as usual work and we also remain involved in multi-agency planning for other risks, including cyber-resilience and EU Transition.

Description of Risk	Risk Manager	Controls	Current Score 25

Description of Risk	Risk Manager	Controls
Strategic - Health and Safety Description: Failure to maintain an adequate and effective safety management system within the Council, including structures, processes, control measures and allocation of responsibilities and ensuring competence of employees, contractors and service providers. Consequences: H&S - Injuries and ill health, Lost productivity, Sickness absence, Legal - Litigation, Intervention by regulatory bodies, Reputational damage	Nick Long	H&S - Collective Responsibility of Executive Board H&S - Corporate Health and Safety Policy H&S - Inspection and auditing H&S - Map of the extent of the undertaking H&S - Periodic Inspection of plant and equipment. H&S - Risk and Resilience Team H&S - Risk Assessment Policy H&S - Safety Director Role H&S - Staff Induction and Training

Current Score

25

Indicator

Probability	Impact
1	5

Comment: Work continues across the council to assist in identifying and managing risks including those relating to "Covid-19 secure" activities keeping in mind the legislation and guidance is continually evolving which makes the task of the council's safety officer quite a challenge - especially as the council only has one safety officer post. The corporate health and safety group has commenced a review of how it works to support the interim CEX in making sure our responsibilities as an employer are met. In the current climate we have needed to revise our programme of policy review and audits along with our training programme. We continue to respond to any particular issues which may arise. Where necessary reviews have been undertaken to identify corporate learning. We continue to work with partners as necessary and have comenced planning for deliver of a Covid safe Remembrance Day and 2021 Elections.

Description of Risk	Risk Manager	Controls
Strategic - Local Plan Description: Risk that Local Plan will be found unsound. Inspector has asked Council to find at least 4,000 more homes in plan period. Consequences: Economic development, Financial - affects on receipts, Economic - inward investment, Economic - local infrastructure, Economic - new facilities, Environment - hostile developments, Economic - loss of funding, Reputational damage	Nick Long	Planning - Committees Planning - Consultation Planning - Evidence Planning - Project Plan Planning - Section 106 and CIL

Current Score

100

Indicator

Probability	Impact
4	5

Comment: Virtual hearing sessions took place July and Aug 2020 on remaining green belt sites. Council has updated OAN which identifies need for 14,300 homes in plan period. Inspector is now writing interim report, to help advise Council on issues with submitted plan and likely need for additional sites. Committee dates are scheduled for Nov for councillors to consider interim report, results of consultation at start of year and any new site information. Anticipated that councillors may also wish to propose removal of sites they no longer consider to be sustainable based on new evidence. Anticipated that further hearing sessions will take place in Feb 2021 for any new sites and removed sites. Important to note that it is entirely a matter for inspector to decide whether submitted sites are sound or should be removed from plan. This will hopefully lead to Main Modifications consultation in spring 2021 and Final Inspector's Report and Adoption in Summer 2021. This process could be disrupted by councillor resistance to too much development in green belt, Planning White Paper, new OAN evidence, proposed new standard method for calculating housing need, forthcoming Devolution White Paper and local elections in May 2021.

Description of Risk	Risk Manager	Controls	Current Score	Comment
Strategic - Finance Description: Plans for meeting the growing budget gap are not delivered on time to ensure continued sufficient resources to pay for services. Consequences: Finance - Depletion of reserves, Reputational damage, Service delivery - loss/reduction, Financial - affects on receipts, Service delivery -can't meet demand	Ka Ng	Finance - Annual Governance Statement Finance - budget challenge process Finance - budget preparation process Finance - budgetary control by managers Finance - capital programme Finance - external audit Finance - Finance Procedure Rules Finance - Financial Information System (Agresso) Finance - HRA Business Plan Finance - internal audit Finance - Medium Term Financial Plan Finance - Treasury Management Policy Finance - use and control of reserves and balances Property - Asset Management Plan	**75** **Indicator** 🟥 Probability **3** Impact **5**	Comment: There is a continuing challenge to meet the medium targets, but we have a large number of robust controls and processes in place in order for us to meet the savings requirements. The Government announced a one year settlement for 2020/21, which provided certainty in the short term, but there continue to be a number of uncertainties beyond this, as many of the government funding streams are under review and the Council looks to meet its challenging savings targets. The Government has recently announced that there will only be a one year settlement for 2021/22. There is an increased risk in relation to the Councils financial sustainability in light of this current pandemic. Financial implications are being monitored on a daily basis and additional cashflow monitoring and forecasting has been put in place. The position is changing on a frequent basis, and the sector as a whole is lobbying Government for additional financial support to ensure councils budgets remain affordable and sustainable. As at quarter 2, the monitoring position forecast pressures on the general fund for 2020/21 of £3.316 in relation to the pandemic. The council has received un-ringfenced funding to date of £1.477m and had applied for £0.553m from the income guarantee scheme which brings the net forecast variance down to £1.286m. Until further announcements are made by the Government around additional support that may be provided, the score for this risk has been maintained at the same level as previously reported The budget setting process has started following an update of the MTFS, and the Task and Finish Group have identified a number of areas for exploring.

Description of Risk	Risk Manager	Controls	Current Score	Comment
Strategic - Communications Description: Failure to engage effectively with our communities, communicate the council's priorities, actively manage the council's reputation and/or communicate effectively across multiple platforms. Consequences: Reputational damage, Loss of trust, Comms - inability to manage message	Ka Ng	Comms - communication plan Comms - Communications Team Comms - Corporate Communications Strategy Comms - media monitoring Comms - media trained staff and Members Comms - surveys LGA Peer Challenge Social Media Policy	**32** **Indicator** 🟧 Probability **2** Impact **4**	Comment: Corporate communications continue to be managed remotely due to Covid-19. This has meant new ways of working for the corporate team and for many of our services. Increased use of ONE Welwyn Hatfield and social media has been vital in ensuring core messages and information gets out into our local communities and we are increasingly linking with county level partners on this. Press and media enquiries have continued to come in, a weekly edition of TeamTalk continues to be produced, and support for major projects and initiatives across the council's services continues. Twice weekly updates to all Officers and Members are still being circulated at this time.

Description of Risk	Risk Manager	Controls
Strategic - ICT Failure Description: Critical failure of ICT services, for example due to virus attack or ransomware virus attacks. These target computers running Microsoft Windows. Consequences: ICT - loss of service	Ka Ng	ICT - database updates
		ICT - Disaster Recovery Plan
		ICT - ICT Strategy
		ICT - infrastructure review
		ICT - malware detection
		ICT - PSN Compliance Testing
		ICT - Temporary PSTN connection

Current Score

75

Indicator

Probability	Impact
3	5

Comment: There is a continual battle against attacks, but we have a large number of robust controls, systems and processes in place in order for us to be as protected as reasonably possible, and risk is significantly reduced because of this. During quarter 2: -The council acquired it annual PSN certification. -New cyber security training was considered and the team are currently engaging with a supplier The COVID19 pandemic has increased the need for new ways of working, and increased remote working, and with this comes increased risks. These risks are being proactively reviewed and managed, with management regularly discussing these updates with the team. National advice is being issued on certain applications, and this advice is being followed. Additional communications have been issued to raise awareness of the increased risks in the challenging environment.

Description of Risk	Risk Manager	Controls
Strategic - Data Protection Description: TheGeneral Data Protection Regulations (GDPR) replaced the previous Data Protection Act from May 18. It contains onerous obligations that had an immediate impact. As we handle people's data we are responsible for keeping it safe. Consequences: Legal - Litigation, Intervention by regulatory bodies, Reputational damage, Legal - challenge, Additional costs	Ka Ng	Governance - Data Protection Policies
		ICT - data encryption
		Internal Auditing
		Procurement considerations - Data Protection in Contracts

Current Score

32

Indicator

Probability	Impact
2	4

Comment: GDPR remains a high priority for the Council, and work continues to ensure the Council remains GDPR compliant. However, as GDPR has been in place now for over 2 years, project type work (such as production of policies and procedures) has reduced, and the focus is on improving and enhancing awareness and procedures. Subject Access Requests have been increasing, and this work is being supported by a fixed term apprentice. During quarter two, the following items are specific areas of work to highlight: - The team started a review of the councils Information Asset Register; - The internal audit was finalised and draft report issued There are additional demands which need responding to quickly in order to adequately respond in a timely way to COVID19. This includes reviewing data sharing agreements, and understanding the legal basis for data already held by the Council to support the wider public good and delivery of new support measures. The DPO is being proactively consulted on these areas. ?

Description of Risk	Risk Manager	Controls
Strategic - Management of Council Owned Non-Housing Property Assets Description: Failure to provide and maintain council owned non-housing property assets. Taking opportunities to invest in assets. Consequences: Economic development, Unsafe assets	Ka Ng	Asset Management Plan Property Portfolio

Current Score

50

Indicator

Probability	Impact
2	5

Comment: The Council has a capital work programme in place to adequately maintain its non-housing assets, and all key planned are on target. The team continues to be responsive to day to day repairs and maintenance. A refresh of the councils asset management plan is well underway with a base data review having been commissioned through our advisors. This data has been received and is being considered. As small pause is in place for the asset strategy to ensure it aligns to the corporate objectives which are under review. A quick response was put in place to manage property risks remotely, which has included working with our insurers to balance the risk of spreading COVID19 against the need for regular inspections. We have maintained all compliance checks, increased these where use of buildings has reduced, and will continue to do so through the period of the pandemic. Cleaning of buildings continues at the increased levels. We have worked with the Risk and Resilience Manager to ensure our managed buildings are COVID-secure, including for the recent opening of HatTech.

Description of Risk	Risk Manager	Controls
Strategic - Effects of Brexit Description: Preparing the borough and council for exiting the EU by understanding the effect on 1) communities and residents, 2) businesses and economy, and 3) The council, along with any actions we need to take. Consequences: Additional costs, Economic - inward investment, Economic development, Community impact, Economic - loss of funding	Ka Ng	Brexit - appropriate action plan to be produced Brexit - Communication to businesses/communities Brexit - LRF Strategic Co-ordinating Group Brexit - MHCLG Seminar Corporate Governance - engagement with Councillors ECMT Brexit Workshop LGA Membership LGA support and briefings

Current Score

27

Indicator

Probability	Impact
3	3

Comment: Following the passing of the EU Withdrawal Bill the UK left the EU on 31 January 2020 and has entered into a transition period currently running to 31 December 2020. Over recent weeks we have engaged more on anticipated impacts and whether we will leave with or without agreement on a trade deal at the end of this year. Over the next month or so we will have more clarity on a potential trade deal to allow us to assess the impact.

Description of Risk	Risk Manager	Controls	Current Score 32	Comment
Strategic - Homelessness Description: Failure to meet the demand of homelessness due to lack of provision of temporary housing and permanent housing Consequences: Intervention by regulatory bodies, Additional costs, Reputational damage, Increased homelessness, Community impact, Service delivery -can't meet demand, Legal - Regulatory, Financial Implications, Risk to residents wellbeing	Simone Chinman Russell	Delivery Strategy Finance - budgetary control by managers Finance - HRA Business Plan Housing, Homelessness and Rough Sleeping Strategy Night Shelter and rough sleeper navigators Private Sector Navigator post Provision of temporary accommodation stock Use of funding for homeless prevention	**Indicator** Probability **2** Impact **4**	Comment: There has been additional pressures due to an increased number of presentations of homeless families to the service, as well as the government's Everyone In initiative, which meant that everyone who is rough sleeping or at risk of rough sleeping was offered accommodation. A block booking of a local hotel meant that there was capacity to ensure that everyone could be made a suitable offer of accommodation. The team have worked hard to ensure that any void council homes can be progressed as quickly as possible, so that there is a continued supply of homes to ease pressures. Due to the restrictions on moving, current vacancies are being prioritised for homeless families. Despite the pressures, the team are managing the increased workloads and have successfully ensured that no one is on the street.

Description of Risk	Risk Manager	Controls	Current Score 125	Comment
Strategic - Impact of Covid-19 Pandemic Description: The Covid-19 pandemic is seriously impacting on council services and local communities. Employee absence will place strain on the council, as will significant changes to work practices, adaptations to service delivery and resultant backlog management. There are likely to be significant budgetary implications. Managing the response to the outbreak locally will impact council resources, capacity and priorities. Consequences: Reputational damage, Additional costs, Inadequate service shaping, Community impact, Economic development, HR - High Staff Turnover, Low morale, H&S - Injuries and ill health, Lost productivity, Sickness absence, Financial - affects on receipts, Economic - inward investment, Service delivery - loss/reduction, Service delivery -can't meet demand, Harm to Vulnerable People, Economic - loss of funding, Risk to residents wellbeing, Backlog needing to be managed, Slippage to corporate projects, Reduced income, Opportunity to modernise/transform, Greater understanding of resilience, Enhanced team working/collaboration, Enhancements to partnership working	Ka Ng	All staff Communications CMT+ Comms - Communications Team Comms - Corporate Communications Strategy County Wide SCG, TCG and cells Dynamic responses to service challenges Flexible HR policies Heeding PHE Advice Hertfordshire Resilience ICT home working arrangements Implementation of local social distancing - office closures Infectious Disease Group Operations Shield and Sustain WHBC Pandemic Plan	**Indicator** Probability **5** Impact **5**	Comment: We continue to respond to the pandemic's effects using all our resources. A report on this work was submitted to full Council in September 2020, and this set out how we continue to provide our critical services, as well as new functions arising from the pandemic, and multi-agency work streams. We have also submitted reports on both recovery and the financial impacts to Cabinet. As we head into the second wave of the pandemic, our planning will work on response and recovery. We have reviewed the Action Plan to identify impacts on objectives

Alison Marston

From:	Fiona Thomson
Sent:	16 November 2020 18:13
To:	Alison Marston
Subject:	Re: Executive Member Decision Notice - Risk Register Status

Hi Alison

Having had a bit more time to think about this, it should probably be more specific about the review timing, which is that the risk register is reviewed 'once a quarter'.

And yes, *Please accept this email, to exercise my delegated powers within para 18 of the Cabinet Procedure Rules in the Constitution for the decision notice for The Risk Register status as at 5th November 2020.*

Kind regards
 Fiona

Councillor F Thomson
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01707 395932

 Executive Member Governance, Public Health and Climate Change
 Welwyn Hatfield Borough Council

http://welhat.gov.uk/fionathomson
www.facebook.com/cllrfthomson