

Corporate Risk Register July 2023

Tendring District Council

INTRODUCTION

The management of Risk is a key element to any organisation to protect its resources (human & physical), finances and reputation. By undertaking regular, stringent, and structured analysis of the risks faced by the organisation senior managers are able to take strategic decisions to mitigate against such risks whilst still being able to take the necessary decisions for a progressive council.

This document explains the methodology used to analyse and identify the risks which are considered to be of a sufficient level to be monitored corporately. The process of identifying risks is a linear examination at service, departmental and subsequently corporate level. It is only by undertaking a thorough and detailed risk assessment that this can be achieved.

Each risk is assessed for the likelihood of the risk occurring, as well as the potential impact of such an occurrence. The combination of these two factors gives an initial risk rating. Each risk is then 'managed' by the implementation of control measures. It is then re-assessed to give a residual risk rating.

Only risks which would have a significant corporate-level impact upon the ability of the Council to undertake its normal service delivery, finances, safety, or reputation are reported at this level.

DEFINITIONS

Risk: A risk is an event or action which may adversely affect the Council. It can arise from the possibility of not realising opportunities as well as from a threat materialising. Risk management is embedded across the organisation and forms part of each directorate's everyday function. They follow the format '[x...] leading to [y...] resulting in [z].' Please note that as we increase our partnership and multi-agency work, risks become increasingly complex as controls may become out of our direct control.

Inherent risk: This is the level of risk that is present before controls have been applied. Measured by evaluating the impact and probability of the risk to calculate an Inherent Risk Rating.

Residual risk: This is the level of risk remaining after application of controls. The Residual Risk Rating is calculated on the same basis as for inherent risk but factoring in any changes in impact and probability arising from the controls in place to mitigate the inherent risk.

Control: Controls are a key mechanism for managing risk and are put in place to provide reasonable assurance. Examples of controls can include policies and procedures adopted, progression of ongoing actions, or implementation of recommendations resulting from internal audits.

Warning indicators: These are the mechanisms or issues that will highlight that the risk is not being mitigated by the controls identified, or to the extent expected. These can be internal or external to the organisation.

RISK RATING CATEGORIES

20

High Risks (Rating of 15-25)

- Risks at this level will be considered to be above the Council's risk tolerance level. These risks require immediate attention and, as a high priority, a plan needs to be put together to provide sufficient mitigation resulting in a lower rating for the residual risk, wherever possible.
- Management Team should regularly review any risks in the Corporate Risk Register where the mitigated level remains above the risk tolerance level.

- Where a risk in a Departmental Risk Register scores at this level, consideration will be given to any corporate impact, and whether there is a need for the risk to be considered in the Corporate Risk Register.


12  **Medium Risks (Rating of 6-12)**

- Controls should be put in place to mitigate the risk, wherever possible, especially where the risk is close to the risk tolerance level or is increasing over time. However, where the options for mitigation would not provide value for money, the risk may be tolerated.

4  **Low Risks (Rating of 1-5)**

- No action required to mitigate these risks.

Risk colour	Risk Headings	
Green	Failure to deliver key services	Pages 7-10
Blue	Failure to deliver key projects	Pages 11-16
Brown	Reputational Damage	Pages 17-20
Pink	Ineffective workforce management and planning	Pages 21-22
Orange	Failure to deliver a balanced and sustainable budget	Page 23
Grey	Ineffective management of information	Pages 24-25
Yellow	Failure to adopt a sound Local Plan	Page 26
Light Orange	Failure of income streams to meet Councils Financial requirements and obligations to other bodies	Page 27 -28
Purple	Failure in emergency and business continuity planning	Pages 29 - 30


Failure to deliver key services	RISK 1a - Failure to effectively manage assets - failure to achieve value or benefit from property transactions.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	9	3	3	Unchanged 	4 LOW	25 January 2024
	September 2021	9	Sizable	Sizable			
	March 2022	9					
	September 22	9					
	July 23	9					
	Current Action Status/ Control Strategy	Asset Strategy and associated delivery plan and ensuring an effective and flexible property dealing policy adopted by full council in May 2017 new office practice documents completed. <i>Review of the Asset Management Plan is due, and review of the action plan needs to be considered in relation to the priorities of the administration.</i>					
	Responsible Officer - Andy White						
Responsible Cabinet member(s) – Corporate Finance and Governance PFH							
Scrutiny Committee(s) – Resources and Services							

Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
		May 2021	10			
September 2021	10	Moderate	Critical			
March 2022	10					
September 2022	10					
July 2023	10					
Current Action Status/ Control Strategy	<p>Physical Infrastructure Controls - we have invested significantly over the past 7 years through our council digital transformation programmes and associated office transformation works to re-design and replace key physical network components to create an affordable level of resilience and redundancy within our office locations.</p> <p>Cloud Infrastructure Controls - significant resilience and speedier 'disaster recovery' capability is provided by our 'Public Cloud' Microsoft Azure platform providing resilient service through two 'mirrored' data centres delivering 95% of our applications. Key business continuity is provided our remote working capabilities. Ongoing work to replace 'legacy' systems. Our goal is to become a 'Cloud Only' technology user for business continuity/ resilience reasons.</p> <p>Monitoring & Response Controls - real-time enhanced 24/7 Network visibility, monitoring, reporting and alarms together with a 24/7 Security Operations Centre (SOC) provided by a 3rd party give us 'real time' network performance visibility and is allowing us to react swiftly and pro-actively to issues.</p> <p>Residual Risk - Catastrophic IT network failure risk is now likely to result from:</p> <ol style="list-style-type: none"> 1) National UK or regional network data infrastructure failure(s) 2) National UK or regional power issue(s). 3) A successful cyber-attack targeting our physical or Cloud network infrastructure. 					
Responsible Officer - John Higgins						
Responsible Cabinet member(s) - Corporate Finance and Governance PFH						
Scrutiny Committee(s) - Resources and Services						

Failure to deliver key services

CORPORATE RISK REGISTER – July 2023

RISK 1c - Ineffective communication / management of information - Failure to adopt implement and foster effective communication and information systems with an adverse impact on the ability to deliver services or relationship with key stakeholders.

Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
May 2021	15	3	5	Unchanged 	10	25 January 2024
September 2021	15	Sizable	Critical			
March 2022	15					
September 2022	15					
July 2023	15					

Current Action Status/ Control Strategy

Tendring District Council has robust Information Governance policies and practices based upon shared Essex-wide 'best practice' Information Governance policies. We undertake quarterly information governance monitoring through our Information Governance Policy Unit (strategic) and the Information Security Management Group (operational). Our processes are annually audited to ensure they remain fit for purpose.

The Data Controller, the council has a legislative duty to evidence and ensure that official council information is managed in full compliance with legislation, namely that data is stored: lawfully, fairly and transparently, adequate and relevant and limited to what is necessary, accurate and where necessary kept up to date, kept for no longer than is necessary in a form which permits identification of data subjects, ensuring 'integrity and confidentiality' protecting against unauthorised or unlawful processing and against accidental loss/ destruction/ damage through using appropriate security.

- *Following Full Council decisions 2nd March and then following the local elections and roll-out of new laptops to new Councillors all Council access to services is via managed-devices only (security posture-control) which has significantly strengthened information governance. Similarly, nearly all Councillors (see note) have managed-mobile phones.*
- *The Council still periodically experiences information breaches requiring investigation/ resolution. These are predominantly due to human error which is remediated through training and process review/ tightening.*
- *Updated information governance/ cyber security mandatory training for Councillors will be rolled-out this quarter.*

Responsible Officer - John Higgins - Senior Information Risk Officer (SIRO) Judy Barker – Data Protection Officer (DPO)


Responsible Cabinet member(s) - Corporate Finance and Governance PFH


Scrutiny Committee(s) - Resources and Services Committee

Failure to deliver key services

Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
		May 2021	20			
Sept 2021	20	Major	Critical			
March 2022	20					
September 23	20					
July 2023	20					
Current Action Status/ Control Strategy	<p>Tendring District Council has robust cyber-security including physical devices (Firewalls), network segregation, protective software applications to protect the Council from the daily occurrences of external Cyber-attack. Cyber-security is an essential part of our induction training. In addition, phishing awareness campaigns are also ongoing.</p> <p>With council cyber-attacks growing exponentially in both volume and complexity the council must consider that it is not <u>IF</u> but <u>WHEN</u> a successful cyber-attack is made and we continue to plan, train and exercise accordingly.</p> <p><i>Having implemented an 'immutable backup' regime we have data restoration capabilities from locked-down safe sources. That said, in a restoration scenario we will lose any recent made data changes so an element of recovery will still be necessary.</i></p> <p><i>Following Full Council decision of 2nd March 2023 and adoption of managed-devices by all Councillors we have implemented cyber-security posture control council-wide. This is a significant step-change in minimising the number of attack vectors' (pathways) that a hacker can use to attack and attempt to exploit vulnerabilities to gain access to networks/ computers/ digital devices/ information/ data. We will continue to move towards a Zero trust Network Architecture (ZTNA) as a direction of travel over the next twelve months. ZTNA means that in addition to monitoring infrastructure hardware for security vulnerabilities, every user device connecting to services is routinely checked for access rights and vulnerabilities (in the background).</i></p>					
Responsible Officer - John Higgins						
Responsible Cabinet member(s) - Corporate Finance and Governance PFH						
Scrutiny Committee(s) - Resources and Services Committee						


Failure to deliver key services

Failure to deliver key projects	RISK 2a - Coastal Defence - The Council has a coastline of 60km and maintains the sea defence structures along 18.5km of this frontage. These defences protect the towns of Harwich, Dovercourt, and Walton on the Naze, Frinton on Sea, Holland on Sea, Clacton and Brightlingsea. <i>The cliffs are prone to stability issues because of steep slopes in many areas, historical structures, and past shortage of funds for maintenance.</i> Unforeseen expenditure may be required on sea defences, which if left to deteriorate could cause catastrophic cliff failure and impact safety of residents/visitors nearby. The East Coast of the UK is vulnerable to a phenomenon called a North Sea Tidal Surge.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	15	3	5	Increasing residual risk 	15 High	25 January 2024
	September 2021	15	Sizable	Critical			
	March 2022	15					
	September 2023	15					
	July 2023	15					
Current Action Status/ Control Strategy	<p>Conducting annual inspections of coast protection structures and responding swiftly to public reporting of <i>minor</i> faults. An annual maintenance programme for the coastal frontage is set each year with an appropriate budget to cover the works. Each year sections of the sea defences are improved as part of a rolling programme of special maintenance schemes funded from the Council's Revenue Budgets. Works undertaken range from day-to-day maintenance of promenades and seawalls to schemes costing millions of pounds. Larger capital schemes attracting grant in aid are produced to comply with Defra guidelines and their High-Level Targets for coast protection.</p> <p><i>At present there are identified areas of current cliff instability where funding to conduct necessary major projects would need to be identified.</i></p>						
Responsible Officer: Damian Williams <i>Andy White</i>							
Responsible Cabinet member(s) - <i>Cllr. M. Bush Portfolio Holder for Environment.</i>							
Scrutiny Committee(s) - Resources and Services							


Failure to deliver key projects	RISK 2b - Community Leadership Projects - Potential for impact to the reputation of the Council and impact on Communities, through failure to deliver key projects with partners.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	12	3	4	Unchanged 	8	25 January 2024
	September 2021	12	Sizable	Major			
	March 2022	12					
	September 2022	12					
	July 2023	12					
	Current Action Status/ Control Strategy	<p>Clearly defined Terms of Reference agreed between partners & TDC. Action plans agreed as appropriate for each project and reviewed on a regular basis.</p> <p>Action plan delivery (regular monitoring and feedback to Community Leadership Committee, Portfolio Holder, and external partners)</p> <p>A Community Asset Map has been produced via the Northeast Essex Alliance, this provides a useful tool to identify where to focus resources to strengthen and build more resilient communities. The Council is now working within the new health structure and has representatives that attend the Integrated Care Partnership Board and the Alliance Board, following the termination of CCGs in July 2022.</p> <p><i>The reputational, financial risk of engaging in partnership relationships (e.g. NEEB, Joint Use Agreements) is addressed through robust agreements, to ensure risk to the Council is minimised.</i></p>					
	Responsible Officer - Anastasia Simpson / John Fox/ Rebecca Morton						
Responsible Cabinet member(s) - Partnerships PFH							
Scrutiny Committee(s) - Community Leadership							

Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
		May 2021	8			
September 2021	8	Moderate	Major			
March 2022	8					
September 2022	8					
July 2023	8					
Current Action Status/ Control Strategy		Government has removed the HRA borrowing cap, but prudential borrowing rules still apply. Modelling has been undertaken within the business plan and we are comfortable that 200 new homes could be built over the next 8 – 10 years dependent upon build costs and land availability. The Government has signalled a potential continuation and extension of the PRP RTB pilot but has given no firm commitment as to how it will be funded. This is a concern as it could signal a revival of the forced sale of high value assets policy, which had been suspended. This would have a significant and detrimental impact on our business plan and capacity to build.				
Responsible Officer – D Williams						
Responsible Cabinet member(s) - Housing PFH						
Scrutiny Committee(s) – Resources and Services						

Failure to deliver key projects


Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
May 2021	15	1	2	Inherent Risk Reduced 	2 LOW	25 January 2024
September 2021	15	Minor	Moderate			
March 2022	15					
September 2022	15					
July 2023	2					
Current Action Status/ Control Strategy	<p>Through the provision of effective organisational leadership through culture, change management, vision, values, communication and encouraging innovation and empowering staff.</p> <p>Physical, technological, and organisational changes are substantially complete. Project Board monitors on an ongoing basis.</p> <p>Technological capacity has been exhaustively tested.</p> <p><i>Completion of physical works relating to this project are now completed, therefore the inherent risk and residual risk have been reduced to reflect this.</i></p> <p><i>Resources used for this project are now concentrating on council property repairs and maintenance activities.</i></p>					
Responsible Officer – Andy White						
Responsible Cabinet member(s) – <i>Cllr Peter Kotz</i> - Corporate Finance and Governance PFH						
Scrutiny Committee(s) – Resources and Services						

Failure to deliver key projects

Failure to deliver key projects	RISK 2e - Essex Family / Family Solutions - A TDC appointed Family Support Worker working within Tendring Family Solutions Team. Risks of the project include potential breaches of data protection, Council reputation and professional liability (working with vulnerable families)						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	8	2	4	Unchanged 	8 MEDIUM	25 January 2024
	September 2021	8	Moderate	Major			
	March 2022	8					
	September 2022	8					
	July 2023	8					
	Current Action Status/ Control Strategy	<p>Matrix management arrangements in place between TDC and ECC with clear workload management. The TDC FSW will be subject to the same control environment as other team members within Family Solutions. TDC has increased management capacity to oversee the FSW position.</p> <p>Funding has now been secured to move the post onto the Council establishment, so there is less risk to families. An additional Family Solutions post for Harwich is being funded for one year with CCG funding to support health inequalities projects across the District.</p>					
	Responsible Officer - Anastasia Simpson						
Responsible Cabinet member(s) - Partnership PFH							
Scrutiny Committee(s) - Community Leadership							


Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
		May 2021	12			
September 2021	12	Major	Sizeable			
March 2022	12					
September 2022	12					
July 2023	12					
Current Action Status/ Control Strategy	<p>Garden Community formally allocated for development in the jointly adopted Local Plan for North Essex following independent examination by a government-appointed Planning Inspector. Planning permission granted by Essex County Council for A120/A133 link road – a key piece of infrastructure that will unlock land for development. <i>Housing Infrastructure Funding (HIF) in place to deliver the link road and a Rapid Transit System (RTS); however, a review of costs mean that developer funding will be required to complete the link road.</i></p> <p>The lead developer has control over most of the land and is keen to collaborate positively with the Council to deliver the development following a 'planning-led' process rather than through a Development Corporation approach. <i>Memorandum of Understanding in place with the lead developers Latimer to fund completion of the link road.</i></p> <p>Joint Committee has been formed between Tendring, Colchester and Essex to ensure a coordinated approach to decision making with an initial focus on agreeing a planning framework and looking forward to the determination of planning applications. Recent change in membership at Colchester following local elections which may or may not have implications for decision making going forward. <i>Membership of the Joint Committee is not proposed to change following the May 2023 local elections.</i></p> <p>A development plan document is being created through partnership between Tendring, Colchester and Essex to set out more detailed framework for the layout and delivery of the proposed garden community. This has <i>already</i> been the subject of an initial round of public consultation, <i>and, at the time of writing, the 'submission version' of the plan was out to consultation with the intention to submit to the Secretary of State following consultation.</i></p> <p>There will be a need to reconcile the different views of the lead developer, the University of Essex, and residents in the affected area. A dedicated planning team is being formed between Tendring, Colchester and Essex to resource the planning process going forward – expected to be in place from September 2022. A dedicated planning team is being formed between Tendring, Colchester and Essex to resource the planning process going forward <i>with the Planning Manager already in place and a contribution towards additional resources being discussed with the lead developers through a Planning Performance Agreement (PPA).</i></p>					
Responsible Officer: Gary Guiver						
Responsible Cabinet member(s) – Leader – <i>Planning and Housing Portfolio Holder</i>						
Scrutiny Committee(s) - Resources and Services						

Failure to deliver key projects.

Reputational damage	RISK 3a - Member Conduct - The Localism Act 2011 places a statutory duty upon Councils to promote and maintain high standards of conduct amongst its own Elected Members and any co-opted Members. Upheld Code of Conduct complaints risk damaging the Council's reputation adverse implications on its ethical governance arrangements, together with an increase in Council resources to assess and investigate complaints.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	12	3	4	Unchanged 	4 LOW	25 January 2024
	September 2021	12	Sizable	Major			
	March 2022	12					
	September 2022	12					
	July 2023	12					
	Current Action Status/ Control Strategy	Regular reports to Standards Committee and discussions with Group Leaders and providing regular refresher training for Members on the Code of Conduct requirements.					
	Responsible Officer: Management Team (Lisa Hastings, Monitoring Officer)						
Responsible Cabinet member(s) - Code of Conduct matters are reported to the Standards Committee, as a Non-Executive function.							
Scrutiny Committee(s) – N/A							


Reputational damage	RISK 3b - Failure to comply with legislative requirements - Risk of judicial reviews court claims for damages or injunctions being sought against the Council, causing delay in service delivery and financial loss to defend actions.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	16	4	4	Unchanged ↔	2 LOW	25 January 2024
	September 2021	16	Major	Major			
	March 2022	16					
	September 2022	16					
	July 2023	16					
	Current Action Status/ Control Strategy	<p>Ensuring that communication between the Directors and Service Managers with the Legal Team is kept up to date with regards to resourcing priorities and project planning. Governance and <i>Head of Legal Services</i> to be kept informed of new developments through regular discussions to be held between Services, Management Team, and Cabinet agendas.</p> <p>Briefing Notes to Management Team to be prepared by Legal Services, where cases are on the increase or themes emerge.</p>					
	Responsible Officer - Lisa Hastings						
Responsible Cabinet member(s) - Leader and Finance and Governance Portfolio Holder							
Scrutiny Committee(s) - Resources and Services							

Reputational damage	RISK 3c - Health and Safety - Failure to have effective Health and Safety processes in place exposing public and staff to increased risk of injury or illness.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	20	4 Major	5 Critical	Unchanged ↔	10 MEDIUM	25 January 2024
	September 2021	20					
	March 2022	20					
	September 2022	20					
	July 2023	20					
	Current Action Status/ Control Strategy	Identifying an officer with overall responsibility for ensuring that effective Health and Safety processes in place. <i>Administrative officer undertaking NEBOSH Health and Safety training to support current arrangements.</i> Providing regular Health and Safety updates to Management Team					
	Responsible Officer: Richard Barrett/ <i>Clare Lewis</i>						
Responsible Cabinet member(s) Corporate Finance and Governance PFH / HR and Council Tax Committee							
Scrutiny Committee(s) n/a							

Reputational damage	RISK 3d - Fraud and Corruption - Failure to deliver effective counter fraud activities.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	15	5	3	Unchanged 	10 MEDIUM	25 January 2024
	September 2021	15	Critical	Sizeable			
	March 2022	15					
	September 2022	15					
	July 2023	15					
	Current Action Status/ Control Strategy	<p>Established Fraud and Compliance Team undertaking counter fraud role, <i>new compliance officer appointed in March 2023.</i></p> <p>Internal Audit Team providing advice / recommendations to improve control environment and mitigate exposure to fraud risks.</p> <p>Rules and procedures as laid down in the Constitution.</p> <p>Anti-Fraud and Corruption Strategy reviewed and reported to the Audit Committee annually.</p> <p><i>Ongoing</i> fraud awareness training being conducted for all TDC employees, <i>associates</i>, and Members. <i>Now part of the council's induction process.</i></p>					
	Responsible Officer: - Richard Barrett/ <i>Clare Lewis</i>						
Responsible Cabinet member(s) - Corporate Finance and Governance PFH							
Scrutiny Committee(s) - Resources and Services / Audit							

CORPORATE RISK REGISTER – July 2023

RISK 4a - Loss of Key Staff - Loss of key staff either through service changes or natural turnover impacting on delivery and /or reputational risk e.g, managing elections.

Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
May 2021	12	4	4	<i>Residual Risk reduced</i> 	12 MEDIUM	25 January 2024
September 2021	12	Major	Major			
March 2022	12					
September 2022	16					
July 2023	16					

Current Action Status/ Control Strategy

Effective HR processes in place to identify early signs of workforce issues. Skills focus and flexible approach across the Council. “Grow our Own” approach to talent management. strategy and Apprentice Sponsorship (s) are in place. Ongoing development and investment into ‘Career Track’ help to upskill existing staff and attract talent.

~~Daily monitoring of staff absence takes place during periods of long term disruption, such as during an emergency / pandemic to identify any areas requiring access to additional capacity and Management Team have access to a weekly update. Although the Council is now in a position of ‘living with Covid’ the daily absence recording is still taking place and any exceptions are being reported to Management Team. The Council are finding some hard to recruit areas developing across the Council. To address this EELGA have been commissioned to review pay bands across the Council. The feedback from this work will be presented to the HR Committee.~~

Utilisation of ECC recruitment arm to advertise specialist roles, ensuring a much wider reach of candidates. Encouragement of secondment opportunities both internally and externally (with other authorities) to support service delivery in specialist areas. Council involvement in cross-Essex professional development programmes (such as Essex Leaders) to strengthen the authority’s leadership. The Assistant Director change management programme seeks to ensure the Council provides a robust career progression programme for its staff from entry level to senior management. Where there is an urgent need, agency staff can be engaged, however, this will come at additional cost and may be less effective in some specialist areas.


Responsible Officer - Management Team (Anastasia Simpson/Katie Wilkins)

Responsible Cabinet member(s) - HR and Council Tax Committee

Scrutiny Committee(s) N/A

Ineffective workforce management and planning

CORPORATE RISK REGISTER – July 2023


RISK 4b - Lack of capacity to deliver core services - not retaining / having access to staff capacity to deliver services and priorities.						
Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
May 2021	12	4	4	<i>Residual risk reduced.</i> 	12 MEDIUM	25 January 2024
September 2021	12	Major	Major			
March 2022	12					
September 2022	16					
July 2023	16					
Current Action Status/ Control Strategy	<p>Identification of areas of key person dependency, skills and competency matching and corporate approach to the delivery of key services and projects through secondments / cross service working. Effective succession planning information sharing through Management Team.</p> <p>The Council is starting to experience some recruitment challenges and filling posts in several different service areas. EELGA have been commissioned to review pay bands and provide advice and feedback will be presented to the HR Committee.</p> <p><i>Bi-yearly workforce reporting to MT/Human Resources & Council Tax Committee, includes current vacancy information, Age Profile, Gender Pay Gap, and Sickness Absence data.</i></p> <p><i>The Council worked with the East of England Local Government Association last year to carry out an independent review of its pay structure. This led to some options to support best use of the NJC pay spine in alignment with the employment market. These included, salary and benefits benchmarking, improved marketing of vacancies and employment offer and expanding our well-established “grow our own” ethos. These options are currently being considered as part of the Assistant Director change programme.</i></p> <p><i>Alternative approaches for selection process are being introduced to respond to rapid changes in job market and streamline the process. Increased flexible working arrangements, including increased options for remote working have widened candidate pool and geographic area from which candidates are now drawn.</i></p> <p><u>Considerations (applicable to 4a & 4b):</u></p> <p><i>Staff costs are a significant proportion of the Council’s general budget and therefore, any financial pressures may result in decreased ability to maintain capacity. In that situation, priority for staffing resources will be given in accordance with the corporate plan and associated priorities.</i></p> <p><i>Staff costs are subject to National Pay Award. Current financial pressures e.g., inflation/minimum wage are seeing increasing pressure on the National Employers to raise the annual Pay Award, resulting in increased costs to the Council.</i></p> <p><i>While being part of National Employers brings many benefits, it does reduce the Council’s ability to influence the Pay Award.</i></p> <p><i>Furthermore, national bargaining also carries the risk of localised industrial action. Finally, National Terms of Employment, also mean that the Council has limited flexibility to improve remuneration to attract and retain candidates in a competitive employment market.</i></p>					
Responsible Officer - Management Team (Anastasia Simpson/Katie Wilkins)						
Responsible Cabinet member(s) - Human Resources Committee and Council Tax Committee						

Ineffective workforce management and planning

CORPORATE RISK REGISTER – July 2023

Failure to deliver a balanced and sustainable budget.

RISK 5A - Financial Strategy - The impact of achieving a balanced budget in an ever-tightening financial environment on service delivery objectives.

Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
May 2021	20	4	5	Unchanged 	15 HIGH	25 January 2024
September 2021	20	Major	Critical			
March 2022	20					
September 2022	20					
July 2023	20					

Current Action Status/ Control Strategy

Long Term Financial Plan updated on an ongoing basis.

- Financial Strategy / Forecast Preparation including identifying and capturing significant risks such as changes to government funding, and the identification of savings which will require some challenging decisions.
- Robust and timely Budget Monitoring Processes.
- Engagement with key stakeholders, members, and senior management as early as possible. *Key financial items discussed at dedicated / regular meetings of Management Team*
- Responding to and implementing recommendations and advice issued by the Council’s External Auditor.
- ~~Material savings options to be individually risk assessed~~

~~If the event that the long-term approach does not deliver the intended outcomes, then the Council can revert to the more traditional / short term approach to setting the budget.~~

~~In addition to the above a zero-based approach to budget setting will be further developed in 2022/23 along with the corporate investment plan approach to prioritise resource allocation.~~


A framework in which to deliver required savings is currently being developed with the aim of capturing key financial information to support the associated decision-making process alongside the corporate plan / priorities process. This will also sit alongside a review of the investment plan approach and the use of key zero based budgeting principles in developing the forecast looking ahead to 2024/25 and beyond.

A review of the length of the financial planning cycle is subject to review during 2023. However, in the event that the long-term approach is unable to support the delivery of the intended outcomes, then the Council can revert to the more traditional / short term approach to setting the budget.

Responsible Officer: Richard Barrett


Responsible Cabinet member(s) - Corporate Finance and Governance PFH


Scrutiny Committee(s) – Resources and Services

RISK 6a - Loss of sensitive and/or personal data through malicious actions loss theft and/or hacking.						
Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
May 2021	20	5	4	Unchanged 	15 HIGH	25 January 2024
September 2021	20	Critical	Major			
March 2022	20					
September 2022	20					
July 2023	20					
Current Action Status/ Control Strategy	<p>Multi-firewall network segregation implemented with role-based access to systems necessary for work. Governance procedures/ policies/ responsibilities quarterly reviewed by the Information Governance Policy Unit. All remote working is protectively 'tunnelled' utilising Microsoft VPN technology.</p> <p>All officer mobile devices (laptops, tablet, and phones) are encrypted with complex passwords and are managed using Microsoft Mobile device Management (MDM) to further protect data. Enhanced monitoring of the Council's internal network data flows focusses on early detection/ isolation of cyber-attack. The Council maintains an ongoing campaign to educate staff and members as to a range of cyber-attacks/ techniques.</p> <p>To-date all information breaches have been down to human-error. We have robust security breach reporting arrangements, and each such breach is investigated and lessons-learned in terms of reducing the operating risk or providing additional staff training etc.</p> <p><i>Procedures are in place to manage agreements where appropriate, where partner organisations are managing data on behalf of the Council. Consultation with the Council's Data Protection Officer should be undertaken prior to agreements being formed. This will ensure risk to the organisation is managed effectively.</i></p>					
Responsible Officer - John Higgins – Senior Information Risk Owner (SIRO) Judy Barker – Council's named Data Protection Officer						
Responsible Cabinet member(s) - Corporate Finance and Governance PFH						
Scrutiny Committee(s) - Resources and Services Committee						


Ineffective management of information

CORPORATE RISK REGISTER – July 2023


Ineffective management of information	RISK 6b - Disconnection from PSN Network - Failure to achieve PSN recertification resulting in disconnection from PSN services, e.g., DWP, IER etc. and urgent alternative arrangements to continue providing statutory service.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	20	3	4	Unchanged 	5 LOW	25 January 2024
	September 2021	20	Sizable	Major			
	March 2022	12					
	September 2022	12					
	July 2023	12					
	Current Action Status/ Control Strategy	<p>This risk constitutes an annual cycle of IT security Health Check using a registered consultant, remediation/ resolution of any security issues identified then completion and submission of compliance documentation to central government national Cyber Security Centre (NCSC) for PSN recertification.</p> <p>PSN re-certification was last achieved 23 November 2019. Both the Public Services network (PSN) itself and the PSN IT Security Health Check regime is nearing the end of its lifecycle.</p> <p>Over the past two years in readiness for the PSN closure the council has been steadily undertaking a range of cybersecurity improvements to achieve compliance with new National Cyber Security Centre security standards. These give Tendring District Council emails trusted status within the public sector and the robust security to enable us to exchange 'official' and 'official sensitive' information securely with other partners (which was the previous Role of the PSN).</p> <p>The council is working with the Department for Levelling Up, Housing and Communities (DLUHC) cyber team who have performed a full audit across our estate with a resultant Improvement Plan now 90% completed.</p> <p><i>In February 2023 Cabinet Office have contacted all local authorities requesting thy renew their certification with PSN for 2023/24 so the threat of disconnection from central government (which facilitates Housing Benefits) remains current. We are in the process of organising a 2023 PSN IT Health Check by 3rd specialist third party as part of our re-certification submission.</i></p>					
	Responsible Officer: John Higgins						
Responsible Cabinet member(s) - Corporate Finance and Governance PFH							
Scrutiny Committee(s) - Resources and Services Committee							

Failure to adopt a sound Local Plan	RISK 7a - Local Plan - Failure to achieve a positive result from the Examination in Public into the Local Plan						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	12	3	4	Residual Risk Reduced 	5 LOW	25 January 2024
	September 2021	12	Sizable	Major			
	March 2022	12					
	September 2022	12					
	July 2023	12					
	Current Action Status/ Control Strategy	<p>Officers worked closely with the other North Essex Authorities, other partners and have taken advice as necessary to submit a robust Local Plan to prepare for the examination in public.</p> <p>Although a local plan has now been adopted the planned review of the risk register as set out in the main body of the report will give further consideration to this risk going forward e.g., future plan periods.</p> <p><i>Local plan adopted in January 2022 current residual risk is therefore reduced to a minimal. The risk to the council of not meeting this will increase when the Local plan is reviewed in 2025.</i></p>					
	Responsible Officer: Gary Guiver						
Responsible Cabinet member(s) – Leader							
Scrutiny Committee(s) – Planning							

Failure of income streams to meet Councils financial requirements and obligations to other bodies.	RISK 8a – Failure to collect levels of income required from Council Tax to fund the Council's financial requirements.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	20	4 Major	5 Critical	Unchanged ↔	10 MEDIUM	25 January 2024
	September 2021	20					
	March 2022	20					
	September 2022	20					
	July 2023	20					
	Current Action Status/ Control Strategy	Regular budget monitoring including reports to Cabinet, which will also set out options to respond to any adverse issues, as necessary.					
	Responsible Officer: Richard Barrett						
Responsible Cabinet member(s) - Corporate Finance and Governance PFH							
Scrutiny Committee(s) - Resources and Services							

Failure of income streams to meet Councils financial requirements and obligations to other bodies.	RISK – 8b - Failure to collect levels of income required from Non-Domestic Rates in order to meet the shares between the Government, Essex County Council, Essex Fire Authority and Tendring District Council.						
	Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
			Probability	Impact			
	May 2021	20	4	5	Unchanged 	10 MEDIUM	25 January 2024
	September 2021	20	Major	Critical			
	March 2022	20					
	September 2022	20					
	July 2023	20					
Current Action Status/ Control Strategy	Regular budget monitoring including reports to Cabinet, which will also set out options to respond to any adverse issues, as necessary.						
Responsible Officer: Richard Barrett							
Responsible Cabinet member(s) - Corporate Finance and Governance PFH							
Scrutiny Committee(s) - Resources and Services							

Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
		May 2021	12			
September 2021	12	Sizable	Major			
March 2022	12					
September 2022	12					
July 2023	12					
Current Action Status/ Control Strategy	<p><i>To continue to develop and regularly test of various aspects of the Council's Emergency Plan including working with multi-agency partner organisations and parish and town councils. This includes significant planning for and delivery of exercises and in addition a wide range of training to help maintain the Council's preparedness.</i></p> <p><i>The Council continues to experience a number of events. Systems, structures, and processes are in place to respond to any Emergency Planning event; however, this does require considerable capacity across the Council.</i></p> <p><i>In a major event Vulnerable Intelligent Persons Emergency Response can be used to identify vulnerable people who may need support.</i></p> <p><i>Trending continues to lead the Pan-Essex Vulnerable Intelligent Persons Emergency Response (VIPER) system initiative. This new (VIPER) system is now live across Essex. The system allows Emergency Planners to draw an emergency 'area of effect' on a map and VIPER will generate details of all residents affected in seconds and supports vulnerable residents who may require specialist assistance/support.</i></p> <p><i>The Council has experienced an unprecedented number of Emergency Planning incidents during July/August 2022, particularly due to the hot weather and fires. Systems, structures, and processes are in place to respond to any Emergency Planning event; however, this does require considerable capacity across the Council. It should be noted that most employees undertake this work on a voluntary basis, and this is currently being reviewed by the HR Team.</i></p>					
Responsible Officer – John Fox/Catherine Boyer-Besant						
Responsible Cabinet member(s) - Partnerships PFH						
Scrutiny Committee(s) - Community Leadership						

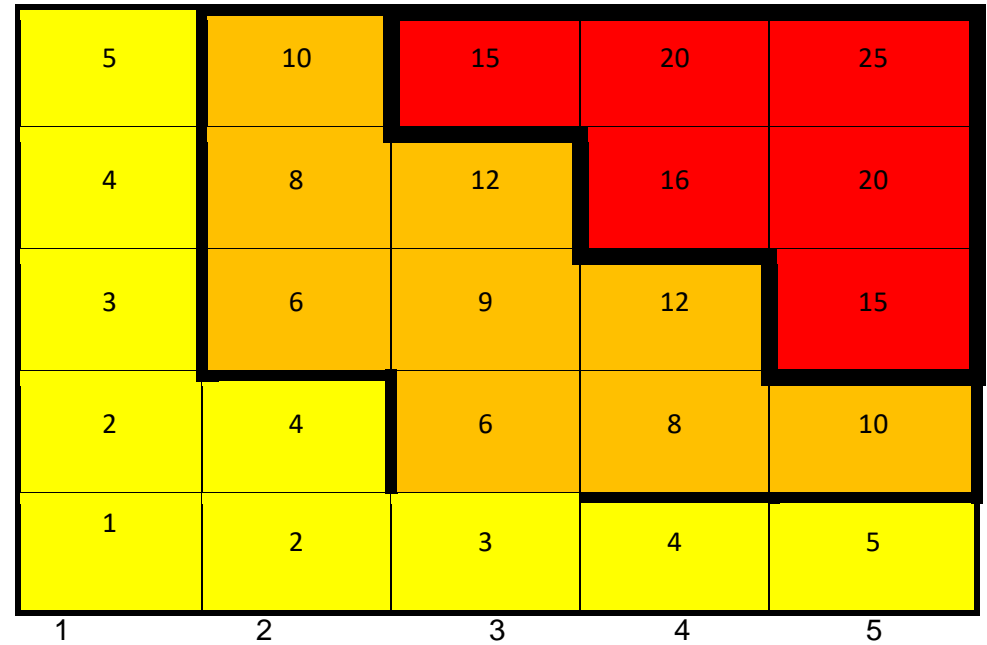
Assessment date	Inherent risk score	Present inherent risk score breakdown		Direction of Risk	Residual Risk rating	Review date
		Probability	Impact			
May 2021	10	2	4	Unchanged 	8 Medium	25 January 2024
September 2021	10	Moderate	Major			
March 2022	8					
September 2022	8					
July 2023	8					
Current Action Status/ Control Strategy	<p>Responsibility for Business Continuity now resides within the Digital Services and Assurance team with the Assurance and Resilience manager continuing to provide support to services to ensure that their plans remain current. A current review of all Business Continuity Plans is underway.</p> <p>Our new public cloud-based infrastructure provides significantly improved resilience in information storage, applications, and reduced reliance upon office premises through flexible / remote working.</p> <p>Use of IT to record and support the development of service risk assessments and business continuity impact assessments – <i>was expected to be implemented during 2022 but has been delayed. Specialist certificated training for key staff has commenced and is expected to be finished the first half of 2023/24. The Council has plans in place to adopt a new corporate Business Continuity Plan (BCP) which will cascade down the service Business Impact Assessments (BIAs).</i></p>					
Responsible Officer - John Higgins/ <i>Clare Lewis</i>						
Responsible Cabinet member(s) - Partnerships PFH						
Scrutiny Committee(s) - Community Leadership						

APPENDIX – METHODOLOGY FOR CALCULATING RISK

RISK RATING ELEMENTS - IMPACT

Risk level	Impact				
	Level	Financial	Service Delivery	Safety	Reputation
5	Critical	Loss of more than £1m	Effective service delivery is unachievable.	Fatality (Single or Multiple)	Reputation damage is severe and widespread i.e. Regulatory body intervention
4	Major	Loss above 250K but below £1m	Effective service delivery is severely disrupted in one or more areas	Multiple serious injuries requiring professional medical treatment	Reputation damage occurs with key partners.
3	Sizeable	Loss above £25K below £250K	Effective service delivery is disrupted in specific areas of the Council.	Injury to an individual(s) requiring professional medical treatment	Reputation damage is localised and/or relatively minor for the Council as a whole
2	Moderate	Loss above £5K below £25K	Delays in effective service delivery	Minor injury - no professional medical treatment	Slight reputation damage
1	Minor	Loss of up to £5K	Minor disruption to effective service delivery i.e., Staff in unplanned absence for up to one week	No treatment required	Reputation damage only on personal level

Timescale ----- Probability	Up to 6 months	To 12 months	To 24 months	To 60 months	60+ months
Over 80%	5	4	3	2	1
65%-80%	4	4	3	2	1
50 – 64%	3	3	3	2	1
30 – 49%	2	2	2	2	1
Under 30%	1	1	1	1	1



Probability

Impact x Probability = Overall Risk Rating

RISK CALCULATION MATRIX

RISK RATING ELEMENTS – PROBABILITY