

East Herts Council Corporate Risk Register – 2021/22 quarter four

Appendix 1

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
1	A 4	Financial Resources	<p>Reduction in government grant combined with higher demand for demand-led services such as homelessness, or failure to generate income.</p> <p>Failure to realise capital receipts from disposals to support capital expenditure.</p> <p>External auditor challenges MRP Policy and capital financing decisions</p> <p>Council Tax Referendum levels set too low to generate sufficient tax revenue. Sudden economic Down turn results in negative Tax Base figures because of increased local Council Tax support claims</p>	<ul style="list-style-type: none"> • Reductions in services required • Performance against community expectations and targets reduced • Investment in improvement not possible or severely reduced • Failure to meet statutory duties with potential for legal action or Local Government Ombudsman finds significant cases of maladministration • Corporate Manslaughter charges if maintenance works not carried out, e.g. Legionella in air handling and cooling units • Large numbers of staff redundancies • Major media 	Head of Strategic Finance & Property	<ul style="list-style-type: none"> • Minimum Balances held on risk assessment basis to cushion impact over short term (max 2 years) • Modelling of impact of grant settlement scenarios and function and funding changes • Three year MTFP savings programme • Transforming East Herts savings plan due to be reported at June Executive to deliver savings and efficiencies through an emphasis on: digital self-service; process automation; agile working leading to a much reduced accommodation requirement with target of £1 million cashable savings. • Transforming East Herts Commercial Strategy will specify commercial skill sets

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			<p>Members do not agree significant savings at budget setting leading to an unbalanced budget leading to a s.114 report.</p> <p>Delay and/or significant cost over runs on major projects</p>	<p>engagement</p> <ul style="list-style-type: none"> • Potential for MHCLG intervention • Delay leads to cost increases beyond the ability of the council to finance the capital costs • Delays and cost overruns lead to non- 		<p>and set out the council's approach to risk appetite and give guidance on how income generating ideas should be taken forward.</p> <ul style="list-style-type: none"> • New capital programme items must make a return for the investment in cost reductions or income on top of covering the interest and MRP costs • Charges will be required to be in conformity with proposed corporate policy on charging recovering total costs and concessions will need to be justified in policy terms and funded by higher charges for others. • Business case reviews to ensure that projects make a return • Cost and income estimates commissioned from industry expert consultants to feed into business case • Project delivery by Major

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				delivery of savings requiring service offer reductions to compensate <ul style="list-style-type: none"> • Projected savings not achieved after project completion due to changes in market away from service offer • Significant local media engagement • Reputational damage. 		Projects Team with quarterly reports on progress to Leadership Team and Executive. <ul style="list-style-type: none"> • Capital Programme is phased and financed across years and contingency built into budgets so can be re-phased if required.

Update on current position

1				<ul style="list-style-type: none"> • In developing our medium and longer term plans we will need to have regard to the broader context in which we will be working. This includes: <ul style="list-style-type: none"> ○ The impact of operating in a post-pandemic economy with significant inflation driven by global supply chain issues. The Government will have to consider how it begins to pay off the borrowing it has undertaken during the pandemic – this is a mixture of higher taxation, with possible impact on economic recovery, and reductions in public service expenditure. Both would impact on the Council's income and ability to spend; ○ The shape of the post-Brexit and post-Covid economic and policy agenda, the impact of new post-EU funding regimes and the Government's Levelling Up programme; ○ Specific uncertainty over the future of local government funding, with key reforms due to be introduced from 2023/24 as indicated in the Levelling Up White Paper. The level of Government funding that the council will receive from 2022/23 onwards is not confirmed but the Comprehensive Spending Review levels indicate local government funding overall will be flat, i.e. no growth.; These are significant areas of change will have a 		
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Update on current position

- potentially significant financial impact and absolutely key will be any floor protection mechanism as East Herts is judged to have too much government support at present.
- The lasting impact the pandemic will have on young people in terms of education and employment opportunities;
 - The growing impact of climate change, the national and local commitments to achieve carbon neutrality and the introduction of a range of new measures through the Environment Bill;
 - The impact of Government reviews and reforms of public services and changes in policy– for example changes to infrastructure, transport and planning and potential structural changes;
 - The ongoing need to support post-Covid recovery and adjustment, both in our services and for society and the economy, against a backdrop of residual risk of further waves of infection and the potential need for an ongoing vaccination programme; and
 - Reviewing the way that we work and accelerating our planned changes to move towards a more hybrid way of working, and evolving our working practices to ensure we have modern, flexible workspaces and workstyles as part of the Transforming East Herts Programme.
- The Council’s business and financial planning is underpinned by the Corporate Plan and its four priorities, which provide a clear focus for decisions about spending and savings and direct activity across the Council. The four priorities are:
 - Sustainability at the heart of everything we do;
 - Enabling our communities;
 - Encouraging economic growth; and
 - Digital by default.
 - Officers will continue to explore options to further reduce net cost to meet the savings target for submission to the Executive. This will include examining non-statutory service provision levels and also reviewing and benchmarking contracts to ensure the prices remain competitive. A recent review of the office furniture contract resulted in an indicative 68% saving by switching to an alternative framework. A procurement strategy and indicative procurement timeline both featured in the improvements identified in the Annual Governance Statement endorsed by Audit & Governance Committee. A Social Value Policy is being developed to leverage funding for the third sector and as well

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as applying to procurement it will invite developers to submit social value statements alongside planning applications, although this cannot be made compulsory until it is taken into consideration as part of the review of the East Herts District Plan. This Policy is due for Executive approval at its June meeting.

- Rent payments on investment properties have no significant defaults to date. Rent reductions have been agreed for 2 tenants in Charringtons but this has to set against compensation that would have been payable when we need to move tenants out for handover for the Old River Lane regeneration as we have included appropriate break clauses as part of the new rent agreement.
- Savings plan for 2021/22 is on target with garden waste sign up being on budget assumption with a high on-line sign up of 92.5% and direct debit payments at 82%.
- Fees and Charges policy approved at December 2021 Council which sets full recovery as the standard charging basis. There have been a number of below cost charges agreed with no clear policy or justification in the past that are having to be dealt with as part of aligning charges with North Herts for joint commercial waste services. New template developed for staff hourly charges for full cost recovery developed for income opportunities with other local authorities.
- Grange Paddocks Leisure Centre construction completed October 2021 and 3G pitch planning application due February 2022 approved. Northgate End construction work is substantially complete with multi-storey car park due to open June 2022.
- Hartham contract awarded and works commenced late March.
- Old River Lane /Arts Centre change in scope progressing and approved by Council in March 2021 alongside the business plan. Development Agreement and Development Management Agreement draft to be agreed with s.151 officer and monitoring officer input. Master Planning process is underway and approval of the Masterplan SPD by Executive in June 2022.
- Hertford Theatre ~~delayed due to non-award of contract as tendered prices too high. Subsequent re-tender has resulted in compliant bids and Council to vote on increase in scheme budget as part of Budget Council on 1 March 2022. construction works to commence May 2022.~~
- All major capital projects are at risk of price increases as a result of the combined impact of COVID / BREXIT related inflationary pressures. In addition to the increasing cost of materials, there is a significant shortage of labour supply

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for the construction and M&E industries, which is in turn pushing up the price of labour. This is a national issue as evidenced by the average 13% increase in the Office for National Statistics Construction Output Prices Index. The insurance market has also hardened significantly which will likely result in higher buildings insurance premiums and / or levels of excess or difficulties obtaining cover.

- The national shortage of HGV drivers and labour market shortages is driving up pay and this will lead to pressures on the cost of the waste contract as well as the cost and delivery of building materials.

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2	B 3	Corporate Governance and external political environment	<p>Brexit trade deal risks</p> <p>Planning Policy Changes</p> <p>Local government reorganisation / Devolution</p>	<ul style="list-style-type: none"> • Potential project delays due to labour shortages or materials imports, or increased project costs due to tariffs or supply chain difficulties. • Non-Tariff barriers leading to supply chain price increases and longer replenishment times. Some UK businesses may relocate to the EU making current domestic supplies into imports. • Government policy changes to introduce development zones, ends s.106 and CIL for government infrastructure levy • Government impose unitary authorities and reduce exchequer grants by savings made 	Chief Executive	<ul style="list-style-type: none"> • Address issues of labour shortage with contractors at progress meetings. Raise skills shortages at the LEP to ensure we train young people. • Consider forward funding stockpile of materials subject to delays as part of contract mobilisation • <u>Consider risks to supply chain as part of procurement exercises</u> • Both officers and Members are engaged in networking and lobbying to seek to influence change and to gain early indications of new policies • Both officers and Members are engaged in Herts Growth Board (with consideration of the devolution framework in the

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			<p>Climate Change / Zero Carbon / Build Back Greener</p> <p>Changes to local taxation</p>	<ul style="list-style-type: none"> • District required to be carbon neutral from 2030 and Government targets set with fines for non-achievement • Business Rates and or Council Tax replaced with Land Value Tax or Local Income Tax • Potential protests and non-payment campaigns • Measure may end land banking with developers commencing on multiple sites to build out permissions and avoid LVT • Uncertainty as to tax yields and redistribution mechanisms cause difficulties budgeting • Change in leadership politically sets radically 		<p>Levelling Up White Paper which was published in February 2022)</p> <ul style="list-style-type: none"> • Work underway to progress carbon reduction and also exploring potential investments that support this aim but would also produce income for the council in the medium term. • Both officers and Members are engaged in networking and lobbying to seek to influence change and to gain early indications of new policies. • LVT is in operation in Denmark, Estonia and Latvia and there are suggested routes to implementation already published. Local Income Tax would require key data from HMRC before implications could be understood.

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No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
			<p>Leadership / Management change</p> <p>Recession leading to increase in unemployment, business failure; low business growth and commercial property values decreasing significantly.</p>	<p>different policy agenda and tone</p> <ul style="list-style-type: none"> • Change in Leadership Team structure • Unemployment. • Empty properties / shops. • Lower rental income from council property portfolio. • Increased demand on council services. • Reduction in Council Tax Base due to LCTSS being a discount. • Reduction in Business Rates income to the safety net level 		<ul style="list-style-type: none"> • Corporate Plan process • Member induction and training • Code of conduct • Monitoring Officer/ s.151 officer • HR policies • Estimates of workload v capacity • Corporate Plan process • European Regional Development Fund / MHCLG project to support businesses with advice and support on growing. Ware and Bishop's Stortford Launchpad to be grown. • COVID support grants and business rates reliefs for 2020/21 and 2021/22 to support businesses through the pandemic. • Broxbourne BC and CVS digital / employment skills support

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- Despite challenges from the pandemic, Brexit and global supply issues Grange Paddocks Leisure Centre opened on time and within budget in October 2021. Costs of other key capital projects (Hartham, Northgate End and ORL, Hertford Theatre) are being kept under constant review. Budget Council in March 2022 ~~asked to~~ approved an increase in the Hertford Theatre scheme budget to reflect price inflation since the budget was set in 2019.
- Number of residents with an East Herts address applying for Settled Status exceeded 7,000 (well above the estimated 4000).
- Officers are considering the lessons from how the Council has been able to operate during the pandemic within the Transforming East Herts Programme. It is evident that working from home is possible on a greater scale and this will have implications for our future accommodation needs and reduce travel leading to lower carbon emissions.
- Council is actively targeting food waste reduction. The Climate Change Committee say that for the UK's next carbon budget food waste must be reduced by 75% i.e. the vast majority of carbon emissions are from the production and transportation of food that is wasted. The UN report on food waste said that almost a billion tons of food was wasted and led to carbon emissions that if it were a country, would be third behind the USA and China.
- 2 stage approach to mitigating recession following COVID-19: In the first lockdown the council supported over 2,200 businesses with £30m of government funded grants and £18m of reliefs. A further £20m has been paid out since through different government grant schemes (via East Herts) and a further 600 businesses have benefitted on top of the 2,200 above.
- £132,000 of RHSS funding has been allocated to support safe re-opening of High Streets and has covered work such as traffic management on high streets to encourage social distancing. Due to the second national lockdown retail businesses are again facing significant challenges and our most recent response has been to introduce a shop local campaign focused on on-line buying and takeaways / click and collect services. The funding was also used to purchase hand sanitisers in town centres and planters to replace temporary traffic barriers. A second round of this funding has also been allocated to East Herts for the 2021/ 22 year under the "Welcome Back Fund" All 5 towns and 6 parish councils have received funding to undertake further cleaning, advertising and promotion of village/ town centres and provide additional seating to support safe re-opening of high streets.
- A new grant scheme was also launched in August aimed at encouraging new businesses to open up premises (or take on empty premises) in the district. As at the end of Q43 over 5030 businesses had been awarded funding

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through this scheme indicating healthy demand for business start ups and expansion in the district. Feedback from businesses is that there is not enough vacant commercial space to support the level of demand. Other feedback from businesses and business representative organisations is the challenging labour market with a number of sectors facing high level of vacancies which cannot be filled. Council also commissioned a new service with Broxbourne Borough Council and the CVS to support newly unemployed residents get back into work by supporting them with digital skills such as interviewing over Zoom and MS Teams. Service launched 5th October 2020. As at the end of Q4 ~~over 340~~ 250 individuals from East Herts had been referred to this scheme which is much higher than originally expected.

- [Pre-guidance on the UKSPF was published in February 2022 and East Herts' allocation from the fund is £1.7m Work will begin with partners on looking at investment priorities](#)

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3	A 3	Performance, resilience and security of IT systems	<p>Data and/or information lost causing breach of Data Protection Act</p> <p>Cyber-attack results in total loss of data and systems</p> <p>Investment in ICT does not result in savings</p>	<ul style="list-style-type: none"> • Substantial fine from Information Commissioner • Major media engagement • Reputational damage • Disruption to services potentially long-running • Inability to carry out enforcement as no records to check against • Resources devoted to recovery moved off to assist police investigation delaying recovery • Major media engagement • Reputational damage • Council becomes financially unsustainable 	Deputy Chief Executive	<ul style="list-style-type: none"> • Network Virtual Desktop configuration prevents download of data to local storage devices • Network firewall and security systems tested and monitored • Staff training • Confidential waste shredded • Massive reductions in printing since pandemic • Intuned laptops to be rolled out in Q4<u>underway</u> • Projects to include estimated benefits and monitored through benefits realisation reports. The investment requirements are tried and tested systems that have resulted in savings elsewhere.

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- ~~December's report showed that in November 2021:~~
 - ~~1,941 spam emails were blocked out of 268,796 received.~~
 - ~~5 impersonation attempts were blocked.~~
 - ~~44 emails containing malware were blocked.~~
- ~~October's figures were similar.~~
- The GDPR/Data Protection Officer has been trained up and is now undertaking the full range of duties.
- M365 has started to be rolled out across the organisation with priority to Elected Members. M365 and the new VDI roll out has started to staff with Human Resources and Organisational Development and Communications, Strategy and Policy being the first to be upgraded.
- ~~SBC (IT Shared partner) are developing a scope to be agreed by both parties for a review to be undertaken at the request of the respective council leaders, to provide assurance going forward and SOCITM has been appointed. In addition additional resourcing is being investigated to see if the replacement programme can be accelerated. SOCITM report on ICT is due in quarter 4. The Shared Internal Audit Service is undertaking an audit of data security and cyber risk.~~
- SOCITM has reported and a new Executive joint committee to provide Member oversight for the shared ICT service has been approved in the constitution review for East Herts and is due to be approved in the annual constitution review for Stevenage. Work is underway to look at the structures and staffing of the joint ICT service to deliver the recommended improvements contained in the SOCITM report. The first six months priority is to complete the VDI and M365 roll out and external companies have been appointed to complete the network infrastructure changes, e.g. firewalls, so that the long running basic infrastructure improvements are completed within six months. The risk score remains the same but as the work is undertaken the likelihood score could reduce.
- A new interim ICT Partnership Manager came into post during August and is making changes in project delivery arrangements and major incident protocols.
- The cyber insurance market has contracted significantly and cover may prove difficult to procure when insurance contracts are tendered in spring 2022, or prohibitively expensive. Scoping exercise with IT proposed to enable council to obtain our broker's view on the prospects of securing cover.

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- Compulsory cybersecurity training undertaken by staff and Members. All staff completed the training. Some Members did not and have had their access withdrawn.

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4	B 2	Staff capacity and skills to deliver services	<p>Loss of key staff</p> <p>Staff capacity unable to deliver projects</p> <p>Unable to recruit to key posts</p>	<ul style="list-style-type: none"> • Disruption to Council services • Poor customer service • Internal control or governance failure • Reputation damaged in the media • Staff cannot undertake level or volume of work to meet all priorities • Council does not deliver performance expectations • Opportunities lost to improve outcomes • Partners lose confidence in ability to deliver • Public lose confidence in ability to deliver • Disruption to Council services • Poor customer service • Internal control or governance failure • Reputation damaged in the media • Disruption to Council 	Head of Human Resources and Org Development	<ul style="list-style-type: none"> • Staff development including the on-line learning pool • Succession planning for key staff within Services • Use of flexible retirement to ensure continuity of experienced staff whilst bringing on staff into roles • Prioritisation of work through the Corporate Plan and Executive Members • Major projects taken forward with corporate project management standards via the Major Projects Team • Market supplements where appropriate • Selective use of external resources and contingent labour through neutral vendor to drive down costs. • Internal communications emphasising welfare and mental health • Contingency planning

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No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
			Industrial action	services <ul style="list-style-type: none"> • Poor customer service • Non-delivery of projects 		<ul style="list-style-type: none"> • Contingency planning

Update on current position

4		<ul style="list-style-type: none"> • The number of leavers in Q4 did increase and it remains challenging to recruit senior planning officers especially as agency terms are more favourable than direct salaries, the service is being restructured in 21-22 to try to improve the structure and create more opportunities for growth and retention. Golden Hellos are already used where appropriate as is 100% funding for qualifications. The service has now recruited a second service manager and created some team leader roles which have been filled and vacancies are being filled more often first time. The area remains a priority for grow your own through apprentice and career graded posts and these are used but currently there is not a valid apprentice framework to utilise. The service is undertaking a service review and this will be progressed in quarter one of 2022/23. • The transformation programme also includes service reviews aimed at improving structure and ways of working i.e. to increase efficiency and effectiveness. Service reviews have begun in all services and meetings are being held in late March and early April. The reviews will be looking at staffing structure and roles to ensure fit for purpose. • Turnover: <ul style="list-style-type: none"> • In Q1 of the 21/22 annual period turnover increased: There were 12 leavers in Quarter 1 (April – June 2021) giving a turnover rate for the quarter of 3.6%. Based on the number of leavers so far in Quarter 1, it is estimated that the turnover rate for the annual period 2021/22 will be 14.5%. This is higher than the annual projections in the same quarter in the previous year (4.8% in Quarter 1 in 2020/21 which was impacted by the pandemic) and it is higher than the local government average currently available (14% for 2018/19 for Local Authority districts in the UK). With the exception of 2020/21, historically turnover in Quarter 1 every year has been high (26.3% in 2018/19, 16.4% in 2019/20) and then it gradually decreases throughout the rest of the year. It is anticipated that turnover for 2021/22 will follow the same pattern. The increase has been reported
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- to LT and HRC who have asked that it is monitored, looking at the reasons for leaving we have seen an increase in retirements and lifestyle changes, delayed leaving impacted by the pandemic.
- ~~○ There were 11 leavers in Quarter 2 (July – September 2021) giving a turnover rate for the quarter of 3.4%. Based on the number of leavers so far in Quarters 1 and 2, it is estimated that the turnover rate for the annual period 2021/22 will be 14.1%. This is higher than the projections in the same quarter in the previous year (5.9% in Quarter 2 in 2020/21) and it is slightly higher than the local government average (14% for 2018/19 for Local Authority districts in the UK). It has however fallen since the previous quarter (14.5% in Quarter 1).~~
 - ~~○ There were 9 leavers in Quarter 3 (October – December 2021) giving a turnover rate for the quarter of 2.8%. Based on the number of leavers so far in Quarters 1, 2 and 3 it is estimated that the turnover rate for the annual period 2021/22 will be **13.1%**. This has reduced and fallen by 1% since quarter 2 (21/22) and is now lower than the local government average (14% for 2018/19 for Local Authority districts in the UK).~~
 - ~~○ Turnover is therefore reducing but as with many organisations we are seeing increased numbers of staff retiring and we have also seen staff change career as the Pandemic has effected people lifestyle choices. Homeworking is also a threat a staff can potentially work further away meaning that competing with London salaries will become more challenging. is at 14.4% for the annual period 21/22 which is an increase from last year as to be expected following the pandemic. Many people have made career changes and held off leaving during the initial stages.~~
 - In terms of sickness absence this remains lower than other authorities but has increased this year to 6.15 days. Again this is due to the pandemic, vaccinations, COVID illness and mental health impacts. Please see Employee Health and Wellbeing Report 21/22.
 - In line with savings required all recruitment must be approved by the Leadership Team sub-group for Recruitment with enhanced justification and a requirement to explore either restructures or process changes to eliminate the need for the post.
 - The transformation programme includes a Modern Workforce Development strand which includes organisation development to support transformation (e.g. staff briefings, resilience training, six sigma training etc.), new staff and management competencies, a revised PDR, development to improve our one team culture as well as a blended work offer.

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- The Blended Work Offer has been shared with staff, the trials have worked well and from 1/11/2021 staff who wish to and their role allows ~~will be~~ are working up to 50% at home and 50% in the office. There will be rota based system continuing in the shared Revenues and Benefits service where staff will continue with higher levels of home working in line with the shared service and potential growth. This has helped with some retention but the employment market is difficult in terms of hard to recruit posts becoming harder due to limited supply as well some employers offering full home working meaning that staff can be based further away.
- The temporary labour supply arrangement went live in April 2020 which has reduced fees paid to agencies and ensures a wider pool of potential candidates. This is working fairly well with issues resolved with Matrix where they arise to improve the pooling.
- The Indeed EHC branded website is working ok but has not been as successful as hoped and is being replaced with a multi-site package which will use several of the top recruitment platforms as well as indeed. This is being implemented through an Applicant Tracking System (ATS) which will include an improved online application form, online shortlisting, name blind shortlisting and improve our presence online. The new system will also aid onboarding again improving the candidate/new starter experience.
- Ongoing work has continued with the Communications team and HR to improve the online presence and promote the employer brand further. Case studies have been developed to support welcoming diversity and a photographer is creating better images.
- Career graded posts are continuing to be used and proving successful for hard to recruit posts with all four Lawyer roles successfully filled last year. A review of apprentices is continuing to both manage costs and support succession. This has been slowed by the pandemic, but we now recruiting into customer services as this allows progression into a range of services. We are awaiting a new planner framework and will potentially use this to bring further planning apprentices.
- A further important update to note is that the Council has secured funding to commission an 8 module resilience programme from a company called Art of the Brilliant which will run over 8 months for all staff to improve and support their wellbeing and reliance and therefore support this key risk area.
- Once completed, Northgate End, Hertford Theatre and Old River Lane sites will all require IT and Facilities Management support over extended operating hours.

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5	C 4	Poor performance or failure of key partner or contractor	<p>Poor performance or failure of key partner or contractor</p> <p>Failure to mobilise major outsourced contracts properly and/or on time</p>	<ul style="list-style-type: none"> • Disruption to all Council services • Additional costs resulting from response • Demand to partner organisations to provide mutual aid to support our response • Cost and time involved in unplanned procurement exercises • Major media engagement • Reputational damage • Damage to relations with outsourcing partner and potential damages claim 	Head of Operations	<ul style="list-style-type: none"> • Risk of contractor failure increased due to COVID. Regular discussions are continuing with contractors and key third sector partners to ensure no <u>minimal</u> failures in delivery, particularly during the pandemic • Credit risk scores are obtained for major contractors during the operation of the contract and particular attention is paid to trade news concerning contractors' financial health. • Offer of open book accounting to examine any potential cost increases as a result of changing circumstances. • Waste-related business continuity plans are also regularly reviewed. Brexit restrictions and the closure of Asian export markets will

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Update on current position						
						<p>impact on the sale of materials and income may cease and costs may increase. Talks are ongoing with other Hertfordshire authorities to determine alternative recycling operators options. The council is investigating a circular economy option for the plastics waste stream in particular.</p>

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5		<ul style="list-style-type: none"> • Risk of business failure remains the same due to COVID and Brexit i.e. staff shortages, there remains an increased use of agency staff (and risks associated with service delivery of no shows, not knowing the routes etc). Business continuity plans refreshed and regular dialogue maintained with contractors who have been informed the council would look sympathetically at cost increases provided the council was told in advance and the contractor undertook to use reasonable endeavours to resolve cost pressures themselves utilising furlough and other central government support. • Customer confidence growing slowly within leisure centres, continued discussions with contractor to monitor impacts. • Contingency plans to step in should contractors fail. Principal route will be to use a TEKAL company to provide the service pending retendering as the company vehicle preserves the private sector T&Cs of employment. • Council has and is prepared to offer loans to help contractors with cash flow, subject to an assessment that they are a going concern. 				

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- Requirement for higher recycled packaging content has caused some plastic materials prices to increase.
- Escalated performance management discussions have taken place with waste contractor, an action plan to manage recruitment and vehicle breakdown is now in place.

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6	C 3	Judicial Review and or major legal challenge	<ul style="list-style-type: none"> • Council loses case 	<ul style="list-style-type: none"> • Council policies may no longer be fit for purpose • Unregulated activity until soundly based policy put in place • Large costs award against Council • Reputational damage • Major media engagement • Monitoring Officer and/or s.151 officer issues Report in the Public Interest • Department for Levelling Up, Housing and Communities intervention • Potential requirement to repeat procurement 	Head of Legal and Democratic Services	<ul style="list-style-type: none"> • All Executive, Committee and Council reports require sign off by legal and finance to ensure compliance with budget and policy framework and current legislation. • List of policies maintained with review dates. • Information Governance function strengthened to ensure compliance with data protection. • Policies should be backed by evidence and Leadership Team consideration involves constructive challenge as well as formal Monitoring Officer and s.151 officer.

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		Loss of access to Cabinet Office systems	<ul style="list-style-type: none"> IT systems not meeting government standards leading to the elections team being unable to communicate with central government systems 	<p>exercise and compensate unsuccessful bidders in first exercise</p> <ul style="list-style-type: none"> Additional and or abortive costs Loss of access to electoral registers, inability to run day to day elections business. 		<ul style="list-style-type: none"> IT have sought a waiver to allow access to Cabinet Office systems until such time that we are moved over to Windows 10.

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6		<ul style="list-style-type: none"> All four new solicitors are now in post. The Contracts Lawyer, who started in March 2021, has been advising on the Council's major projects, allowing for much greater control. The Council's Information Governance and Data Protection Manager who started at the beginning of 2021, has undertaken a great deal of work with regards data mapping and updating the Council's policies, providing the Council with greater resilience against data breaches. Work being outsourced has more or less ceased, meaning that, where legal advice is required, East Herts Legal Team are now consulted throughout, reducing the risk of problems arising further down the line. Cabinet Office requiring that all Local Authorities move away from their soon to be defunct "Public Services Network" onto a new web-based system. East Herts' IT systems do not currently meet the Cabinet Office's requirements and so we are unable to access the new web-based system. IT have sought and been granted a waiver on certain
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requirements on the proviso that we will be moving onto Windows 10 shortly.

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7	A 1	District Plan	Failure to refresh District Plan to timescales and /or refreshed District Plan found to be unsound at examination	<ul style="list-style-type: none"> • Planning becomes developer led rather than planning policy led through 5 year land supply test • Additional costs to redo work Additional costs of planning appeals and possible judicial reviews • Reputational damage • Loss of affordable housing and S.106 / community infrastructure levy benefits • Failure to meet 5 year Housing Land Supply requirements • Possible intervention by the Department for Levelling, Housing & Communities 	Head of Planning	<ul style="list-style-type: none"> • Evidence based planning policy decisions • Strong focus on Member, Parish, partner and community buy-in

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Update on current position

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- The District Plan was adopted in October 2018 following a successful examination in public.
- Planning in East Herts is therefore ‘plan-led’ rather than ‘developer-led’.
- The majority of strategic sites now have an agreed Masterplan.
- Following the Housing Delivery Test results in January, the Council has maintained the minimum 5% buffer and therefore can demonstrate a housing year land supply in excess of 5 years.
- The Council has also continued its trend of annual improvements on the Housing Delivery Test, this year being able to demonstrate a 130% delivery rate meaning that the Council is meeting its housing need and addressing the undersupply of previous years as well.
- A total of 853 dwellings were completed in 2020/21. Of these, 267 were affordable homes which represents 31.3% of all completed dwellings in the district.
- To be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in local plans, should be reviewed to assess whether they need updating at least once every 5 years, and should then be [updated as necessary](#). Officers are currently considering whether a review of the District Plan is required.

East Herts Council Corporate Risk Register – 2021/22 quarter four

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
8	A 4	Climate change	<p>Severe Weather causing major incident (includes flood, wind, snow, cold and heat)</p> <p>Drought</p> <p>Weather extremes require substantial retrofit costs for asset adaptations</p>	<ul style="list-style-type: none"> • Disruption to Council services as staff diverted to response • Additional costs of response • Service changes required if long recovery phase • Service change required to adapt e.g. heatwave early day starts • Major media engagement • Disruption to some services through water restrictions • Additional costs of support to vulnerable service users • Public health issues • Non-availability of capital resources may cause working conditions on some days to be unbearable. • Instances of abandoning assets where hold the 	Head of Housing & Health	<ul style="list-style-type: none"> • Business Continuity Plan Severe Weather section • Emergency Plan including specific response plans to flooding etc. • Health and Safety Policy details severe weather response • Council reducing carbon footprint for the district • Emergency Plan • Business continuity plan • Council reducing carbon footprint for the district • New modern workspace work stream of the Transformation Programme will address climate change issues in the design

East Herts Council Corporate Risk Register – 2021/22 quarter four

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
				line defences against floods no longer viable <ul style="list-style-type: none"> Increasing attacks by non-native species causing biodiversity loss Increased costs arising from new operating requirements, e.g. sustained +30 degree heat requires refuse freighter insides to be degreased and jetted out regularly to prevent oils and fats combusting 		

Update on current position

8		<ul style="list-style-type: none"> Climate change motion agreed July 2019. Multi-agency environmental and climate change forum continues. Energy efficiency modifications to key existing buildings and new electricity contract is from renewable sources. Review underway of motor fleet with extended use of e-vehicles. Carbon footprint reducing as a consequence of pandemic and homeworking. Future agile working will support. Food waste minimisation campaign to reduce carbon footprint by food being wasted as well as the disposal route. List of achievements posted on website at https://www.eastherts.gov.uk/about-east-herts-0/environmental-sustainability/sustainability-get-involved. Training commenced for officers. Clean Air Day campaign held. 			
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East Herts Council Corporate Risk Register – 2021/22 quarter four

Update on current position

- Engagement with insurers over design / materials for new buildings. Use of sustainable materials and modern methods of construction proving problematic. Insurers want more emphasis on property protection (in addition to life saving standards). Major developments are also situated in or adjacent to flood zones. ~~Insurance Broker Surveyor to be instructed to review Hertford Theatre plans and provide report on likely insurance market reaction.~~ Construction insurance for Hertford Theatre currently proving very difficult to procure.
- HCCSP strategic theme – adaptation.
- Climate Change Strategy 2022 – 2026 drafted with public consultation due to run from 20th April to 23rd May. The strategy lays out a route map for the council to become carbon neutral by 2030 and the mechanisms via which the council will contribute to carbon neutrality across the whole district by that date.

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
9	A 1	Child / Vulnerable Adult Protection	Child / Vulnerable Adult protection failure	<ul style="list-style-type: none"> • Possible legal action for damages • Possible prosecution • Major media engagement • Reputational damage 	Head of Housing & Health	<ul style="list-style-type: none"> • Safeguarding policy • Annual training for staff and Members

Update on current position

- 90% of Members have received safeguarding training or briefings.
- Officer training on safeguarding annually. Targeted training took place for 10 officers in quarter one with 40 booked

East Herts Council Corporate Risk Register – 2021/22 quarter four

Update on current position

- to future sessions. Further training being provided to Community Safety Partnership Board and Joint Advisory Group Partners.
- Quarterly safeguarding report submitted to Leadership Team.
 - Hertfordshire Safeguarding Adults Board self-assessment complete. Favourable feedback received along with recommendations for further improvement.
 - SIAS audit of safeguarding function reported in Feb 2022. 'Reasonable' assurance provided with one 'medium priority' recommendation made to instigate a process of further compliance checks among grant recipients, taxi licence holders and contracts. This work will be carried out by 31.03.23. SIAS Audit scheduled for February 2022.
 - Domestic Abuse Policy considered and approved by HR committee in November 2021.

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
10	A 2	Equalities	Council found to have discriminated against individuals or communities with protected characteristics OR council has made a decision without considering equalities and diversity implications.	<ul style="list-style-type: none"> • Possible legal action for damages • Possible enquiry and report by Equalities & Human Rights Commission • Major media engagement • Reputational damage 	Head of Comms, Policy & Strategy	<ul style="list-style-type: none"> • East Herts into a shared service for equalities and diversity support with HCC in November 2020. • New strategy being developed to address challenges and embed equalities and diversity in decision making.

Update on current position

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- New strategy was approved by Council on 28 July. Since then significant work has been undertaken on training staff on the equalities impact assessment process and forming a staff equalities group

East Herts Council Corporate Risk Register - 2021/22 quarter four

Update on current position

- Unfortunately shared service with HCC ended in April 2022 due to post holder leaving. We are currently reviewing options for provision within the limited resources we have for corporate equality support.

East Herts Council Corporate Risk Register – 2021/22 quarter four

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
11	B 2	Internal control	Failure of internal control or unethical behaviour	<ul style="list-style-type: none"> • Qualified accounts • Possible Police involvement if fraud involved • Major media engagement • Reputational damage • Increased costs as a result of loss or fine or compensation payments 	Head of Strategic Finance and Property	<ul style="list-style-type: none"> • Key reconciliations carried out regularly. • Internal audit work planned and undertaken on key areas. • Assurance Mapping • Electronic workflow where controls much harder to circumvent • Separation of duties appropriate to the staffing numbers

Update on current position

11		<ul style="list-style-type: none"> • Audits remain mostly on track and there is sufficient audit scope for an assurance opinion to be given • Assurance Mapping approach to be introduced which will show visually where assurance is gained and also identifies duplications and unnecessary steps which will inform officers undertaking lean process reviews and help Audit & Governance Committee to see where there are risks and then internal audit resources can be directed there. • Full suite of updated anti-fraud and corruption policies approved by to be submitted to Leadership Team in October and Audit and Governance Committee in November 2021. Intranet and website content to be updated once agreed. • The new policies will be publicised to all employees. • The Shared Anti-Fraud Service recommenced meetings with teams to provide training and increase awareness, starting with Parking (blue badge misuse), Licensing and Housing in October 2021.
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East Herts Council Corporate Risk Register – 2021/22 quarter four

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
12	A 4	Outbreak of disease in humans	Pandemic and/or Public Health Emergency Declared	<ul style="list-style-type: none"> • Loss of staff and/or key skills due to illness and related absenteeism • Requirement to enable entire workforce to work from home • Requirement for Council and Committees to meet via video conference • Loss of income/additional costs • Loss of essential services /utilities/ suppliers • Demand from partner organisations to provide staff and other resources to support their response • Major media engagement • Disruption to all Council services • Increased risk of fraud from support programmes 	Head of Housing and Health	<ul style="list-style-type: none"> • Business Continuity Plan • Emergency Plan • Dynamic risk assessments and keeping office open and COVID secure in line with government guidance. • Agile working introduced and scaled up to ensure social distancing • Fraud alerts on pandemic circulated by SAFS

Update on current position

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- Updates on financial compensation are included under Risk 1
- Updates on recovery work on supporting the local economy are detailed under Risk 2
- Alternative working methods instigated as a result of Covid 19 including home working and IT communications solutions (Zoom, Teams, WhatsApp and the like)
- Blended working arrangements commenced autumn 2021 with staff working 50% at the office and 50% from home.
- Detailed, up-to-date risk assessments in place including frequent Covid self-testing
- Live Well, Work Well programme amended to incorporate greater emphasis on staff mental health
- Joined up working with key partners, notably HCC and the police, to ensure coherent and planned use of financial and staff resources, for example Covid marshals and joint visits/advice/enforcement actions re: businesses. (Covid marshal scheme extended during quarter one.) Shop safe, shop local campaign held.
- Restart grants for businesses and community covid recovery grant schemes opened.
- Public facing recovery plan published in April.
- In-person Member meetings resumed.
- East Herts vaccination plan drawn up. Bidding for resources for vaccine tracing.
- The council continues to work with HCC Public Health as the national Covid measures and guidance recede.

East Herts Council Corporate Risk Register – 2021/22 quarter four

No	Score	Vulnerability	Trigger	Consequence	Risk owner	Mitigation / control
13	A 1	Business Continuity Plan / Emergency Plan	Major Incident Occurs Plan fails	<ul style="list-style-type: none"> • Loss of essential services / utilities/ suppliers • Demand from partner organisations to provide staff and other resources to support their response • Major media engagement • Disruption to all Council services • Unable to support partner organisations to provide staff and other resources to support their response • Possible legal action or public inquiry 	Head of Housing & Health	<ul style="list-style-type: none"> • Emergency Plan Major Incident protocols • Business Continuity Plan • Keep plans under review every 6 month and keep evidence. • Review of response after every incident • Training for staff in EP roles • Regular exercises once a quarter • Emergency and Resilience work provided through Hertfordshire County Council

Update on current position

13		<ul style="list-style-type: none"> • Normal business continuity and emergency planning activities have continued during the pandemic. • Mutual aid was provided to the NHS to support staff shortages as well as supporting testing and vaccination • Desk top exercise accessing plans and refresh of contact lists undertaken • Communications test undertaken from County to Districts to check notification cascade. • Review of business continuity plan by Hertfordshire County Council Resilience Officer underway, <u>particularly in light of the potential heightened risk of cyber attacks in the context of Russia's invasion of Ukraine. All staff mandated to</u>
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East Herts Council Corporate Risk Register – 2021/22 quarter four

Update on current position

[complete cyber risk online training by 08.04.22.](#)

- Proposed test of the emergency plan postponed during pandemic. The test will be the priority once the business continuity plan review is complete.
- Review of IT Disaster Recovery Plan to take place.

		Description	Likelihood of occurrence	Probability of occurrence	
Likelihood	4	High	Monthly	The event is expected to occur or occurs regularly	
	3	Medium	Annually	The event will probably occur	
	2	Low	1 in 5 years	The event may occur	
	1	Very Low	Less frequently than 1 in 5 years	The event may occur in exceptional circumstances	
Impact	Description		Financial	Reputation	Service / operation
	A	Critical	> £1m p.a.	Serious negative media	Catastrophic fall in service quality or long term disruption to services
	B	Significant	£400,000 to £1m p.a.	Adverse national media	Major fall in service quality or serious disruption to services
	C	Marginal	£100,000 to £400,000 p.a.	Adverse local media	Significant fall in service quality
	D	Minor	< £100,000	Public concerns restricted to local complaints	Little impact to service quality

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