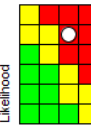
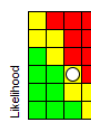
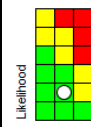
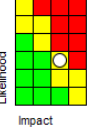


Ashfield District Council Corporate Risk Register – Analysis

Quarter 3 2018/19

Place and Economic Growth Priority

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Resp for Action	Mitigating Actions	Comments	Last Reviewed
							BC Link				
(ADC) CR040	Failure to have adopted LDF / Local Plan				Reduced to low	<ul style="list-style-type: none"> • Diminish ability to stimulate economic growth • Increase likelihood of a developer lead approach to devt. • Maximises potential for a ward of costs against the authority • New approach to plan. High risk. Members Aware. • Local Plan now at preferred approach. Need to publish next stage. Failure to achieve will set back timetable. • If plan requires subsequent revision, will add delays. 	X	Christine Sarris	<p>Need alternative approach to development with Members through adoption of Core Strategy</p> <p>Regular engagement with Members to bring them on board</p> <p>Keeping abreast of latest challenges; work with Planning Advisory Service for proof-reading</p> <p>Work with elected members to address concerns</p> <p>Provide professional guidance</p> <p>Keeping a clear audit trail of engagements with developers and consultees</p>	<p>As we are starting afresh and the timetable has just been developed for the next two years there is limited risk at this time.</p> <p>CLT determined currently at risk of judicial review – therefore this risk will be reviewed and amended in relation to broader risks of not having local plan in place.</p> <p>Review of risk awaited</p>	5 Oct 2018
(ADC) CR086	Loss of planning appeals	new	new			surpass the 10% limit and end up in special measures		Christine Sarris	Councillor training, Officer training & monitoring	The major planning applications are reviewed on a regular basis. At this time there is no significant risk. If however we lose two or three major applications at appeal over the next year this risk will increase.	5 Oct 2018

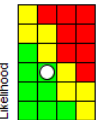
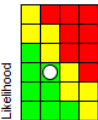
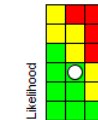
Communities and Environment Priority

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Resp for Action	Comments	Last Reviewed
(ADC) CR071	[Corporate Risk] Failure to demonstrate compliance with TEEP assessment under Waste Framework Directive				Reduced still medium	<ul style="list-style-type: none"> • Full redesign and expansion of waste services • Additional cost incurred 	Medium	<p>TEEP assessment to be reviewed annually by JWMC</p> <p>Ensure TEEP compliance with trial review</p>	Sam Dennis	<p>Exploring options for separate food waste collection as part of County Wide response to formal consultation on the government's new Waste and Resources Strategy.</p> <p>Ashfield currently collects separate glass and garden waste which supports TEEP principles. Kerbside co-mingles recycling has been assessed for the County using TEEP principles and the current system of waste treatment sort enables compliance.</p>	28 th Jan 2019
(ADC) CR072	[Corporate Risk] Failure to meet requirement of Waste Directive to achieve 50% recycling rate by 2020				Increased to significant	<ul style="list-style-type: none"> • potential fines from EU • reputational damage 	High	<p>development of Scrutiny review in September 2016</p> <p>Discussions with County regarding innovative options is ongoing</p>	Sam Dennis	The Council is engaging with other authorities to respond to the Government's consultation around the new Waste and Resources strategy. The strategy includes food and garden waste, which would enable increased recycling for all local authorities.	22 nd Feb 2019
(ADC) CR083	Failure to Support and Safeguard Vulnerable people				Reduced to medium	<ul style="list-style-type: none"> • Significant adverse outcomes for vulnerable people suffering with mental health issues • Reputation of the council and its partners • Financial impact through lack of working in joined up manner 		<p>Working with NCC and other districts to review opportunity to improve closer working with mental health services</p> <p>Development of a strategy to support and safeguard vulnerable people</p>	Rebecca Whitehead	As of the start of 2019 the Complex Case Panel now meets on a fortnightly basis rather than monthly ensuring greater efficiency; with high risk cases being heard by the multi-agency panel and actions being undertaken and tracked more swiftly. A growing number of partners are attending and making referrals with new engagement by CRC probation and the CCG which is bringing	4 th Feb 2019

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Resp for Action	Comments	Last Reviewed
										additional resource into problem solving and managing cases. The Complex Case team is a district wide service and benefits from partner agencies secondments into the team and the specialist DV caseworker to support and safeguard vulnerable residents.	

Housing Priority

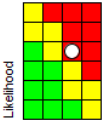
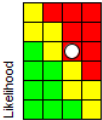

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR046	[Corporate Risk] Introduction of Universal Credit				No change	<ul style="list-style-type: none"> Potential loss of HRA rental income if tenants receiving UC choose not to pay rent (Profiling of current tenants as at 20/2/17 show that there is a risk to the rent roll (circa £11 million) as there will be around 3200 tenants affected. 2380 –high risk and 820 medium risk). This does not include those tenant who have working age partners. 	Low	<p>There is a dedicated officer for Welfare Reform in the Tenancy Service Section. This Officer has close links with the DWP.</p> <p>There is a formalised internal process for managing UC cases.</p> <p>There is a UC action plan in place. This needs reviewing regularly especially around resource</p>	Nikki Moss	<p>The controls remain the same.</p> <p>UC rents cases are being monitored closely to ensure appropriate support is in place for tenants. Arrears attributed to UC continue to increase week on week. This is expected and is line with other Social Housing Providers across the country.</p> <p>Arrears are monitored very closely each week to ensure appropriate actions are being taken and support is provided.</p>	20 th Feb 2019

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
								<p>requirements to manage the process.</p> <p>The Council operates an agency agreement with DWP to assist residents who wish to claim UC</p> <p>The Welfare Reform Group brings together a series of different disciplines and partners to ensure the Council's response to UC remains pro-active and robust</p>			
							X				
(ADC) CR062	Inability to deliver affordable housing	 <p>Likelihood Impact</p>	 <p>Likelihood Impact</p>	 <p>Likelihood Impact</p>	No change	<ul style="list-style-type: none"> Targets not met lack of new affordable housing going forward 	Low	<p>Use of S106 funding</p> <p>Tackling empty homes</p> <p>Close working with Planning Services</p> <p>Work with private landlords via the Landlords Forum</p> <p>Enforcement to tackle poor standard housing</p>	Phil Warrington	It is still possible to deliver affordable housing through acquisitions, RP developments and s106 obligations. However there are currently fewer opportunities to pick up the latter.	10 th Jan 2019

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR081	CR081 Temporary Accommodation – insufficient units to meet demand	New			Reduced to medium	<ul style="list-style-type: none"> Finance – higher bed and breakfast costs Statute – failure to meet statutory duty 	Yes	Filter in more properties as become available through tenancy voids Find additional resource to manage properties	P Warrington	Lower risk as demand for TA has reduced and expectation is this will be a long term shift.	18 Feb 2019

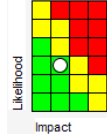
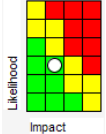
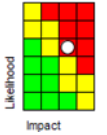
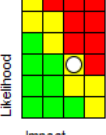
Organisational Improvement Priority

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR029	[Corporate Risk] Failure to make required savings as identified in MTFS				No change	<ul style="list-style-type: none"> Council cannot fund full range of services in future Pressure on General Fund reserves 	Medium	CLT and Cabinet will work together to identify savings and income generation opportunities Generate additional income For 2017/18, £1m of savings have been identified, and these workshops will continue throughout 2017, with the aim of identifying a further £1m of savings/addition income for 2018/19.	Pete Hudson	Basis for presenting a balanced draft budget for 2019/20 agreed in principle 21/01/19. MTFS update report will be submitted to Cabinet in February 2019. Significant uncertainty re funding for 2020/21 and 2021/22 due to Fair Funding Review, Business Rates re-set and potential changes to the distribution arrangements for New Homes Bonus. Current indications are a £2.1m and £2.5m funding gap for these respective years.	21 Jan 2019

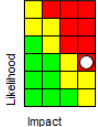
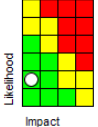
Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR033	[Corporate Risk] Ability to achieve efficiencies and compliance from procurement reviews / improvement	 Likelihood Impact	 Likelihood Impact	 Likelihood Impact	Reduced to low	<ul style="list-style-type: none"> •Penalties for non-compliance with legislation •Inability to meet MTFS savings targets if procurement savings not achieved 	Medium	<p>Agreement of a new Procurement Strategy setting out clear guidance for spending managers</p> <p>Review of Procurement Arrangements (Shared Procurement Unit) to ensure objectives are being met</p> <p>Particular emphasis on small value procurement (under £25k) to ensure that the Council has legally compliant processes in place</p>	Justin henry	Slight decrease on this PI. The efficiencies we hoped for have not yet materialised. We have had several successes in cost avoidance with new tenders, proving that the relationship with City is working, and there are a significant number of immediate, corporate priority projects being worked on.	7 Jan 2019

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR003	[Corporate Risk] Members' Ethical Framework – Failure to demonstrate high standards of behaviour				No change	<ul style="list-style-type: none"> •Significant resource to deal with implications of Code of Conduct Complaints. •Potential for negative perception of the Council which impacts upon the Council's reputation <p>Potentially adverse impact upon the workings of the Council</p> <ul style="list-style-type: none"> •New legislation does not provide "strong" sanctions for breaches to the Code which may make regulation of poor ethical behaviour difficult and leave complainants dissatisfied with outcomes. 	High	<p>Standards and Personnel Appeals Committee approves an annual work programme which includes an annual review.</p> <p>A review of the Members' Code of Conduct Complaints Process will be carried out during 2017/2018 in accordance with the recommendations of the LGA Peer Challenge 2017.</p>	Ruth Dennis	<p>Standards and Personnel Appeals Committee approves an annual work programme which includes an annual review</p> <p>The Members' Code of Conduct Complaints Process was reviewed and a revised process approved in May 2018 in accordance with the recommendations of the LGA Peer Challenge 2017</p> <p>Present Quarterly Complaint Monitoring reports to Standards and Personnel (Appeals) Committee</p> <p>A report summarising the Committee on Standards in Public Life – report on Local Government Ethical Standards will be presented to Committee in March 2019 to update members on potential changes to the current system and to consider what action the Council may be able to take to implement best practice proposals prior to any future legislative changes taking place.</p>	18 Feb 2019
							X				
(ADC) CR005	[Corporate Risk] High levels of sickness absence				No change	<ul style="list-style-type: none"> •Productivity •Financial •Employee morale •Service delivery •Remaining staff placed under 	High	<p>Robust management of sickness absence procedures by managers and robust procedures - Revised Absence Mgt Policy implemented</p> <p>Effective monitoring - monthly monitoring reports</p>	Karen Barke	Absence is on the increase mainly linked to LTS, work is being undertaken to try and address this and close monitoring is being undertaken.	10 Jan 2019
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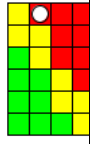
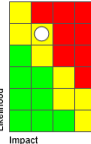
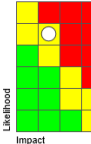
Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
						increased pressure •Reputational damage		highlighting service area absence to assist CMG and managers in absence management Employee support mechanisms - Employee assistance programme implemented Appropriate occupational health support – Occ Health provision reviewed			
(ADC) CR032b-a	Business Rates appeals are higher than forecast				No change	Negative impact a MTFS ; further savings required		A prudent approach is taken to estimating likely successful appeals.	C Scott	Business Rates Appeals in 2018-19 have been lower than expected, however, this provides no indication of how the next 12 months will progress. The Appeals provision for 2019-20 has been increased by £1.1m. Of this, £800,000 is to cover the potential losses from ATM assessments (that are currently being challenged through the Supreme Court by the VOA). If the Appeal is successful then all ATM assessments will end and any Business Rates paid since 1st April 2010 will have to be refunded. The additional £300k is an estimate to cover Check, Challenge and Appeal cases (CCA).	8 Feb 2019
(ADC) CR032b-c	Level of central government funding 2020 onwards				No change	Negative impact a MTFS ; further savings required		The Council will contribute to any consultation when proposals are announced, emphasising the need for resources to be allocated to deprived areas.	P Hudson	Existing BR retention levels to remain for 2019/20. Government is currently consulting on Fair Funding the impact of which will be known later in the year and will affect 2020/21 budgets onwards.	21 Jan 2019

Code	Title	Year End 16/17	Year end 17/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR082	Commercial property investment	new			No change	<ul style="list-style-type: none"> Decrease in capital value of the property Inability of tenant to pay or request for renegotiation of rent Reduced income 		<p>Robust monitoring arrangements for portfolio – stability of tenant, stability of market and macro economics</p> <p>Ensure adequate lease length (greater than 7 years)</p> <p>Ensure property investment in most advantageous asset class</p> <p>Ensure tenant has good financial standing and passes regular credit analysis (D+B)</p> <p>Property reserve to offset short term voids</p>	Justin Henry	<p>No change from previous assessment. Broad spread on the number of properties, with financially strong tenants insulate the Council from average, "normal" macro shocks.</p> <p>A level of uncertainty around Brexit increases the probability of impacts; however, we will not be able to accurately assess this until after the parliamentary vote on the PM's deal.</p> <p>CLT request to review and update re revised Code</p>	26 Nov 2018
CR085	Loss of Capita financial services	new			Reduced to medium	<ul style="list-style-type: none"> Potential loss of income to the organisation for a period of time Reputational damage Loss of method of payment with cash until new arrangement in place Potential loss of transaction data for 1 working day 		<ul style="list-style-type: none"> Review current contract Put in place a Contingency plan 	Craig Bonar/ Pete Hudson	Current status remains same. Research indicates MOD have recently commissioned Capita Financial Services despite continuing high risk levels. Situation will continue to be monitored closely	28 Feb 2019

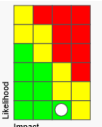
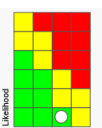
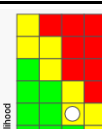
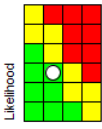
DELETED RISKS

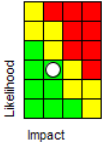
Code	Title	Year End 16/17	Year end 17/18	Qu3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Resp for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR073a	[Key Risk] Idlewells Market				<p style="color: green;">Risk reduced and finishes in Quarter 3</p>	<ul style="list-style-type: none"> *Loss of Trade *Low occupancy rates *New product doesn't sell *Contract dispute *Landlords dispute *Structural and ME failures •Reputation (public expectations) •Financial – claims •VAT increase to traders •Increase on insurance costs *Delays on opening *Funding agreement not achieved -reclaim 	High	*Contract Programme - Regular inspection and monitoring	Theresa Hodgkinson	Asbestos removed from all designated areas and certificated evidence of work carried out received	01-Feb-2018
								*Business plan produced and updated * Pre letting campaign * Communication plan – monitor/update		Refurbishment completed and handed back to ADC on 11th December 2017 Snagging list created and resolutions sought through 12 month post works period	
								Risk register in place for all aspects of the project/monitored		Market hall 50% occupied on handover. Two new traders in place since handover, further new trader in place mid-February 2018 Communication plan in place for promoting the market as a place to do business	
								Contract signed – Regular meetings/Site/ internal *Quarter monitoring D2N2 grant.		Positive marketing in partnership with Idlewells shopping Centre First 'Trader day ' held on the 26th January – seven prospective traders interviewed on the day / one verbal acceptance	

Code	Title	Year End 16/17	Year end 17/18	Qu3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Resp for Action	Comments	Last Reviewed
							BC Link				
(ADC) CR074	[Corporate Risk] Overpayment of Housing Benefit				deleted	- loss of subsidy - increasing burden of debt collection	High	Mini re-structure Offsite processing capacity Improved training		The only control over the level of Overpayments we have is the level of Local Authority error Overpayments, which represents less than 10% of the total, and we get all of this back from the Government anyway, so there is no loss for ADC. The bulk of Overpayments are as a result of Claimant error and fraud (failure to notify of change of circumstances), which is outside of our control. .Risk can therefore be removed	
(ADC) CR032b-b	NHS Trusts successfully lobby for charitable status and pay significantly reduced business rates				deleted	Negative impact a MTFS ; further savings required		The Council is supporting the LGA's action against the hospitals.		This matter has now been resolved and the NHS have withdrawn their application Risk removed	18 Oct 2018
CR084	Failure to be prepared for the Implementation of new Data Protection Legislation (General Data Protection Regulations) in May 2018	new			No change	<ul style="list-style-type: none"> Fine for non-compliance compliant up £14m or 2% gross annual turnover. Reputation – through reporting of breaches and issues/ any form of enforcement action on the ICO website. 	Yes	<ul style="list-style-type: none"> Establish GDPR project team Detailed project plan to ensure compliance 	Ruth Dennis and Sarah Hall	Implementation of GDPR occurred in May 2018 and it is suggested that this risk is removed and replaced with a risk relating to the ongoing control and review of protecting personal data in relation to GDPR	Nov 2018

Code	Title	Year End 16/17	Year end 17/18	Qu3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Resp for Action	Comments	Last Reviewed
							BC Link				
(ADC) CRO79	[Corporate Risk] Impact of the impending 1% rent reduction on the Councils ability to invest in new build & existing housing stock				No change	Reduced headroom / ability to borrow in the HRA Revisions required to the 30 year plan Changes / reduced capital programme in the short term Fewer new affordable homes being delivered Reduced service delivery to existing tenants	medium	Wider review of the way the Council manage its housing stock Reduce spend in the current capital programme Review viability of 30 year HRA plan	Paul Parkinson/ Nicky Moss	The 30 year HRA business plan has been produced which sets out limitations and efficiencies. The amenity charge is to be increased from 2019/20. This will generate more income. Responding to CLT request that risk has been deleted to be replaced with a new risk which has been broadened in relation to HRA business plan viability,	1 Nov 2018

NEW RISKS

Code	Title	Year End 2016/17	Year End 2017/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
CR200	Kirkby Leisure Centre VFM project – failure to complete the project on time				n/a – new risk	<ul style="list-style-type: none"> Reputational damage Delay on delivery benefits 		To be determined	Theresa Hodgkinson		22 Feb 2019
CR201	Kirkby Leisure Centre VFM project – overspend impacts the finances of the council				n/a – new risk	<ul style="list-style-type: none"> Impact on budget and reduction in financial benefits 		To be determined	Theresa Hodgkinson		22 Feb 2019
CR202	Kirkby Leisure Centre VFM project – failure to secure match funding				n/a – new risk	<ul style="list-style-type: none"> Financial impact on the Council 		To be determined	Theresa Hodgkinson		22 Feb 2019
New	Workforce planning – critical posts			Tbd		increase resilience, recruitment and retention, succession planning			Craig Bonar	New risk to be determined	New risk to be determined
New	Job families			Tbd		Tbd			Craig Bonar	New risk to be determined	New risk to be determined
New	ongoing control and review of protecting personal data in relation to GDPR			tbd		Tbd				New risk to be determined	
CR088	Sustainability of HRA business plan and ability to invest in current and new stock				n/a – new risk	tbd			P Warrington	New risk to be determined	New risk to be determined

Code	Title	Year End 2016/17	Year End 2017/18	Qu 3 18/19	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
New	Brexit			 Likelihood Impact	n/a – new risk	<p>Economic-potential negative impact on funding, investment return, reduced NNDR, increase in contract costs through implications from No-Deal/Brexit</p> <p>Social impact</p> <p>Legislative potential negative impact through legislative changes e.g. employment law, increased tariff taxes</p> <p>Partnership/Contractual potential negative impact of contract failure, increased costs, supply difficulties</p>		To be determined	Craig Bonar	New risk to be determined, risk rating and consequences identified, further work to complete controls and action plan with cascade to required officers following ALARM methodology	Feb 2019