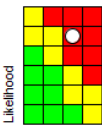
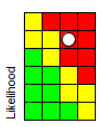
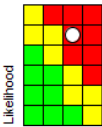
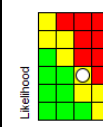


Ashfield District Council Corporate Risk Register – Analysis

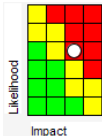
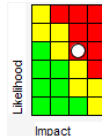
Quarter 4 2017/18

Place and Economic Growth Priority

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Resp for Action	Comments	Last Reviewed
								BC Link				
(ADC) CR040	Failure to have adopted LDF / Local Plan					Reduced to medium	<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	<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>Keeping a clear audit trail of engagements with developers and consultees</p>	Christine Sarris	The Plan is currently at examination. The Inspector has asked for some additional work which has been provided with the exception of matters relating to education. The Inspector has also been provided with all the main modifications to the Plan discussed at the formal Examination which he is currently considering. Initial feedback from the Inspector has been positive. The only outstanding matters relate to education and housing site modifications that will relate to the education approach and some work related to one small site. ADC is continuing to work with the County Council to obtain the necessary information in relation to education. Further intervention may be required at a senior level.	6 April 2018

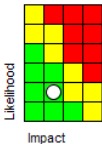
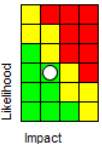
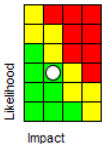
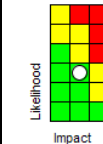
Communities and Environment Priority

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	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					No change	<ul style="list-style-type: none"> • Full redesign and expansion of waste services • Additional cost incurred 	Medium	TEEP assessment to be reviewed annually by JWMC Ensure TEEP compliance with trial review	Sam Dennis	TEEP annual review completed in partnership with Notts Joint Officer Board. No changes have been made to the method of collecting, eg comingled dry recyclable and separate glass. increased garden waste has enabled the Council to divert more waste out of the residual stream and increase single stream collection for composting.	12 Feb 2018
(ADC) CR072	[Corporate Risk] Failure to meet requirement of Waste Directive to achieve 50% recycling rate by 2020					No change	<ul style="list-style-type: none"> • potential fines from EU • reputational damage 	High	development of Scrutiny review in September 2016 Discussions with County regarding innovative options is ongoing	Sam Dennis	Implementation of a free for 2 year garden waste collection service has enabled an increase to the Council's recycling rate of over 9%. Current recycling rate stands at 41% which makes Ashfield 3rd in the league table of Nottinghamshire Districts. Currently the target remains at a County level. The impact on Brexit is not yet confirmed, however the government's 25 year Environmental Plan indicates support for the EU target of 65% by 2030.	12 Feb 2018

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Resp for Action	Comments	Last Reviewed
(ADC) CR083	Failure to Support and Safeguard Vulnerable people					No change	<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 		Working with NCC and other districts to review opportunity to improve closer working with mental health services	Rebecca Whitehead	The positive relations with partners continues to grow with agencies increasing their collaboration and cooperation. There remain concerns around mental health provision however this is a national problem and were available local relations are positive and deliver benefit for service users. Due to the nature of community safety any new critical incident may reveal failing within cooperation however at this time we are operating above and beyond the work in other similar authorities,	1 st Feb 2018

Housing Priority

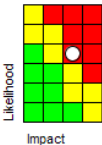
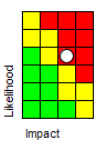
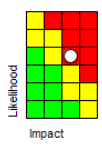
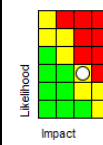
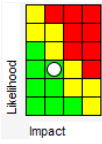
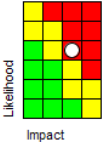
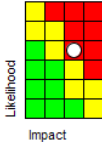
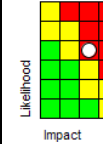
Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
								BC Link				
(ADC) CR046	[Corporate Risk] Introduction of Universal Credit					Reduced to medium	<ul 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 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</p>	Craig Scott/ Nikki Moss	<p>Direct discussions with the local Partnership Manager for DWP Universal Credit. We have now obtained up to date information regarding the work that ADC staff will need to undertake to support the roll out of UC in Ashfield. Local Authority site visits have been scheduled in so that we can fully understand the impact of the volumes of Personal Budgeting Support and Assisted Digital Support will be required to provide under the partnership agreement. This will enable us to understand the resource implications of this work and how best ADC can meet this demand.</p> <p>The Universal Credit Action Plan for Housing is currently under review. The Welfare Reform Strategy will also be reviewed over the coming months and will be amended as</p>	15 May-2018
								X				

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
								BC Link				
									disciplines and partners to ensure the Council's response to UC remains pro-active and robust		required. The date of the next Welfare Reform Board meeting has been arranged for early July 2018. Proposed actions for the coming months will be put forward at this meeting for consideration by members. Profiling of tenants who will be affected by UC (wider roll out) has been carried out. Further work is being carried out on this.	
(ADC) CR062	Inability to deliver affordable housing	 Likelihood Impact	 Likelihood Impact	 Likelihood Impact	 Likelihood Impact	No change	<ul style="list-style-type: none"> Targets not met lack of new affordable housing going forward 	Low	Use of S106 funding Tackling empty homes Close working with Planning Services Work with private landlords via the Landlords Forum Enforcement to tackle poor standard housing	Phil Warrington	Affordable housing delivery for 2017/18 was below target. Lack of interest and activity in S106 and new developments from RP's. Regular contact maintained with RP's to understand their future intentions and to offer what encouragement/assistance we can. Plans for Council to develop and purchase affordable housing in 2018/19 should help ensure targets are met and risks minimised.	16 May-2018

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewe d
								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					Reduced to medium	<p>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</p>	medium	<p>Wider review of the way the Council manage its housing stock</p> <p>Reduce spend in the current capital programme</p> <p>Review viability of 30 year HRA plan</p>	Paul Parkinson/ Nicky Moss	30 year HRA business plan will be in place for Summer 2018 which can be used to identify spending limitations and efficiencies.	17 May 2018

Organisational Improvement Priority


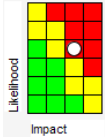
Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
								BC Link				
(ADC) CR074	[Corporate Risk] Overpayment of Housing Benefit	 Likelihood Impact	 Likelihood Impact	 Likelihood Impact	 Likelihood Impact	No change	- loss of subsidy - increasing burden of debt collection	High	Mini re-structure Offsite processing capacity Improved training	Craig Scott	During 2018-19 DWP have introduced a new process to assist in the recovery of overpayments. Claimants who are not subject to overpayment recovery from on-going HB entitlement (no longer claiming HB) will now be included in a data match file that the DWP will compare against employment details held by HMRC. This information will then enable ADC to issue an attachment of earnings order to the debtor's employer to trigger direct deductions from earnings to clear the overpayment. We are anticipating some good results from this and have diverted additional officer time into this to ensure we get maximum benefit from this project.	15 May- 2018

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	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					Reduced to medium	<ul style="list-style-type: none"> •Council cannot fund full range of services in future •Pressure on General Fund reserves 	Medium	<p>CLT and Cabinet will work together to identify savings and income generation opportunities</p> <p>Generate additional income</p> <p>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.</p>	Sharon Lynch	Net savings required by the MTFS have been identified for 2018/19 and are scheduled to be implemented as forecast and approved by Cabinet and Council. Work is ongoing by CLT on identifying additional net savings (reduced expenditure/increased income) for 2019/20 onwards through commercialism, service reviews, restructures and invest to save schemes.	23 May 2018
(ADC) CR033	[Corporate Risk] Ability to achieve efficiencies and compliance from procurement reviews / improvement					No change	<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>	Craig Bonar	<p>A new shared service agreement with Nottingham City Council procurement unit has been implemented.</p> <p>A new position of Service Manager-Commercial Development was appointed to in May 18, including specific responsibility for strategic procurement and embedding improved activity and monitoring.</p> <p>Contract procurement below £50k has been revised to provide clarity and enhanced timeliness and process</p>	17 May 2018

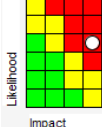
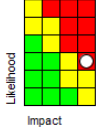
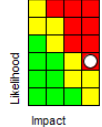
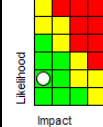
Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
								BC Link				
(ADC) CR003	[Corporate Risk] Members' Ethical Framework – Failure to demonstrate high standards of behaviour					Slight increase, remains significant	<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>A review of the Members' Code of Conduct Complaints Process was carried out during 2017/2018 in accordance with the recommendations of the LGA Peer Challenge 2017. The revised process will be presented to the AGM on 24 May for approval. At the same meeting a revised Members' Social Media policy is being recommended for approval.</p> <p>Subject to Council approval at the AGM, the existing Independent Persons will continue in role for a further two years and the Parishes will be asked for a Parish Member to be appointed as a Co-Optee to the Committee to increase Parish involvement and understanding.</p> <p>An Annual Review of ethical governance was presented to Committee in March 2018. The Standards and Personnel Appeals Committee will agree its 2018/2019 workplan at its meeting on 2 July 2018. The Committee</p>	23 May 2018
								X	Present Quarterly Complaint Monitoring reports to Standards and Personnel (Appeals) Committee			

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
								BC Link				
											will continue to monitor complaints. The Council has responded to the Committee on Standards in Public Life consultation regarding local government ethical standards which closed on 18 May 2018.	
(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 increased pressure •Reputational damage 	High	Robust management of sickness absence procedures by managers and robust procedures - Revised Absence Mgt Policy implemented	Craig Bonar	Close monitoring by managers, CLT and HR in place to assess trends and ensure robust implementation of attendance management policy. Increased focus on the management and reduction of long term sickness	17 May-2018
								√	Effective monitoring - monthly monitoring reports 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				

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
								BC Link				
(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	We still have very limited information both locally and nationally regarding the new CCA appeals to gauge the volumes we're likely to receive and the potential value of any successful appeals. Although the whole Check, Challenge and Appeal process has been designed to reduce the number of cases going to Appeal, it is still assumed, based upon industry knowledge and advice, that the overall value of successful appeals will be similar to historic appeals outcomes.	15 May 2018
(ADC) CR032b-b	NHS Trusts successfully lobby for charitable status and pay significantly reduced business rates					Reduced to medium	Negative impact a MTFS ; further savings required		The Council is supporting the LGA's action against the hospitals.	C Scott	<p>A large number of NHS trusts have issued a similar letter to over 100 billing authorities nationally. The Local Government Association (LGA) has taken up the case to support 49 local authorities in the same position as Ashfield and has commissioned its own Counsel's opinion.</p> <p>Sherwood Forest Hospitals NHS Trust has withdrawn the proceedings against both local authorities with immediate effect.</p>	29 May 2018

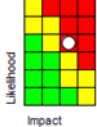
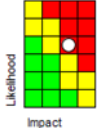
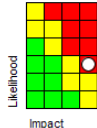
Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
								BC Link				
(ADC) CR032b-c	Ashfield loses resources under the Governments ' 100% retention / fair funding ' regime			 Likelihood Impact	 Likelihood Impact	Increased to significant	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.	S Lynch	<p>The Government is now indicating 75% retention with effect from 2020/21. The Fair Funding Review is also on-going. There is insufficient information to indicate with any certainty what the impact shall be for ADC.</p> <p>The Council is above its baseline funding level and the MTFS has indicated savings of £4.5m would be required over 5 years if business rates reduced to this level. The government has indicated that if there were significant impacts upon Authorities, reductions in funding would be phased.</p>	25 May 2018

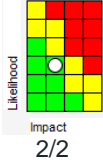
DELETED RISKS

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Qu 3 17/18	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					Risk reduced and finishes in Quarter 3	<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	<ul style="list-style-type: none"> *Contract Programme - Regular inspection and monitoring *Business plan produced and updated * Pre letting campaign * Communication plan – monitor/update 	Theresa Hodgkinson	<p>Asbestos removed from all designated areas and certificated evidence of work carried out received</p> <p>Refurbishment completed and handed back to ADC on 11th December 2017</p> <p>Snagging list created and resolutions sought through 12 month post works period</p> <p>Market hall 50% occupied on handover. Two new traders in place since handover, further new trader in place mid-February 2018</p> <p>Communication plan in place for promoting the market as a place to do business</p> <p>Positive marketing in partnership with Idlewells shopping Centre</p> <p>First 'Trader day ' held on the 26th January – seven prospective traders interviewed on the day / one verbal acceptance</p>	01-Feb-2018

NEW RISKS

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
CR084	Failure to be prepared for the Implementation of new Data Protection Legislation (General Data Protection Regulations) in May 2018	new	new	new	<p>Likelihood</p> <p>Impact</p>	n/a – new risk	<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	<p>We have the ability to influence this risk by demonstrating to the ICO how the Council has prepared for the implementation of the GDPR and is seeking to comply with the same with the Council be able to influence any decision of the ICO.</p> <p>The Council has set up a Corporate Project Team to lead on implementation of the GDPR. The Director of Legal and Governance is the Project Sponsor whilst the Council's Principal Solicitor is the Project Lead. A comprehensive plan is in place to ensure compliance with the GDPR and ensure readiness for its implementation in May.</p> <p>Assessment of the Council's progress against the ICO's checklist demonstrates that the Council has made significant progress in relation to its preparations for the implementation of GDPR and is on track with this action plan.</p>	23 May 2018

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
CR085	Loss of Capita financial services	new	new	new		n/a – new risk	<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/ Sharon Lynch	Potential level of transactions for the period 7/8 days) would be around 3,800 at a value of potentially £310k.	22 Feb 2018
NEW	Kirkby Leisure Centre VFM project					n/a – new risk	<ul style="list-style-type: none"> inability to deliver VFM based on identified need and affordability Increased project costs Lack of robust business case Costs of LC significantly increases net cost allocation to MTFS 		<ul style="list-style-type: none"> Robust business case based on identified need and affordability 	Theresa Hodgkinson	Still subject to robust business case	May 2018
NEW	no single political group in overall control					n/a – new risk	<ul style="list-style-type: none"> Failure to transact Council business efficiently or effectively within its governance framework. This is most likely to be felt in regards to longer terms strategic issues and less so for operational and executive functions. 		<ul style="list-style-type: none"> Appropriate Leadership Meetings and Communications Appropriate Cross-Party exchange of information 	Rob Mitchell	Following changes to political groupings in recent weeks, the Council currently has no single political group in overall control. A new Leader of the Council was elected at the Council meeting on 26 April 2018. Members and Officers will be working hard to ensure the Council continues to transact its business effectively and in accordance with the Council's governance	May 2018

Code	Title	Year End 2014/15	Year End 2015/16	Year End 16/17	Year end 17/18	Change	Consequences of the Risk Occurring	Ability to Inf.	Mitigating Actions	Respons for Action	Comments	Last Reviewed
											framework. New leadership meetings have been formed and Cross-Party Working arrangements will continue.	
(ADC) CR082	Commercial property investment				 Likelihood Impact 2/2	new	<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>Assessment change is significant. All routes thus far reliant on generating new income rather than reconfiguring spend to maintain services albeit in a different way.</p> <p>Latest investment guidance poses new challenges for 19/20 and beyond as a large portion of income generated from investment properties has now been eliminated, essentially changing our MRP option.</p>	24 May 2018