



## Notice of a public meeting of

### Audit and Governance Committee

<b>To:</b>	Councillors Pavlovic (Chair), Fisher (Vice-Chair), Mason, D Taylor, Wann, Webb and Lomas
<b>Date:</b>	Monday, 28 September 2020
<b>Time:</b>	5.30 pm
<b>Venue:</b>	Remote Meeting

### AGENDA

#### 1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they might have in respect of business on this agenda.

#### 2. **Minutes**

(Pages 1 - 6)

To approve and sign the minutes of the meeting held on 15 July 2020.

### **3. Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

**Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is 5:00pm on Thursday, 24 September 2020.**

To register to speak please contact Democratic Services, on the details at the foot of the agenda. You will then be advised on the procedures for dialling into the remote meeting.

#### **Webcasting of Remote Public Meetings**

Please note that, subject to available resources, this remote public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

### **4. Monitor 1 2020/21 - Key Corporate Risks** (Pages 7 - 56)

The Audit and Governance Committee will consider a report which provides an update on the key corporate risks (KCRs) for City of York Council (CYC), which is included at Annex A.

### **5. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972.

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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City of York Council

Committee Minutes

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MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	15 JULY 2020
PRESENT	COUNCILLORS PAVLOVIC (CHAIR), FISHER (VICE-CHAIR), MASON, WEBB, LOMAS, FENTON (SUBSTITUTE) AND BAKER
APOLOGIES	COUNCILLORS D TAYLOR AND WANN

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## **1. DECLARATIONS OF INTEREST**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda. None were declared.

## **2. MINUTES**

Resolved: That the minutes of the meeting held on 11 March 2020 be approved and then signed by the Chair as a correct record. As a point of information, it was noted that the constitutional changes recommended to Council at that meeting would be referred to Full Council, as required, when it was possible to hold that Full Council meeting further to the Covid 19 pandemic.

## **3. PUBLIC PARTICIPATION**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme from Ms G Swinburn, who spoke on various governance issues: the circumstances under which the Monitoring Officer had called for review and reconsideration of an Officer report, leading to the cancellation of an associated call-in; the new model Code of Conduct for Councillors; the inadequacy of complaints processes; the Annual Governance Statement; senior permanent recruitment and payments made to the former Chief Executive.

## **4. FINANCE AND GOVERNANCE UPDATE PRESENTATIONS**

Members received presentations on updates relating to the financial response to and challenges arising from the Covid 19

pandemic, as well in relation to governance changes to guidance and practice arising from the pandemic.

On the financial update, the Head of Corporate Finance & Commercial Procurement responded to various questions regarding ongoing monitoring of the financial position and the requirement to review the budget and/or reduce expenditure in the year ahead. Whilst an emergency budget review was unlikely for the coming year, a restriction on expenditure may be necessary and further savings would likely need to be identified in the next 3-5 years.

On the governance update, the Monitoring Officer outlined the changes which had been made and responded to questions regarding the urgent decision making guidance issued on 23 March 2020 and to the resumption of 'physical' meetings.

**RESOLVED:** That the updates on the financial and Governance services as impacted by Covid 19, be noted.

**Reason:** To ensure the Committee be properly informed about key developments in these service areas, in view of the remit of the Committee.

## **5. ANNUAL REPORT OF THE HEAD OF INTERNAL AUDIT**

Members considered a report detailing the outcome of internal audit work undertaken in 2019/20 and reviewing the effectiveness of the Council's governance, risk management and internal control framework. The Head of Internal Audit also advised that the Council's Audit Charter had been reviewed but no change was considered necessary,

The Head of Internal Audit responded to various questions from Members regarding reports on limited assurance audits, the impact on audit arrangements of a new CIPFA 'high assurance' ranking, and on the impact of new ways of working identified in the summary of 2019/20 audit work at Annex 1 to the report.

**RESOLVED:** That

- (i) the results of internal audit work undertaken in 2019/20 be noted;

Reason

To enable members to consider the implications of internal audit findings.

(ii) the opinion of the Head of Internal Audit on the adequacy and effectiveness of the council's framework of governance, risk management and internal control, be noted;

Reason

To enable members to consider the implications of internal audit findings.

(iii) the outcome of the Quality Assurance and Improvement Programme and the confirmation that the internal audit service conforms with Public Sector Internal Audit Standards, be noted;

Reason

To enable members to consider the opinion of the Head of Internal Audit.

(iv) the significant control weaknesses identified during the year which are relevant to the preparation of the Annual Governance Statement, be noted

Reason

To enable the Annual Governance Statement to be prepared.

(v) the new audit opinions and definitions to be adopted from 2020/21 onwards, be noted.

Reason

To comply with internal audit recommended practice

## **6. INTERNAL AUDIT & COUNTER FRAUD PLANS 2020/21**

Members considered a report seeking approval to the planned programme of internal audit work to be undertaken in 20/20/21, including counter fraud work. This report had been delayed due to the Covid 19 pandemic and had therefore been updated in the interim, whilst the Audit Plan included an allocation of time for work already undertaken during that period. The Plan was high level and risk based and designed to be flexible to respond to need at this critical time.

RESOLVED: That the internal Audit Plan for 2020/21 be approved and the proposed Counter Fraud Plan, be noted.

Reason: In accordance with the Committee's responsibility for overseeing the work of internal audit and the counter fraud service.

## **7. ANNUAL REPORT OF THE MONITORING OFFICER**

Members considered the Annual Report of the Monitoring Officer, since her appointment in December 2019, addressing the Council's governance and assurance frameworks and intended to support the Annual Governance Statement.

The Monitoring Officer responded to a range of questions, advising Members that some procedures may need to be reviewed to ensure compliance with the revised model Code of Conduct recently released. In relation to questions regarding the number of cases with maladministration found without a report and regarding Housing Ombudsman cases, she undertook to provide a written response or to report back at a future meeting, when the Annual Complaints report would be considered.

RESOLVED: That the Annual Report of the Monitoring Officer be noted.

## **8. TREASURY MANAGEMENT ANNUAL REPORT & REVIEW OF PRUDENTIAL INDICATORS 2019/20**

Members considered a report setting out the draft Treasury Management Annual Report and Review of Prudential Indicators covering 2019/20, outlining treasury management activity during the year for the scrutiny of this Committee.

In response to a question about borrowing, the Head of Corporate Finance & Commercial Procurement set out the Council's process and arrangements. It was, then

RESOLVED: That the Treasury Management Annual Report and Review of Prudential Indicators for 2019/20, be noted.

Reason: To ensure those responsible for scrutiny and governance arrangements be updated on a regular basis with a view to making sure that those implementing policies and executing transactions



have properly fulfilled their responsibilities in relation to delegation and reporting.

**9. STATEMENT OF ACCOUNTS 2019/20**

Members considered a report setting out the draft Statement of Accounts for 2019/20, prior to auditing. The Council's external auditors attended the meeting to respond to queries if required and confirmed that Covid 19 had not impacted on the Accounts before Members due to the lockdown starting at the end of the financial year. Responses were given to various detailed questions from Members around housing stock and the position relating to factoring in highways assets, after which it was

RESOLVED: That the pre-audit Statement of Accounts, including the Annual Governance Statement, for the year ended 31 March 2020, be noted, subject to formal sign-off being considered at the next or a future meeting of the Committee.

**10. AMENDMENTS TO THE CONSTITUTION BY THE MONITORING OFFICER SINCE 23 MARCH 2020**

Members considered a report setting out essential amendments made by the Monitoring Officer to the Constitution to enable effective and urgent decision making to continue in the Council during the Covid 19 pandemic. Such amendments included implementation of urgent decision making guidance, publication arrangements for urgent decisions, additional Standing Orders to facilitate the operation of remote meetings as required by the Covid 19 Regulations, together with statutory arrangements for scrutiny and changes to facilitate and improve public participation at meetings, during this time. Details of those constitutional amendments made had been published on the Council's website.

A debate then ensued on the possibility of reviewing the Constitution further, following up on the recent 'tidying up' exercise with a view to making it easier to interpret and to improving transparency and consistency, prior to a more substantial governance review of the Council's decision making arrangements.

RESOLVED: That

- (i) The constitutional amendments made by the Monitoring Officer during the Covid 19 pandemic, be noted; and
- (ii) A report be received at a future meeting, identifying constitutional elements for further review, as set out above.

**Councillor Pavlovic, Chair**

**[The meeting started at 4.30 pm and finished at 7.25 pm].**

**Agenda Item 4**

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**Audit & Governance Committee****28 September 2020**

Report of the Head of Corporate Finance & Commercial Procurement  
(interim s151 officer)

**Monitor 1 2020/21 - Key Corporate Risks****Summary**

1. The purpose of this paper is to present Audit & Governance Committee (A&G) with an update on the key corporate risks (KCRs) for City of York Council (CYC), which is included at Annex A.
2. Risk implications and controls in relation to Covid-19 are included within Annex A.
3. A detailed analysis of KCR9 (Communities) is included at Annex B.

**Background**

4. The role of A&G in relation to risk management covers three major areas;
  - Assurance over the governance of risk, including leadership, integration of risk management into wider governance arrangements and the top level ownership and accountability for risk
  - Keeping up to date with the risk profile and effectiveness of risk management actions; and
  - Monitoring the effectiveness of risk management arrangements and supporting the development and embedding of good practice in risk management
5. Risks are usually identified in three ways at the Council;

- A risk identification workshop to initiate and/or develop and refresh a risk register. The risks are continually reviewed through directorate management teams (DMT) sessions.
  - Risks are raised or escalated on an ad-hoc basis by any employee
  - Risks are identified at DMT meetings
6. Due to the diversity of services provided, the risks faced by the authority are many and varied. The Council is unable to manage all risks at a corporate level and so the main focus is on the significant risks to the council's objectives, known as the key corporate risks (KCRs).
7. The corporate risk register is held on a system called Magique. The non KCR risks are specific to the directorates and consist of both strategic and operational risk. Operational risks are those which affect day to day operations and underpin the directorate risk register. All operational risk owners are required to inform the risk officer of any updates.
8. In addition to the current KCRs, in line with the policy, risks identified by any of the Directorates can be escalated to Council Management Team (CMT) for consideration as to whether they should be included as a KCR. KCRs are reported bi-annually to CMT.
9. The Risk and Insurance Officer attends DMTs bi-annually to update directorate risks.

### **Key Corporate Risk (KCR) update**

10. There are currently 13 KCRs which are included at Annex A in further detail, alongside progress to addressing the risks.
11. Annex C is a one page summary of all the KCR's and their current gross and net risk ratings.
12. In summary the key risks to the Council are:
- KCR1 – Financial Pressures: The Council's increasing collaboration with partnership organisations and ongoing

government funding cuts will continue to have an impact on Council services

- KCR2 – Governance: Failure to ensure key governance frameworks are fit for purpose.
- KCR3 – Effective and Strong Partnership: Failure to ensure governance and monitoring frameworks of partnership arrangements are fit for purpose to effectively deliver outcomes.
- KCR4 – Changing Demographics: Inability to meet statutory deadlines due to changes in demographics
- KCR5 – Safeguarding: A vulnerable child or adult with care and support needs is not protected from harm
- KCR6 – Health and Wellbeing: Failure to protect the health of the local population from preventable health threats.
- KCR7 – Capital Programme: Failure to deliver the Capital Programme, which includes high profile projects
- KCR8 - Local Plan: Failure to develop a Local Plan could result in York losing its power to make planning decisions and potential loss of funding
- KCR9 – Communities: Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.
- KCR10 – Workforce Capacity: Reduction in workforce/ capacity may lead to a risk in service delivery.
- KCR11 – External market conditions: Failure to deliver commissioned services due to external market conditions.
- KCR12 – Major Incidents: Failure to respond appropriately to major incidents.
- KCR13 – Brexit: The implications for council services now that the UK has left the EU. This has been revised to reflect the risks now that UK has left the EU, as it was previously the risk that the UK may leave the EU. Essentially, the risks remain the same at this stage.

13. Risks are scored at gross and net levels. The gross score assumes controls are in place such as minimum staffing levels or minimum statutory requirements. The net score will take into account any additional measures which are in place such as training or reporting. The risk scoring matrix is included at Annex D for reference.

14. The following matrix categorises the KCRs according to their

net risk evaluation. To highlight changes in each during the last quarter, the number of risks as at the previous monitor are shown in brackets.

<b>Impact</b>					
Critical			5 (5)		
Major			6 (6)		
Moderate		1 (1)		1 (1)	
Minor					
Insignificant					
<b>Likelihood</b>	Remote	Unlikely	Possible	Probable	Highly Probable

15. By their very nature, the KCRs remain reasonably static with any movement generally being in further actions that are undertaken which strengthen the control of the risk further or any change in the risk score. In summary, key points to note are as follows;

- New Risks- No new risks have been added since the last monitor
- Increased Risks – no KCRs have increased their net risk score since the last monitor
- Removed Risks – no KCRs have been removed since the last monitor
- Reduced Risks – No KCRs have reduced their net risk score since the last monitor

### **Updates to KCR risks, actions and controls**

16. Since the last monitor reported to A&G, the Council has had to deal with the significant impact of Covid-19. The risks in relation to Covid-19 affect most council services and have an impact on 11 out of 13 existing KCRs. Covid-19 risks and implications are highlighted in bold in Annex A and are listed below for ease of reference.

#### **KCR1 – Financial Pressures**

17. The new risk is described as follows:
- Financial impact of Covid-19 on Council budgets
  - Financial impact of Covid-19 on the economy as a whole
  - Lack of resources to fully utilise Covid-19 government funding within set timescales, which are very short.

18. This will have the implications;
  - Covid-19 will result in additional expenditure pressures (eg. Staff, PPE) and a shortfall in income (eg parking, commercial property), which are unlikely to be fully reimbursed by central government. This will result in potential short term budget pressures which will need to be mitigated by a reduction or reprioritisation of spending or use of reserves. In the long term additional savings will be required.
  - An economic downturn will affect the Council's main sources of funding; reducing business rates income if premises are vacant and reducing council tax income if more individuals require support due to unemployment
19. Controls in place are as follows;
  - Ongoing analysis of implications of Covid-19 through budget monitoring and realignment of resources
  - Robust recording of Covid-19 expenditure for MHCLG should increase likelihood of receiving the maximum reimbursement from central government

#### KCR2 - Governance

20. The new risk is described as follows:
  - The initial response to Covid-19 required the Council to put in place urgent decision making guidance to ensure that decisions could be made rapidly, although there was no government guidance until 4 April.
  - Response to Covid-19 has resulted in the requirement to conduct remote decision making meetings.
21. This will have the implications;
  - The new decision making protocols in response to Covid-19 must still be made in accordance with the Council's constitution and statutory framework
  - Risk of litigation against any decisions taken during the 'emergency' period
22. Controls in place are as follows:
  - A team was set up to ensure both Officers and Members could competently access and participate in remote meetings; and to deal with specific issues highlighted in the remote decision making risk assessment.
  - All officer and delegated decisions are reported publicly to Executive/ A&G to ensure transparency

### KCR3 – Effective and Strong Partnerships

23. It was noted that the financial position of partners (which was already a risk) could be worsened due to Covid-19. However, there were many positive examples that partnerships worked well together in the event of the Covid-19 emergency and successfully dealt with issues; eg. the Outbreak Management Board is a non- decision making body which meets regularly; the YCAB partnership; collaboration with DoE. This was recognised as a control since it demonstrates that partnership working was effective at delivering the best outcomes.

### KCR4 – Changing Demographics

24. It was recognised that the impact of Covid-19 may disproportionately affect certain demographics; eg BAME and the older community are more likely to suffer health issues, blue badge holders were affected by city centre changes, and the Council need to ensure that decisions made in relation to Covid-19 are taken with a recognition of the different impacts on certain demographics.
25. A control has been added to ensure that Community Impact Assessments are carried out before decision making.

### KCR5 - Safeguarding

26. The new risk is described as follows:
- Lower numbers of vulnerable children in school due to Covid-19 may increase the risk of the Council failing to protect a vulnerable child
  - Potential for an increased demand on Children's and Adult services after Covid-19 measures are lifted
27. This will have the implications;
- A statutory breach of contact issues for vulnerable children due to Covid-19 restrictions
  - Financial and resource implications of an increase in demand once the Covid 19 measures are lifted
  - Ongoing work to ensure capacity is assured to enable any increase in demand to be met after Covid-19 restrictions are lifted



28. The control in place is the use of different methods of contact methods for vulnerable children, such as facetime, alongside working with the DoE and Ofsted.

#### KCR6 – Public Health

29. There is a risk that Government policy in relation to Covid-19 may prioritise the economy over public health and lift restrictions too soon, which may increase the likelihood of an outbreak.
30. The Outbreak Management Board is a positive example of the control in place, dealing successfully with this risk in relation to Covid-19. The Covid-19 outbreak prevention, management and response will continue to be the main focus throughout 2020 and 2021/22 and until the pandemic is declared over. The Outbreak Control Plan is due for review in March 2021.
31. The Director of Public Health's Annual report will include a detailed analysis of the Council's response to Covid-19, which is due to be published in February 2021

#### KCR7 – Capital Programme

32. There is a risk that any reduction in expenditure required due to budget pressures as a result of Covid-19 may reduce future capital programmes. Pausing or stopping projects as a result of Covid-19 may create some compliance issues and may mean that existing projects require extensions.
33. As a control there is an ongoing procurement and legal review to highlight any issues which may arise as a result of pausing projects due to Covid-19.

#### KCR9 – Communities

34. There have been positive actions/ controls as a result of Covid-19 which demonstrate the Council can work with the community and partners to ensure that communities are resilient. These include;
- Community Hubs set up to distribute food and medicine
  - Helpline – phone and inbox 7 days a week including bank holidays
  - Covid-19 crisis funds to help the financially vulnerable

### KCR10 Workforce/ Capacity

35. The following risks were identified in relation to the health, wellbeing and motivation of the workforce;
- Adjustment to the new ways of working as a result of Covid-19 eg home working, use of PPE, increased lone working due to need to social distance
  - Additional workload due to Covid-19
  - Reduction in posts due to budget savings required as a result of Covid-19
36. Controls in place include;
- Joint Health and Safety Board and regular review of support for staff
  - Increased help and awareness of staff wellbeing and mental health as a result of the new ways of working during Covid-19 including regular communication, advice, risk assessments, help with home office and ICT equipment

### KCR11 – External Market Conditions

37. The risks identified were;
- Providers may go out of business as a result of Covid-19
  - Many sectors under financial pressure due to Covid-19 (due to reductions in income or increase in expenditure)
38. A control was in place to mitigate this risk by providing short term financial assistance from Covid-19 pressures through supplier reliefs and government grants to business.
39. However it is recognised that there should be an ongoing action to improve the Council's proactive efforts in market development and market shaping.

### KCR12 – Response to Major Incidents

40. If there was an uncoordinated or poor response to a local lockdown requirement this could result in implications as already recognised in this risk.
41. The development of the local outbreak control plan and a variety of internal recovery strategies are in place as a control to mitigate this risk.
42. There were no implications for KCR8 Local Plan or KCR13

Brexit, as a result of Covid-19. All of the above changes are included at Annex A.

### **Options**

43. Not applicable.

### **Council Plan 2019-2023**

44. The effective consideration and management of risk within all of the council's business processes helps support achieving all eight of the key outcomes identified in the Council Plan.

### **Implications**

45. There are no further implications.

### **Risk Management**

46. In compliance with the council's Risk Management Strategy, there are no risks directly associated with the recommendations of this report. The activity resulting from this report will contribute to improving the council's internal control environment.

### **Recommendations**

47. Audit and Governance Committee are asked to:

- (a) consider and comment on the key corporate risks included at Annex A, summarised at Annex C;
- (b) consider and comment on the information provided in relation to KCR9 Communities included at Annex B;
- (c) note that the 2020/21 Monitor 2 report will include a detailed analysis of KCR10 Workforce/Capacity;
- (d) provide feedback on any further information that they wish to see on future committee agendas

Reason:

To provide assurance that the authority is effectively understanding and managing its key risks

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report:**

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**Report  
Approved ✓**

**Date  
2/9/20**

**Specialist Implications Officer(s)**

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**Wards Affected All**

**Annexes**

- A – Key Corporate Risk Register
- B – Analysis of KCR9 Communities
- C – Summary of Key Corporate Risks
- D - Risk Scoring Matrix

**ANNEX A  
KEY CORPORATE RISK REGISTER AT AUGUST 2020**

**KCR 1 FINANCIAL PRESSURES: The ongoing government funding cuts will continue to have an impact on council services.** Over the course of the last 10 years there has been a substantial reduction in government grants leading to significant financial savings delivered. The council needs a structured and strategic approach to deliver the savings in order to ensure that any change to service provision is aligned to the council's key priorities. In addition other partner organisations are facing financial pressures that impact on the council.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Reduction in government grants leading to the necessity to make savings</p> <p>Increased service demand and costs (for example an aging population).</p> <p>Financial pressures on other partners that impact on the council</p> <p>The spending review is one year only for 2020/21.</p> <p><b>Financial impact of Covid-19 on Council budgets</b></p> <p><b>Financial impact of Covid-19 on the economy as a whole</b></p> <p><b>Lack of resources to fully utilise Covid-19 government funding within set timescales, which are very short</b></p>	<p>Potential major implications on service delivery</p> <p>Impacts on vulnerable people</p> <p>Spending exceeds available budget</p> <p>Lack of long term funding announcements from central government creates uncertainty which hinders long term financial planning</p> <p>Lack of long term funding announcements from central government may impact on staff retention as it creates uncertainty for temporary posts funded by external funding</p> <p><b>Covid-19 will result in additional expenditure pressures (eg. Staff, PPE) and a shortfall in income (eg parking, commercial property), which are unlikely to be fully reimbursed by central government. This will result</b></p>	Probable	Major (20)	<p>Regular budget monitoring</p> <p>Effective medium term planning and forecasting</p> <p>Chief finance officer statutory assessment of balanced budget</p> <p>Regular communications on budget strategy and options with senior management and politicians</p> <p>Skilled and resourced finance and procurement service, supported by managers with financial awareness</p> <p>Ongoing analysis of Brexit implications through reports to Executive</p> <p><b>NEW: Financial Strategy 2020/21 approved</b></p> <p><b>Ongoing analysis of implications of Covid-19 through budget monitoring and realignment of resources</b></p> <p><b>Robust recording of Covid 19 expenditure for MHCLG should increase likelihood of receiving</b></p>	Possible	Moderate (14)	No change	<p><b>UPDATE:</b> Development of budget strategy for 2021/22 (Ian Floyd, 31/01/2021)</p>

**ANNEX A  
KEY CORPORATE RISK REGISTER AT AUGUST 2020**

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
	<p><b>in potential short term budget pressures which will need to be mitigated by a reduction or reprioritisation of spending or use of reserves. In the long term additional savings will be required.</b></p> <p><b>An economic downturn will affect the Council's main sources of funding; reducing business rates income if premises are vacant and reducing council tax income if more individuals require support due to unemployment</b></p>			<p><b>the maximum reimbursement from central government</b></p>				

**ANNEX A  
KEY CORPORATE RISK REGISTER AT AUGUST 2020**

**KCR 2 GOVERNANCE: Failure to ensure key governance frameworks are fit for purpose.** With the current scale and pace of transformation taking place throughout the organisation it is now more important than ever that the council ensures that its key governance frameworks are strong particularly those around statutory compliance including information governance, transparency and health and safety.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Increased interactions in relation to FOIA and transparency</p> <p>Failure to comply with data protection and privacy legislation</p> <p>Serious breach of health and safety legislation</p> <p>Failure to comply with statutory obligations in respect of public safety</p> <p><b>The initial response to Covid-19 required the Council to put in place urgent decision making guidance to ensure that decisions could be made rapidly, although there was no government guidance until 4 April.</b></p> <p><b>Response to Covid-19 has resulted in the requirement to conduct remote decision making meetings.</b></p>	<p>Increases in cases held or fines levied by Information Commissioner</p> <p>Failing to meet the legal timescales for responding to FOIA may result in reduced confidence in the council's ability to deal with FOIA and in turn, its openness and transparency</p> <p>Individuals will be at risk of committing criminal offences if they knowingly or recklessly breach the requirements of the GDPR legislation.</p> <p>Potential increased costs to the council if there are successful individual claims for compensation as a result of a breach of GDPR legislation.</p> <p>Impact on the end user/customer</p> <p>Public and staff safety may be put at risk</p> <p>Possible investigation by HSE</p>	Probable	Major (20)	<p>Electronic Communication Policy</p> <p>IT security systems in place</p> <p>Governance, Risk and Assurance Group (GRAG)</p> <p>Ongoing Internal Audit review of information security</p> <p><b>NEW:</b> New Health and Safety monitoring in place from 1 Sep</p> <p>Regular monitoring reports to Audit &amp; Governance committee and Executive Member decision sessions</p> <p>Open Data platform providing Freedom of Information (FOI) requested data</p> <p>Regular review of transparency code legislation and compliance</p> <p>Ongoing management of data architecture to provide de-personalised data to open data platform</p> <p>Public Protection Annual Control Strategy</p>	Possible	Major (19)	New Action	<p>Ongoing Action - Health and Safety training programmes at all levels (Ian Floyd, 31/03/2021)</p> <p>Ongoing Action: regular review of internal audit reviews and recommendations (Ian Floyd 31/03/21)</p> <p>Review of Council constitution underway, to report to Council in Oct 2020 followed by further reviews (Janie Berry)</p>

**ANNEX A  
KEY CORPORATE RISK REGISTER AT AUGUST 2020**

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
	<p>Prohibition notices might be served preventing delivery of some services</p> <p>Prosecution with potential for imprisonment if Corporate Manslaughter</p> <p>Further incidents occur</p> <p>Adverse media/ social media coverage</p> <p>Reputational impact</p> <p><b>The new decision making protocols in response to Covid-19 must still be made in accordance with the Council's constitution and statutory framework</b></p> <p><b>Risk of litigation against any decisions taken during the 'emergency' period</b></p>			<p>Additional resource, training and improved processes to deal with FOIA requests</p> <p>Additional resource, training and improved processes to deal with the implementation of GDPR</p> <p>GRAG have an enhanced role, providing feedback in relation to the Covid 19 governance changes</p> <p><b>A team was set up to ensure both Officers and Members could competently access and participate in remote meetings; and to deal with specific issues highlighted in the remote decision making risk assessment.</b></p> <p><b>All officer and delegated decisions are reported publicly to Executive/ A&amp;G to ensure transparency</b></p>				



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**KCR 3 EFFECTIVE AND STRONG PARTNERSHIPS: Failure to ensure partnership arrangements are fit for purpose to effectively deliver outcomes.** In order to continue to deliver good outcomes and services, the council will have to enter into partnerships with a multitude of different organisations whether they are public, third sector or commercial entities. The arrangements for partnership working need to be clear and understood by partners to ensure they deliver the best possible outcomes.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Failure to effectively monitor and manage partnerships</p> <p>Partner (especially NHS, Academies) financial pressures may affect outcomes for residents</p> <p>Unilateral decisions made by key partners may effect other partners' budgets or services</p> <p>Financial pressure on York Teaching Hospitals NHS Foundation Trust (YTHFT) and Vale of York Clinical Commissioning Group (VOYCCG), <b>which may have worsened further due to Covid-19</b></p>	<p>Key partnerships fail to deliver or break down</p> <p>Misalignment of organisations' ambitions and direction of travel</p> <p>Ability to deliver transformation priorities undermined</p> <p>Adverse impact on service delivery</p> <p>Funding implications</p> <p>Reputational impact</p>	Probable	Major (20)	<p>Account management approach to monitoring key partnerships. <b>NEW</b> - CMT identified the 60 organisations who have the most potential to influence or affect organisational aims and priority outcomes for residents, and monitors on a quarterly basis. Each Corporate Director and the Chief Executive lead on specific relationships.</p> <p>Internal co-ordination such as Creating Resilient Communities Working Group (CRCWG) meet regularly to understand which areas of the council are working with different partners and what is happening across these agendas.</p> <p><b>There were many positive examples that partnerships worked well together in the event of the Covid-19 emergency and successfully deals with issues; eg. the Outbreak Management Board is a non-decision making body which meets regularly; the YCAB partnership; collaboration with DoE</b></p>	Possible	Moderate (14)	No change	Ongoing action - Monitoring of controls (CMT, 31/03/2021)

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**KCR 4 CHANGING DEMOGRAPHICS: Inability to meet statutory duties due to changes in demographics.** York has a rapidly changing demographic in relation to both residents and business. This brings with it significant challenges particularly in the delivery of adult social care and children's services. The council needs to ensure that community impacts are planned for and resourced.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Development and regeneration makes York more desirable and accessible to residents, students and business, resulting in increasing inward migration to York.</p> <p>An increase in the aging population requiring services from the council</p> <p>Increase in complexity of needs as people get older</p> <p>Increase in people living with dementia</p> <p>Increase in ethnic diversity of the population means that the council has to understand the needs of different communities in relation to how services are delivered</p> <p>Growing number of people with SEND or complex needs living into adulthood</p>	<p>Increased service demand from residents, including; statutory school placements, SEND, mental health, adult social care and environmental services (eg waste collection)</p> <p>Increased service demand in relation to business (eg Regulation, Planning)</p> <p>Impact of additional demands cause significant financial and delivery challenges, such as a rise in delayed discharges</p> <p>Reputational impact as these mainly impact high risk adult and children's social care service areas</p> <p>Unable to recruit workers in key service areas eg care worker</p> <p><b>To ensure that decisions made in relation to Covid-19 are taken with a recognition of the different</b></p>	Probable	Major (20)	<p>Place planning strategy to ensure adequate supply of school places</p> <p>DfE returns and school population reported every 6 months</p> <p>Local area working structures in frontline services, including Early intervention initiatives and better self-care</p> <p>Assessment and Care management review complete, to better manage adult social care demand on CYC based on community led support</p> <p>Advice and Information Strategy complete, to provide residents with direct access to support and services, to better manage adult social care demand on CYC, resulting in the launch of Livewell York in March 19</p> <p>Investment in support brokerage work with NHS integrated commissioning</p> <p>Stakeholder and officer group, to create a more connected and integrated health and social care system.</p> <p>Officer caseload monitoring</p>	Possible	Major (19)	Update to action deadline	<p>Ongoing Action - Ensure adequate supply of schools places (CYC Place Planning Strategy, Governance Structure) (Amanda Hatton, 31/03/2021)</p> <p>Further redesign and implementation of new arrangements for early help and prevention (Sophie Wales, 30/09/2020)</p> <p>Continue to analyse the Local Plan and Major development projects demographic data to determine the impact on all CYC services. Note: The Local Plan is currently in the public enquiry process which will consider the impact (CMT, 31/12/20)</p>

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Demographic of workforce supply unable to meet workforce demand</p> <p>Failure to plan for the impact of a rapid change in demographics to front line service provision</p> <p><b>The impact of Covid-19 may disproportionately affect certain demographics; eg BAME and the older community are more likely to suffer health issues, blue badge holders affected by city centre changes</b></p>	<p><b>impacts on certain demographics</b></p>			<p>Internal co-ordination such as Creating Resilient Communities Working Group (CRCWG)</p> <p>York Skills Plan to 2020</p> <p>The Education Planning Team have completed a review of demographic data to determine the impact on schools</p> <p><b>Community Impact Assessments are carried out before decision making</b></p>				

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**KCR 5 SAFEGUARDING: A vulnerable child or adult with care and support needs is not protected from harm.** Ensuring that vulnerable adults and children in the city are safe and protected is a key priority for the council. The individual, organisational and reputational implications of ineffective safeguarding practice are acute.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Failure to protect a child or vulnerable adult from death or serious harm (where service failure is a factor)</p> <p><b>Lower numbers of vulnerable children in school due to Covid-19 may increase the risk of the Council failing to protect a vulnerable child</b></p> <p><b>Potential for an increased demand on Children's and Adult services after Covid-19 measures are lifted</b></p> <p><b>A statutory breach of contact issues for vulnerable children due to Covid-19 restrictions</b></p>	<p>Vulnerable person not protected</p> <p>Children's serious case review or lessons learned exercise</p> <p>Safeguarding adults review</p> <p>Reputational damage</p> <p>Serious security risk</p> <p>Financial implications, such as compensation payments</p> <p><b>Financial and resource implications of an increase in demand once the Covid 19 measures are lifted</b></p>	Probable	Major (20)	<p>Safeguarding sub groups</p> <p>Multi agency policies and procedures</p> <p>Specialist safeguarding cross sector training</p> <p>Quantitative and qualitative performance management</p> <p>Reporting and governance to lead Member, Chief Executive and Scrutiny</p> <p>Annual self assessment, peer challenge and regulation</p> <p>Audit by Veritau of Safeguarding Adults processes</p> <p>Children's and Adults Safeguarding Boards (LSCB &amp; ASB)</p> <p>Ongoing inspection preparation &amp; peer challenge</p> <p>National Prevent process</p> <p>DBS checks and re-checks</p> <p>Effectively resourced and well managed service</p>	Possible	Major (19)	No change	Ongoing action Safeguarding Board annual action plan 2019/20 (Sharon Houlden and Amanda Hatton, 31/03/2021)

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
				<p>Safeguarding Board annual plan 2018/19 is approved</p> <p>Controls implemented from peer review action plan</p> <p>Chief Officer Group which brings together Chief Officers from relevant organisations in relation to safeguarding eg police, CYC</p> <p>Community Safety Plan 2017 to 2020 agreed by Executive 28 Sep 2017</p> <p>Completed restructure of Children's social care services</p> <p>Children's Social Care records system is upgraded. This is monitored by a project board. On going development is planned and awaiting costings</p> <p>July 2019 supplementary budget provided additional funding</p> <p><b>Ongoing work to ensure capacity is assured to enable any increase in demand to be met after Covid-19 restrictions are lifted</b></p> <p><b>Use of different methods of contact methods for vulnerable children, such as facetime, alongside working with the DoE and Ofsted</b></p>				

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**KCR 6 HEALTH AND WELLBEING:** Failure to protect the health of the local population from preventable health threats through preventable control measures.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Failure to protect the health of citizens against preventable disease by ensuring appropriate levels of vaccination, immunisation and screening.</p> <p><b>NEW:</b> Failure to demonstrate we are meeting the new responsibilities from central government which include;</p> <ul style="list-style-type: none"> <li>• Outbreak control plan</li> <li>• Governance structure</li> <li>• Independent assurance process</li> </ul> <p><b>Government policy in relation to Covid-19 may prioritise the economy over public health and lift restrictions too soon</b></p>	<p>Likelihood of mass disease outbreaks</p> <p>Late diagnosis &amp; delay in treatment of health conditions that could be identified earlier through routine screening e.g. breast &amp; cervical cancer, diabetic sight loss</p> <p>Reduction in life expectancy</p>	Probable	Major (20)	<p>Liaison with NHS and Public Health England and development of plans to be able to make a large scale response e.g. Mass Treatment Plan.</p> <p>Health Protection Board recently established with good engagement across partners in local and regional meetings.</p> <p>Annual Health Protection Report to the Health and Wellbeing Board and Health &amp; Adult Social Care Policy and Scrutiny Committee</p> <p>CYC Director of Public Health is co-chair with NHS England of the North Yorkshire &amp; York Local Health Resilience Partnership.</p> <p>Internal audit of health protection governance has been completed giving reasonable assurance.</p> <p><b>NEW:</b> Mass vaccination programme for flu</p> <p><b>The main focus of health protection since February 2020 being the public health response to the coronavirus pandemic. The Director of Public Health is leading the York response. An Outbreak Management Advisory</b></p>	Possible	Moderate (14)	No change	<p><b>The COVID-19 outbreak prevention, management and response will continue to be the main focus throughout 2020 and 2021/22 and until the pandemic is declared over. The Outbreak Control Plan is due for review in March 2021 (Sharon Stoltz, 31/3/21)</b></p> <p><b>The 2020 Director of Public Health Annual Report will have a focus on health protection including the response to COVID-19. (Sharon Stoltz 28/02/2021)</b></p>

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
				<p><b>Board has been established together with a governance structure to oversee this work.</b></p> <p><b>The lessons learned from the peer review have been incorporated into the COVID-19 Outbreak Control Plan</b></p>				

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**KCR 7 CAPITAL PROGRAMME: Failure to deliver the Capital Programme, which includes high profile projects.** The capital programme currently has a budget of £615m from 2019/20 to 2023/24. The schemes range in size and complexity but are currently looking to deliver two very high profile projects, the Community Stadium and York Central, which are key developments for the city.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Complex projects with inherent risks</p> <p>Large capital programme being managed with reduced resources across the Council</p> <p>Increase in scale of the capital programme, due to major projects and lifting of borrowing cap for Housing</p> <p><b>Reduction in expenditure required due to budget pressures as a result of Covid-19 may reduce future capital programmes</b></p>	<p>Additional costs and delays to delivery of projects</p> <p>The benefits to the community are not realised</p> <p>Reputational Damage</p> <p><b>Pausing or stopping projects as a result of Covid-19 may create some compliance issues and may mean that existing projects require extensions</b></p>	Probable	Major (20)	<p>Project boards and project plans</p> <p>Regular monitoring of schemes</p> <p>Capital programme reporting to Executive and CMT</p> <p>Financial, legal and procurement support included within the capital budget for specialist support skills</p> <p>Project Management Framework</p> <p>Additional resource to support project management</p> <p>Capital Strategy 2020/21 to 2024/25 approved in Feb 2020</p> <p>In September 2017 A&amp;G agreed there was sufficient assurance in relation to governance of major projects as no longer required quarterly scrutiny at A&amp;G</p> <p>Internal Audit Report gave reasonable assurance on project management arrangements in 2018/19</p> <p><b>Ongoing procurement and legal review to highlight any issues</b></p>	Possible	Moderate (14)	No Change	<p><b>UPDATE:</b> Development of capital strategy for 2021/22 (Ian Floyd, 31/01/2021)</p> <p><b>UPDATE:</b> Update on Corporate Project Management Approach to report to future A&amp;G in 2020</p>



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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
				which may arise as a result of pausing projects due to Covid-19				

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**KCR 8 LOCAL PLAN: Failure to develop a Local Plan could result in York losing its power to make planning decisions and potential loss of funding.** The council has a statutory duty to develop a Local Plan, a city wide plan, which helps shape the future development in York over the next 20 years. It sets out the opportunities and policies on what will or will not be permitted and where, including new homes and businesses. The Local Plan is a critical part of helping to grow York's economy, create more job opportunities and address our increasing population needs.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Failure to agree and adopt a Local Plan for the City.</p> <p>The Council has submitted the Draft Local Plan for Examination. This represents a significant milestone in the plan making process.</p> <p>The Draft Local Plan has to complete the Examination stage. There remains a risk that if the Plan fails this stage more work may be required and / or the plan has to amended before adoption by the Council. In these circumstances the overall risk score remains unchanged.</p>	<p>No adopted strategic development plan or framework to guide new development and to shape the city whilst protecting and enhancing the environment and heritage of York.</p> <p>Development proposals which are not in accordance with the Draft Plan may continue to be submitted as planning applications resulting in refusals of planning permission and an increase in planning appeals.</p> <p>There may be a negative impact on the council's strategic economic goals and the lack of an adopted Plan may have an adverse impact on investment in the city until there is an adopted Local Plan which provides greater direction through land use allocations and policies which guide and direct development.</p>	Probable	Major (20)	<p>The plan making process following national guidance, good practice and specialist legal advice.</p> <p>Continued close liaison with:</p> <ul style="list-style-type: none"> <li>• MHCLG,</li> <li>• Planning Advisory Services</li> <li>• Planning Inspectorate</li> <li>• The appointed planning Inspectors.</li> </ul> <p>The Local Plan Working Group (LPWG) , the Executive and full Council have all been engaged in the plan making process at appropriate stages and before submission of Draft Local Plan for Examination</p> <p>Close liaison with neighbouring authorities in relation to the plan proposals and the plan making process / timetable.</p>	Possible	Major (19)	New Controls, updated implications and revised date	Ongoing action - Monitoring of controls (Mike Slater, 31/12/2021)

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
	Development processes and decision making is slowed down							

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**KCR 9 COMMUNITIES: Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.** The council needs to engage in meaningful consultation with communities to ensure decisions taken reflect the needs of residents, whilst encouraging them to be empowered to deliver services that the council is no longer able to do. Failing to do this effectively would mean that services are not delivered to the benefit of those communities or in partnership.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Failure to effectively engage with the communities we serve</p> <p>Failure to contribute to the delivery of safe communities</p> <p>Failure to effectively engage stakeholders (including Members and CYC staff) in the decision making process</p> <p>Failure to manage expectations</p> <p>Communities are not willing/able to fill gaps following withdrawal of CYC services</p> <p>Lack of cohesion in the planning and use of CYC and partner community based assets in the city</p>	<p>Lack of buy in and understanding from stakeholders</p> <p>Alienation and disengagement of the community</p> <p>Relationships with strategic partners damaged</p> <p>Impact on community wellbeing</p> <p>Services brought back under council provision – reputational and financial implications</p> <p>Budget overspend</p> <p>Create inefficiencies</p> <p>Services not provided</p> <p>Poor quality provision not focused on need, potential duplication, ineffective use of resources, difficulty in commissioning community services e.g. Library services</p>	Probable	Major (20)	<p>Creating Resilient Communities Working Group (CRCWG)</p> <p>New service delivery models, including Local Area Teams. Local Authority Co-ordination Neighborhood Working</p> <p>Revised Community Safety Plan</p> <p>Devolved budgets to Ward Committees and delivery of local action plans through ward teams</p> <p>Local area working restructures for Children’s, Adults and Housing Services</p> <p>Improved information and advice, Customer Strategy and ICT support to facilitate self service</p> <p>CYC Staff and Member training and development</p> <p>The July 2019 supplementary budget provided additional resources to the safer community fund, community engagement officer and use of Brexit funding</p>	Possible	Major (19)	Revised Date	Develop a Community Engagement Strategy (Amanda Hatton, 31/12/2020)

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
				<p><b>NEW:</b> Community Safety Strategy approved on 2 March 2020 covering the period 2020-2023</p> <p><b>Community Hubs set up to distribute food and medicine</b></p> <p><b>Helpline – phone and inbox 7 days a week including bank holidays</b></p> <p><b>Covid-19 crisis funds to help the financially vulnerable</b></p>				

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**KCR 10 WORKFORCE/ CAPACITY: Reduction in workforce/ capacity may lead to a risk in service delivery.** It is crucial that the council remains able to retain essential skills and also to be able to recruit to posts where necessary, during the current periods of uncertainty caused by the current financial climate and transformational change. The health, wellbeing and motivation of the workforce is therefore key in addition to skills and capacity to deliver.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>The necessity to deliver savings has resulted in a reduced workforce requiring new and specialist skills</p> <p>Recruitment and retention difficulties as the council may be seen as a less attractive option than the private sector</p> <p>Lack of succession planning</p> <p>HR Policies may not be consistent with new ways of working (eg remuneration policy)</p> <p>Uncertainty around long term funding from central government.</p> <p>Staff with EU citizenship may leave</p> <p><b>Adjustment to the new ways of working as a result of Covid-19 eg</b></p>	<p>Increased workloads for staff</p> <p>Impact on morale and as a result, staff turnover</p> <p>Inability to maintain service standards</p> <p>Impact on vulnerable customer groups</p> <p>Reputational damage</p> <p>Single points of failure throughout the business</p> <p>Lack of long term funding announcements from central government may impact on staff retention as it creates uncertainty for temporary posts funded by external funding</p> <p>Potential recruitment issues if staff with EU citizenship leave and are difficult to replace</p>	Probable	Major (20)	<p>Workforce Strategy/ People Plan</p> <p>Stress Risk Assessments</p> <p>PDRs</p> <p>Comprehensive Occupational Health provision including counseling</p> <p>HR policies e.g. whistleblowing, dignity at work</p> <p>Development of coaching/ mentoring culture to improve engagement with staff</p> <p>Corporate Cost Control Group monitoring of absence and performance reporting</p> <p>Apprenticeship task group</p> <p>Agency and Interim Staffing Policies</p> <p>Absence Management Policies</p> <p>Substance Misuse Policy</p>	Possible	Moderate (14)	No Change	<p>The outputs of the Workplace Health &amp; Wellbeing group and the Wellbeing survey will be integrated into the Organisation Development Plan. (31/12/20, Sharon Stoltz)</p> <p>Ongoing action: Review of HR policies to ensure they complement the new ways of working in the future (Ian Floyd 31/03/21)</p>

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p><b>home working, use of PPE, increased lone working due to need to social distance</b></p> <p><b>Additional workload due to Covid-19</b></p> <p><b>Reduction in posts due to budget savings required as a result of Covid-19</b></p>				<p>The council has signed up to a pledge to become a Time to Change Employer with a focus on mental health.</p> <p>A Workplace Health &amp; Wellbeing Group has been established with staff &amp; trade union representation which is chaired by the Director of Public Health.</p> <p>A staff health &amp; wellbeing survey has been undertaken &amp; this is being followed up by staff focus groups.</p> <p>Increase in regulatory compliance to protect the workforce eg Health and Safety regulations, working time directives</p> <p>Increase in Living wage</p> <p>Engagement with staff that had concerns about the EU settlement Scheme for European Citizens and offer of support through York Learning, Registrars and Citizens' Advice Bureau</p> <p><b>Joint Health and Safety Board and regular review of support for staff</b></p> <p><b>Increased help and awareness of staff wellbeing and mental health as a result of the new ways of working during Covid-19 including regular communication, advice, risk</b></p>				

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
				assessments, help with home office and ICT equipment				



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**KCR 11 EXTERNAL MARKET CONDITIONS: Failure to deliver commissioned services due to external market conditions.**  
 The financial pressures experienced by contracted services (in particular Adult Social Care providers) as a result of increases to the living wage **and Covid-19** could put the continued operation of some providers at risk. The Council has a duty to ensure that there is a stable/diverse market for social care services delivery to meet the assessed needs of vulnerable adults/children.  
 Some services provided by the Council cannot be provided internally (eg Park and Ride) and must be commissioned. External market conditions such as the number of providers willing to tender for services may affect the Council's ability to deliver the service within budget constraints.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Increases to the national living wage.</p> <p>Recruitment and retention of staff</p> <p>If failure occurs, the Council may remain responsible for ensuring the needs of those receiving the service continue uninterrupted.</p> <p><b>Providers may go out of business as a result of Covid-19</b></p> <p><b>Many sectors under financial pressure due to Covid-19 (reductions in income or increase in expenditure)</b></p>	<p>Vulnerable people do not get the services required or experience disruption in service provision</p> <p>Safeguarding risks</p> <p>Financial implications: Increased cost of alternative provider Increased cost if number of providers are limited</p> <p>Reputational damage</p>	Unlikely	Major (18)	<p>Clear contract and procurement measures in place</p> <p>Ongoing review of operating and business models of all key providers and putting further mitigation in place, such as more robust contract monitoring and commissioning some 'enhanced' credit checks</p> <p>CYC investment in extra care OPHs has reduced recruitment pressure</p> <p>Revised SLA with independent care group and quarterly monitoring meetings with portfolio holder</p> <p>Increase in homecare fees to reflect actual cost of care</p> <p>Local policies in place for provider failure</p> <p>Ongoing analysis of 'no deal' Brexit implications through reports to Executive</p> <p>No specific supply chain or procurement issues have been identified, although there is a general</p>	Unlikely	Moderate (13)	No change	<p>Ongoing action: Ongoing attendance at Independent Care Group Provider Conference (Sharon Houlden 31/03/21)</p> <p><b>NEW:</b> Ongoing action: Improve proactive efforts in market development and market shaping (Sharon Houlden 31/03/21)</p>

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Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
				<p>concern regarding unknown impacts from a number of suppliers and service providers as a result of Brexit.</p> <p><b>Short term financial assistance from Covid-19 pressures through supplier reliefs and government grants to business</b></p>				

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**KCR 12 MAJOR INCIDENTS: Failure to respond appropriately to major incidents.** Local Authorities are required by law to make preparations to deal with emergencies. Local Authorities have four main responsibilities in an emergency 1. to support the Emergency Services, 2. to co-ordinate non-emergency organisations, 3. to maintain their own services through a robust Business Continuity Management process and 4. to facilitate the recovery of the community. The Council must ensure that its resources are used to best effect in providing relief and mitigating the effects of a major peacetime emergency on the population, infrastructure and environment coming under it's administration. This will be done either alone or in conjunction with the Emergency Services and other involved agencies, including neighbouring authorities.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>An uncoordinated or poor response to a major incident such as:</p> <ul style="list-style-type: none"> <li>• Flood</li> <li>• Major Fire</li> <li>• Terrorist Attack</li> <li>• Civil Unrest in relation to political issues such as Brexit</li> <li>• <b>Local lockdown due to Covid-19</b></li> </ul>	<p>Serious death or injury</p> <p>Damage to property</p> <p>Reputational damage</p> <p>Potential for litigation</p> <p>Potential for corporate manslaughter charges if risks are identified and proposed actions not implemented</p>	Probable	Catastrophic (24)	<p>Emergency planning and Business Continuity Plans in place and regularly reviewed</p> <p>Strong partnerships with Police, Fire, Environment Agency and other agencies</p> <p>Support to Regional Resilience forums</p> <p>Support and work in partnership with North Yorkshire local resilience forums</p> <p>Investment in Community Resilience (re Flooding)</p> <p>Work with partners across the city to minimise the risk of a terrorist attack</p> <p>Implemented physical measures for certain events</p> <p>Review of city transport access measures (Exec Feb 18, Sep 18)</p>	Possible	Major (19)	New Risk detail	<p>Ongoing action: Regular review of emergency and business continuity plans (Neil Ferris, 31/3/21)</p> <p>Improvements to enhance flood protection (The Environment Agency)</p>

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KEY CORPORATE RISK REGISTER AT AUGUST 2020**

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
				<b>Development of the local outbreak control plan and a variety of internal recovery strategies</b>				

**ANNEX A  
KEY CORPORATE RISK REGISTER AT AUGUST 2020**

**REVISED - KCR 13 BREXIT: The implications for council services now that the UK has left the EU.** Lack of clarity on the final outcome of negotiations and the future relationship between the UK and EU at the end of the Transition Period (31<sup>st</sup> December 2020) makes it difficult to fully assess the implications of Brexit for York. Many risks are intangible given the variety of future scenarios that exist. The Council has therefore to the extent information allows undertaken limited assessments and planning for the implications internally, city wide and regional/national. This will inform the Council's response to any challenges or opportunities posed by Brexit and prioritise information and support for residents.

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
<p>Lack of certainty and guidance from government departments</p> <p>Staff with EU citizenship may leave</p>	<p>Lack of guidance and certainty makes it difficult to plan effectively as there are so many scenarios to account for.</p> <p>Potential recruitment issues if staff with EU citizenship leave and are difficult to replace</p> <p><u>Potential</u> implications on service delivery include;</p> <ul style="list-style-type: none"> <li>• Supply chain/ procurement issues</li> <li>• Community Cohesion</li> <li>• Economic impact on residents (eg price increases) increase pressure on council services</li> <li>• Civil Unrest</li> <li>• Trading Standards requirement to understand new regulations and safety markings (non CE)</li> </ul>	Probable	Major (20)	<p>Reports to Executive to provide an overview and assessment of the Council's Brexit preparations</p> <p>Consideration of emerging issues by CMT and standing item for Member briefings as necessary.</p> <p>Nomination of a named officer for coordination of information on behalf of CMT</p> <p>Review of technical notices provided by Central Government</p> <p>Meetings and intelligence gathering with Heads of Service</p> <p>Sharing information on a regional level with the North Yorkshire Local Resilience Forum</p> <p>Engagement with staff (and residents?) that had concerns about the EU settlement Scheme for European Citizens and offer of help through York Learning, Registrars and Citizens' Advice Bureau</p>	Probable	Moderate (15)	New Implications	Ongoing: Regular assessment of the position, based on central government guidance (CMT)

**ANNEX A  
KEY CORPORATE RISK REGISTER AT AUGUST 2020**

Risk Detail (cause)	Implications (consequence)	Gross Likelihood	Gross Impact	Controls	Net Likelihood	Net Impact	Direction of Travel	Risk Owner and Actions
	Potential financial pressures if Brexit results in an increase in costs			<p>City wide engagement in the form of Brexit City Partner Meetings and email communications</p> <p>Dissemination of information to businesses through the Make it York and Local Enterprise Partnership websites</p> <p>Communication to residents through posters, postcards and social media channels</p> <p>Attendance by Council Officers to government run workshops</p> <p>Remainder of central government Brexit funding to support preparation.</p> <p>No specific supply chain or procurement issues have been identified, although there is a general concern regarding unknown impacts from a number of suppliers and service providers as this is difficult to quantify given the continued uncertainty of the UK's future relationship with the EU and trading arrangements with other countries.</p> <p>A watching brief is being maintained on this and the potential impact on major projects as a number of recently let contracts have required the Council to confirm Contractors are not bearing Brexit risks.</p>				



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## **Annex B**

### **Analysis of Key Corporate Risk 9 – Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.**

1. This Annex provides a more detailed analysis of KCR9: failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.

#### **Risk Detail**

2. The risks were previously expressed as:
  - Failure to effectively engage with the communities we serve
  - Failure to contribute to the delivery of safe communities
  - Failure to effectively engage stakeholders (including Members and CYC staff) in the decision-making process
  - Failure to manage expectations
  - Communities are not willing/able to fill gaps following withdrawal of CYC services
  - Lack of cohesion in the planning and use of CYC and partner community based assets in the city

#### **Implications**

3. The potential implications for the Council include:
  - Lack of buy-in and understanding from stakeholders
  - Alienation and disengagement of the community
  - Relationships with strategic partners damaged
  - Impact on community wellbeing
  - Services brought back under council provision – reputational and financial implications
  - Budget overspend
  - Inefficiencies
  - Services not provided
  - Poor quality provision not focused on need, potential duplication, ineffective use of resources, difficulty in commissioning community services

#### **Controls**

4. The controls in place include:

## **Annex B**

### **Analysis of Key Corporate Risk 9 – Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.**

- New service delivery models, including Local Area Teams. Local Authority Co-ordination Neighbourhood Working
- Revised Community Safety Plan
- Devolved budgets to Ward Committees and delivery of local action plans through ward teams including a new safer community fund
- Local area working structures for Children's, Adults and Housing Services
- Improved information and advice, Customer Strategy and ICT support to facilitate self service
- CYC Staff and Member training and development
- Additional community involvement officers including one, using Brexit funding, to work with minority communities
- Creating Resilient Communities Working Group established at officer level

### **Key areas of progress**

5. The council approach at ward level centres on:
  - Working with communities to develop local priorities and delivering on these
  - Empowering local communities by devolving more budgets to residents
  - Engaging local residents so that their views shape the council's priorities
  - Getting residents increasingly involved in local initiatives and volunteering
  - Creating strong links to, and investing in, third sector, service and partner organisations
  - Increasing community capacity so that all communities are able to take up the opportunities open to them
6. In its service delivery, the council increasingly takes a 'strengths-based' approach in order to encourage resilient communities that:
  - Are self-managing and less reliant on the council and other agencies for help

**Annex B**

**Analysis of Key Corporate Risk 9 – Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.**

- Are able to minimise the disruption to everyday life that unforeseen events present
- Enable people to have more control of their own lives
- Ensure people are equipped and willing to play a part in community life

7. This means:

- Working with partners to build community capacity, supporting the growth of social networks and social action, bringing all sectors together in projects that deliver on local priorities
- Taking a 'strengths based' approach, starting from the positive resources and skills found in individuals and communities rather than from problems
- Ensuring that people have appropriate advice and information to keep them resilient, independent, happy and healthy
- Supporting people and communities to find the help they need to maintain their resilience and independence and participate fully in community life
- Working with partners to intervene early with those at risk of losing their independence or with escalating levels of need
- Ensuring that, where people have longer-term need for additional support, this is delivered in the most appropriate, personalised way, using community provision in the area as far as possible

8. Conspicuous examples of recent developments include:

- Local Area Co-ordination – supporting people as valued citizens in their communities. Local Area Coordinators enable people to pursue their vision for a 'good life' and to stay strong, safe, connected and in control.
- Extending ward budgets – Making an increased range of budgets available for local decision-making including a safer communities fund.
- Community Health Champions – As peer mentors and leaders of others, the volunteer champions build on their passions and skills and lead new health promotion activities that not only improve their own health and wellbeing but connect with many other beneficiaries, who may also go on to become a champion

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**Analysis of Key Corporate Risk 9 – Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.**

themselves. 76 champions currently recruited, connected to 1,339 beneficiaries.

- Ageing Well – York’s ‘Age Friendly’ initiative is supporting the city to work towards the World Health Organisation global network of ‘Age Friendly Cities & Communities’ through a two year process of action planning, supporting older people as active citizens. The programme is informed by a 100 strong older citizens group and has delivered quick wins to help build social connections and address loneliness.
- People Helping People – reflecting York’s status as a ‘City of Service’ we have co-designed a number of impact volunteering programmes linking people as active citizens to local challenges including health inequalities, loneliness and children and young people reaching their potential. Health Champions, Growing Green Spaces, Move the Masses and the national leading GoodGym York are examples of ‘impact volunteering’ initiatives. York’s People Helping People model is regularly featured at national and international forums.
- A step change in the quality of information available to residents, notably through *Live Well York*:  
<https://www.livewellyork.co.uk/s4s/WhereILive/Council?pagelD=2251&lockLA=True>
- Community Hubs - responding to and supporting community need. The hubs provide a key response linking ‘people to place’ and supporting relationships, social networks and connections to be built, helping communities to identify and respond to local needs. The “virtual hubs” put in place as part of the council’s response to Covid-19 have shown the potential of the hub model.
- Many diverse initiatives such as ‘Forgotten Corners’ – encouraging local communities to take the lead in improving and managing local spaces.
- A number of posts designed to boost community capacity such as the Environment and Community Officers and Community and Partnership Officers within the Local Area Teams.
- Cultural Wellbeing – reflecting the national report on Creative Health: The Arts for Health and Wellbeing, York’s cultural wellbeing programme is demonstrating how arts based approaches can help people to stay well, recover faster, and

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**Analysis of Key Corporate Risk 9 – Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.**

experience a better quality of life. The Ways to Wellbeing social prescribing programme and introduction of link workers will further enhance capacity working through Primary Care Networks.

- Adult Social Care have introduced ‘strength based social work practice’, reflecting an ethos of strength and asset based approaches. Choice, control, citizenship and connectedness alongside place-based working, are common themes underpinning all strengths-based work.

9. A new Community Safety Strategy was approved on 2 March covering the period 2020-2023. Specific recent actions include increasing engagement in those areas that have experienced serious ASB and County Lines activity through door knocks with North Yorkshire Police. In relation to Prevent, the Council is setting up a Prevent Champions Scheme which will facilitate better engagement with communities.

10. In the area of engagement, the council recognises that it is facing an unprecedented need for quality engagement to support its leadership to deliver the council plan and meet the city’s major challenges. The council’s engagement principles follow LGA best practice and can be summarised as:

- Partnership working through co-creation and shared governance
- Increase transparency and focus stakeholders on shared solutions and compromise through open and ongoing conversations – meaning engagement activity must be visible and the perspectives shared.
- Vary how you engage in order to remove barriers to participation and make it easy for people to join the conversation.
- Resonate emotionally not just practically

11. Facilitating stakeholders of different perspectives to explore challenges together has been central to the success of the ‘My’ engagement exercises. These are evolving to include voices ‘excluded’ from traditional engagement, including the majority of York residents who have high levels of interest but do not have the time to regularly commit to attend events or meetings to influence the decisions which affect their lives. While they have rightly attracted praise from voices across the city, it is not the only area of

**Annex B****Analysis of Key Corporate Risk 9 – Failure to ensure we have resilient, cohesive, communities who are empowered and able to shape and deliver services.**

strong resident engagement. Community Hubs, Age Well York, Youth Voice, Talkabout, the new Minority Communities Community Involvement Officer, and other areas of the council are all engaging key audiences in a way which is measurably improving participation in decisions and building resilience of individuals and wider communities. However, while these services talk to one another to share good practice there is no common language or framework, meaning engagement is inconsistent across geographies and demographics.

12. There is currently no consistent approach to gathering, storing and analysing the large volume of insight generated across the council. This can lead to duplication of engagement with stakeholders, and parts of the organisation unable to benefit from the existing knowledge of our communities. This duplication consumes valuable resource and can contribute to stakeholder 'consultation fatigue'. There is a need for a more holistic, shared approach across the council, one that clearly demonstrates how the council are facilitating change across the city.
13. While inclusivity lies at the heart of engagement planning, there is also a need to develop more bespoke channels to make sure the voices of York's communities of interest and identity are heard. There are, however, a number of examples of particular communities of identity being able to hold the council to account, for example 'Show Me That I Matter' which enables young people in care to help shape services and to meet with decision makers in order to effect change. Also the *Community Voices* project engages with the voice of some of York's most marginal communities, for example through the project it undertook with rough sleepers.
14. The "Our Big Conversation" initiative will help to address these issues: <https://www.york.gov.uk/OurBigConversation> This will be a wide-ranging engagement exercise encompassing major projects such as the transport plan, the economic development strategy and My City Centre, as well as council plan priorities and 'routine' city-wide engagement exercises and surveys. There will be an opportunity to draw on existing networks in order to engage the various communities of identity, identifying and addressing any barriers that may exist to each group participating in the engagement activities. The aim will be to develop a programme of

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engagement themes (transport, climate, economy, etc.) that actively seeks to encourage multiple voices across all sectors.

15. It is also proposed to develop a resident engagement toolkit to support projects and programmes to deliver engagement in a consistent way. This will also identify consistent approaches to storing and drawing upon existing data before carrying out further engagement. It would be complemented by the development of a library of insight that can be interrogated to inform future engagement activities – reducing duplication and providing a steer for future themes to explore.
16. Collating information gained from the multiple channels of engagement with citizens the Council would be able to identify key issues / themes. Drawing on these, the council would produce insight reports in order to develop messages for future resident communications that demonstrate “you said we did” building trust in the engagement process.

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## KEY CORPORATE RISK REGISTER SUMMARY

Key Corporate Risk	Gross Likelihood	Gross Impact	Gross Score	Net Likelihood	Net Impact	Net Score
KCR1 Financial Pressures	Probable	Major	20	Possible	Moderate	14
KCR2 Governance	Probable	Major	20	Possible	Major	19
KCR3 Effective and Strong Partnerships	Probable	Major	20	Possible	Moderate	14
KCR4 Changing Demographics	Probable	Major	20	Possible	Major	19
KCR5 Safeguarding	Probable	Major	20	Possible	Major	19
KCR6 Health and Wellbeing	Probable	Major	20	Possible	Moderate	14
KCR7 Capital Programme	Probable	Major	20	Possible	Moderate	14
KCR8 Local Plan	Probable	Major	20	Possible	Major	19
KCR9 Communities	Probable	Major	20	Possible	Major	19
KCR10 Workforce/ Capacity	Probable	Major	20	Possible	Moderate	14
KCR11 External Market Conditions	Unlikely	Major	18	Unlikely	Moderate	13
KCR12 Major Incidents	Probable	Catastrophic	24	Possible	Major	19
KCR13 Brexit	Probable	Major	20	Probable	Moderate	15

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Annex D- Risk Matrix

		Likelihood				
		Remote	Unlikely	Possible	Probable	Highly Probable
Impact	Catastrophic	17	22	23	24	25
	Major	12	18	19	20	21
	Moderate	6	13	14	15	16
	Minor	2	8	9	10	11
	Insignificant	1	3	4	5	7

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