

City of York Council

Key Corporate Risk Monitor Q3 2008/09

Annex A

KCR 0001 - Implementation of new pay & grading structure

Implementation of the pay & grading review presents a whole raft of potential risks to the Council. These range from lawfulness issues (e.g. meeting statutory deadlines) and financial considerations (i.e. affordability) to employee relations problems (e.g. industrial action, demoralised workforce, recruitment and retention issues etc).

	RES	CS	NS	CE	LCCS	HASS
1. Inability to retain staff	20	19	19	15	14	14
2. Inability to recruit staff	18	19	19	15	9	14
3. Potential industrial action	N/a	14	19	10	6	6
4. Decline in customer service	6	14	13	10	8	9
5. Increase staff absence	6	14	14	15	9	9
6. Reduced staff productivity	13	15	15	15	14	14
7. Inability to contribute to corporate priorities	8	13	19	15	14	14
8. Reduced staff morale	15	14	13	15	14	15
9. Potential legal challenge	14	14	22	9	14	19

Resources

1. Lack of continuity and increased demands on management within ITT 20

Cause - This has been a problem in ITT

Consequence - and results in the need to use more consultants and in turn this increases costs.

Conclusion

Tolerate

City Strategy

1. Inability to retain staff 19

Cause - Poor outcome for staff in pay & grading review

Consequence - Loss of staff will adversely affect service delivery. This has got business, financial and customer consequences.

Conclusion

Treat

Actions

Due Date

Identify affected posts

30/10/08

Review job descriptions

30/10/08

Consideration for market supplement for some posts

On hold

2. Inability to recruit staff 19

Cause - The uncertainty surrounding the future pay and grading of posts.

Consequence - In some cases this could adversely affect service delivery. This has got business, financial and customer consequences.

Conclusion

Treat

Actions

Due Date

Identify affected posts

30/10/08

Review job descriptions

30/10/08

Consideration for market supplement for some posts

On hold

City of York Council

Key Corporate Risk Monitor Q3 2008/09

Annex A

Neighbourhood Services

1. Inability to retain key frontline and support staff

19

Cause - The removal of bonus payments to many key front line staff has seen many of the staff in these areas see their total pay reduced. If these staff leave we may find difficulty in recruiting.

Consequence - Inability to deliver key public services in areas such as refuse/recycling, highway maintenance, street cleansing and ground maintenance.

Controls

Mitigation Strategy

Owner

Geoff Derham

Conclusion

Treat

Actions

Look at job design, training and development of staff

Due Date

01/04/09

2. Detrimental effect on contribution to corporate priorities

19

Cause - If we cannot attract and retain staff in a competitive environment

Consequence - Services such as waste/recycling are key corporate services and are one of the council's key corporate priorities. Failure to recruit and retain staff in this area may make the priority unachievable.

Controls

Mitigation Strategy

Owner

Geoff Derham

Conclusion

Tolerate

3. Detrimental impact on residents

19

Cause - Strike action taken by staff in the directorate

Consequence - Services that directly affect the public, such as refuse/recycling, highway repairs and street cleansing, may be severely disrupted if staff engage in industrial action.

Conclusion

Tolerate

7. Inability to contribute to Corporate Priorities

19

Cause - A possible reduction in efficiency, productivity and/or an increase in staff absence

Consequence - This will have an affect on our ability to continue deliver many of the Council's frontline services, several of which, waste and recycling for example, are key priority services for the Council

Conclusion

Tolerate

9. Financial risk through potential legal challenges to the new pay structure

22

Cause - The council may be exposed to challenges over its proposed new pay structure. It may be that some claims will be made that we will require sensitive and delicate discussions with staff, trade unions and solicitors. The council may be at risk from serious financial loss if some of the claims were to be pursued and upheld.

Consequence - If the new pay structure were to come under challenge from large numbers of staff, there will be serious financial implications to the directorate and the council. These are difficult to quantify until the scale of any challenge is known but would run into millions of pounds

Controls

Transparent and fair pay structure

Owner

Geoff Derham

Conclusion

Tolerate

City of York Council

Key Corporate Risk Monitor Q3 2008/09

Annex A

Housing & Adult's Social Services

9. Potential legal challenge

19

Cause - This relates to protected hours agreements in care homes.

Consequence - Resolution could incur a total cost of £10k in compensation payments to the group of staff concerned.

Conclusion

Treat

Actions

Due Date

HASS DMT to decide on resolution option

12/09/08

KCR 0002 - Unsuccessful delivery of accommodation review project

Efficiencies and facilitation of cultural change through rationalisation to one-site operations. The project relies and has interdependencies with other programmes of work such as FMS replacement and Easy@york.

Project Work Streams

	1	2	3	4	5	6
1. Land	8	8	8			
2. Construction	14	13	6			
3. Planning	13	8	14	23		
4. Change	20	19	14	14	14	
5. Financial	9	8	23	6	14	14
6. Property	16	16	15	9	10	15
7. Marketing & Communications	9	14				
8. Procurement	6	6				

Planning

3.4 Failure to achieve planning approval

23

Cause - Failure to achieve planning permission for a building that meets the operational needs of the council, the overall budget provision and timescales for delivery.

Consequence - Delays and consequent costs incurred on the project if permission is refused.

Controls

Staged development design and approvals

Owner

Maria Wood

Conclusion

Treat

Actions

Presentation to planning committee

Due Date

05/09/08

Review of site options to produce short list of sites for evaluation

05/09/08

Change

4.1 Change Management

20

Cause - Lack of corporate direction/vision in terms of corporate change to enable service provider to influence the design process and achieve the wider benefits.

Consequence - non-achievement of the wider benefits of relocation and Impact on the future use of the Guildhall, St Antony's and 50 York Road

Controls

Develop a corporate cultural change agenda
Monitor the "office of future" pilot

Owner

Neil Hindhaugh
Project Board

Conclusion

Treat

Actions

Organisational change agenda
Produce paper for CMT on new ways of working
Office of the future

Due Date

08/01/07
28/04/08
05/04/09

4.2 Failure to maximise the benefits of relocation

19

Cause - If the new building does not respond to the business needs of the organisation and achieve the level of benefits defined in the business case.

Consequence - The Council would fail to achieve the operational efficiencies and improvements in customer service provision anticipated. Reputational risk.

Controls

Monitor progress of efficiency targets as identified in the business case

Owner

Peter Liversidge

Conclusion

Treat

Actions

Investigation of business and customer needs
FM scoping exercise

Due Date

31/03/10
30/06/09

Financial

5.3 Project Affordability

23

Cause - Project costs exceed approved budget. Consequence - Increase in costs to such an extent that the project is rendered unaffordable.

Controls

The developer's contract is capped at £32m

Owner

Ian Asher

Conclusion

Treat

Actions

Appoint an external consultant to negotiate the costs and project manage the solution

Due Date

24/12/08

Property

6.1 Value of property capital receipts

16

Cause - The achievement of net capital receipts to the value of that contained within the projects financial model. Consequence - Could affect the NPV and Early years deficit on project

Controls

Agree a sale with delayed possession
Identify the mid value of property

Owner

John Urwin
John Urwin

Conclusion

Treat

Actions

Maximise value of properties

Due Date

NYE

6.2 Delay of capital receipt from Yearsley Bridge

16

Cause - Aims of other CYC strategies may delay the achievement of capital receipt. Net Capital receipt £3m. Consequence - Could Affect the NPV and Early years deficit of Project

Controls

Resolve to allow receipt from Yearsley Bridge to offset reprovision of service costs
Monitor service review in order to finalise timescales for future sale

Owner

John Urwin
John Urwin

Conclusion

Treat

Actions

Secure part of the site sale to YAS

Due Date

30/09/08

KCR 0003 - Failure of waste management strategy partnership

Financial penalties of failing to manage satisfactory partnership solution to waste agenda. Partnership solution with NYCC introduces risks to the programme from CYC perspective (control, breakdown of effective working, governance etc). Project risks of the partnership have been identified and are being managed by NYCC as the lead body

Project Work Streams

	1	2	3	4	5
1. Project Delivery	14	6	14	6	14
2. Planning Consent	13	18	14	23	
3. Procurement	18	6	13	13	
4. Financial	23	17	6	21	19
5. Leadership & communication	13	20	12	22	19
6. Partnership	19	11	13	14	

Planning Consent

2.2 Failure to secure and/or demonstrate adequate consultation 18

Cause - This is to be completed as part of the statutory consultation on planning.

Consequence - This could cause judicial review and objections.

Conclusion

Tolerate

2.4 Failure to secure planning consent 23

Cause - Failure to secure planning consent on any of the selected sites. If there is not enough of preparation to ensure the site is the most appropriate and all the required testing has been complete. Environmental Impact assessments etc.

Consequence - This could result in non-delivery of project

Controls

Identification of suitable alternative sites

Owner

Bill Woolley

Conclusion

Treat

Actions

Audit of the preparation process

Due Date

30/06/09

Procurement

3.1 Potential challenge of process 18

Cause - If one of the bidders think the evaluation has been inappropriate

Consequence - The Council could be sued and incur costs and therefore may not be able to award the contract

Conclusion

Treat

Financial

4.1 Planning delays could lead to increased costs 23

Cause - Due to the cost of lan filling being higher than the cost of the treatment facility any delay in the construction and operation of the facility will cause increased costs.

Consequence - This could lead to planning delays and increased costs.

Controls

Audit of process to ensure it is robust

Owner

Bill Woolley

Conclusion

Treat

4.2 Solution is unaffordable

17

Cause - The Government have imposed penalties designed to reduce the amount of BMW going to landfill and these penalties are prohibitive and the Council cannot achieve the reduction in BMW to landfill without a disposal facility. The cost of this facility highly significant but lower than the penalties.

Consequence - The Council will be subject to penalties which will cost even more.

Controls

Highlight as a budget requirement in MTFS
The Council has signed up to closing the affordability gap

Owner

Bill Woolley
Bill Woolley

Conclusion

Tolerate

4.4 Inability to fund the procurement

21

Cause - Insufficient budget in order to fund project requirements.

Consequence - The procurement will be delayed or might not occur or the contract could be inappropriate.

Conclusion

Treat

Actions

Application for growth bid

Due Date

Bill Woolley

4.5 Possible enquiry would lead to increased costs

19

Cause - If there is a planning inquiry.

Consequence - Increased costs due to delay to the construction.

Conclusion

Treat

Leadership & Communication

5.2 Negative perception of treatment plants and technologies

20

Cause - Failure to communicate to stakeholders regarding the benefits and requirement for a treatment site.

Consequence - This could result in protests and lead to delays in project. This could lead to objections of planning permission.

Controls

Communication Strategy
Communication Plan

Owner

Bill Woolley
Bill Woolley

Conclusion

Tolerate

5.4 Project terminated

22

Cause - The project could be deemed unacceptable by Council Executives.

Consequence - This would leave the Council exposed to increasing landfill costs, including landfill

Controls

Communication Strategy

Owner

Bill Woolley

Conclusion

Treat

Actions

Contract negotiations with preferred bidder

Due Date

02/03/09

5.5 Lack of continuity in the strategic leadership of the project

19

Cause - The Council does not react quickly enough to ensure continued strategic leadership and input into the project from City of York Council's perspective.

Consequence - This could result in the project being delivered to North Yorkshire County Council's requirements without City of York Council's requires being included and we will have to sustain the impact of this for the duration of the 25 year contract

Conclusion

Treat

Partnership

6.1 Failure to agree back to back agreement

19

Cause - There are factors such as costs and political issues that could affect this risk.

Consequence - The Council will not have access to a disposal facility.

Conclusion

Treat

KCR 0007 - Failure to deliver the Local Area Agreement

Increasing adverse risks associated with failure further to the expectations set out in the White Paper. Felt to be higher risk issue also due to lack of commitment/investment in LSP and other partnerships by the organisation in the past.

Limited awareness of LAA within Council and amongst stakeholders

18

Cause - If LAA's stakeholders do not buy-in to it and have a comprehensive understanding of its

Consequence - This could affect the Council's reputation and have a detrimental affect on the CPA

Controls

Agreed approach with the Partnership's Executive Delivery Board
Communication with CMT
Communication with Members

Owner

Roger Ranson
Roger Ranson
Roger Ranson

Conclusion

Treat

Actions

Partnership launch event

Due Date

24/09/08

Lack of agreement of ownership for performance information and management

18

Cause - An uncertainty between partners as to who was leading on certain indicators. A lack of action plans to achieve outcomes.

Consequence - There will be financial penalties for not achieving targets and affects to our reputation in the eyes of the partners and central government. This could have greater repercussions in the future once we move to the CAA inspection regime..

Controls

Work programme
Working relationships within the LSP
Agreed process for distribution of LPSA2 monies

Owner

Roger Ranson
Roger Ranson
Roger Ranson

Conclusion

Tolerate

KCR 0009 - Failure to coordinate significant programmes of change

Organisation fails to coordinate and manage a range of interlinked corporate initiatives that are designed to change the way in which the organisation operates and behaves. These include easy@york, Admin accom and a range of supporting projects. Failure to coordinate change activity will lead to difficulty in resourcing multiple strands of activity, may lead to actions being missed and ultimately not to being able to occupy Hungate.

KCR 0010 - Failure to ensure Business Continuity

The Council has a duty to ensure the continuity of its services to residents and customers. Business continuity plans should act as mitigating controls capable of reducing the impact of specific risks such as fire, flood or loss of staff. The lack of these plans reduces the Council's ability to respond and increases the level of exposure to associated legal, financial and reputational risk.

	FES	CS	NS	CE	LCCS	HASS
1. Inability to ensure staff welfare	13	18	13	9	18	14
2. Inability to contact staff	19	18	14	8	12	12
3. Inability to provide statutory services	19	9	19	13	18	12
4. Inability to deliver services	9	13	14	12	18	13
5. Inability to prioritise & allocate resources	9	18	19	13	18	12
6. Failure to recover most time critical IT application	9	13	14	13	13	13
7. Increased staff costs	9	14	14	4	8	8
8. Increased accommodation costs	9	14	14	4	8	8
9. Increased equipment costs	9	15	14	4	8	8
10. Loss of data (hard copy)	9	14	14	18	18	9

Resources

2. Inability to contact staff 19

Cause - Lack of staff contact information held by some senior management and a failure to maintain those records we do have

Consequence - This could affect the business recovery and also attract negative press coverage

Controls

Death in service payment details

Owner

David Walker

Conclusion

Treat

Actions

Complete BCP's for all Divisions

Due Date

31/03/09

3. Inability to provide statutory services 19

Cause - If there is a lack of leadership in regards to Business Continuity across the organisation as a whole and/or a lack of knowledge of corporate BCP and how divisional plans feed into it.

Consequence - Inability to pay vulnerable people welfare benefits.

Controls

BCP in place for Revenues and Benefits Services

Owner

David Walker

Conclusion

Treat

Actions

Identify the BCP co-ordinator for Revenues and Benefits Services

Due Date

30/09/08

City Strategy

1. Inability to ensure staff welfare

18

Cause - If the directorate does not have a system that informs them of who is at work on any given day and a major incident occurred they would not be able to ensure their staffs welfare because they would not know who is potentially affected by any given event.

Consequence - This may cause problems when trying to account for members of staff and in communicating with them.

Controls

Staff contact cards

Owner

Damon Copperthwaite

Conclusion

Treat

2. Inability to contact staff

18

Cause - This could be caused if the directorate does not have an up-to-date contact list of all its members of staff.

Consequence - This will have an effect on the directorate ability to recover and continue its business. This will also impact on general staff welfare issues.

Controls

Business Continuity Plans for some service areas

Owner

Damon Copperthwaite

Conclusion

Treat

Actions

Complete all service area BCP's

Due Date

30/09/08

5. Inability to prioritise & allocate resources

18

Cause - The directorate needs to consider the priority of services and how scarce resources could be allocated in the event of a major incident.

Consequence - This exercise, if undertaken after the event, could cause delays and affect the speed and cost at which the directorate recovers its business.

Conclusion

Treat

Actions

Complete all service area BCP's

Due Date

30/09/08

Neighbourhood Services

3. Inability to provide statutory services

19

Cause - Service Areas do not currently have complete and updated BCP's

Consequence - Council would suffer reputational damage

Conclusion

Treat

Actions

Complete Business Continuity Plans

Due Date

31/12/08

5. Inability to prioritise & allocate resources

19

Cause - As Business Continuity plans are not complete and the business impact assessment

Consequence - Potential delays to recovering the service.

Conclusion

Treat

Actions

Complete BCP including analysis of staff resources required

Due Date

31/12/08

Chief Executives

10. Loss of data (hard copy)

18

Cause - Most data held by the directorate is in hard copy only. A disaster could result in total loss of this information.

Consequence - Legal, HR and democratic services files could be lost and we would be unable to replicate the information and be unable to meet contractual or statutory deadlines and obligations.

Controls

Arrangements in place to receive copies from clients and archives etc

Owner

Quentin Baker

Conclusion

Treat

Actions

Procure a case management system

Due Date

01/04/09

Implement information governance system within directorate

01/04/09

Learning, Culture & Children's Services

1. Inability to ensure staff welfare

18

Cause - Potential difficulty in accounting for and communicating with staff.

Consequence - Reputational damage and potential litigation.

Controls

Emergency contact cards issued to all managers

Owner

Kevin Hall

Conclusion

Tolerate

3. Inability to provide statutory services

18

Cause - If the directorate cannot contact staff.

Consequence - This may cause problems in trying to continue the business.

Controls

DMT emergency response

Owner

Kevin Hall

Conclusion

Tolerate

4. Inability to deliver services

18

Cause - Key risk is potential loss of school through fire or asbestos.

Consequence - Short term loss of service whilst temporary provision is made on the site or students redirected to other schools.

Controls

DMT emergency response

Owner

Kevin Hall

Conclusion

Tolerate

5. Inability to prioritise & allocate resources

18

Cause - This could be caused if the directorate does not have an up-to-date contact list of all its members of staff.

Consequence - This exercise, if undertaken after the event, could cause delays and affect the speed and cost at which the directorate recovers its business.

Controls

DMT emergency response

Owner

Kevin Hall

Conclusion

Tolerate

10. Loss of data (hard copy)

18

Cause - If the directorate does not have back-ups for hard copy data.

Consequence - Staff records are kept on the premises and there are no other copies.

Controls

Fire cabinets

Owner

Kevin Hall

Conclusion

Treat

KCR 0011 - Failure to effectively govern and manage partnerships

Governance issues around the proper management of partnerships is not robust and leaves the Council open to a variety of potential problems and threats to the organisation. Implications for CPA UoR in 2006 and 2007 refresh exercises and knock on effect on the corporate CPA in 2008.

	WW	SYP	EP	LCY	Y@L	YE	IY	YOK	HC	FP	VY	SC	YPO
1. Unbudgeted financial liability to partnership	N/a	8	N/a	6	8	N/a	N/a	8	8	8	12	14	18
2. Inadequate governance arrangements	8	8	N/a	2	8	8	8	8	8	14	6	8	12
3. Failure to achieve stated outcomes	14	8	N/a	14	14	14	6	13	14	9	14	13	12
4. Failure to manage performance and add value	18	2	N/a	8	13	13	N/a	13	13	4	14	13	12
5. Inability to demonstrate stakeholder consultation	19	2	N/a	13	9	8	6	6	9	13	2	9	12
6. Inadequate medium term financial stability	N/a	14	N/a	19	N/a	N/a	N/a	13	14	13	15	20	9
7. Reputational impact of partnership activities	14	12	N/a	8	8	14	N/a	8	8	14	6	13	14
8. Ability to demonstrate Value for Money in use of funds	N/a	2	N/a	8	N/a	N/a	N/a	6	N/a	2	6	14	N/a

Without Walls

4. Failure to manage performance and add value 18

Cause - If the lead partner does not implement an appropriate way of working, such as joint commissioning or another effective way of working in partnership, with all partners who have an input towards any given target.

Consequence - This could mean we don't achieve the 60% required to receive the performance reward. This could also adversely affect the partners CAA score in the new inspection regime, if it is perceived we are not working in partnership effectively. This would also have a reputational impact.

Conclusion

Treat

Actions

Due Date

Review of Strategic Partnerships

31/03/09

Without Walls

5. Inability to demonstrate stakeholder consultation 19

Cause - This is a perception measure and can be very difficult to influence. Election turn out results are going down and in general, participation from the community is limited.

Consequence - With effect from April 2009 there is a statutory duty to involve the community in planning services. This is to be used as a success measure in the LAA. If we fail to do this, it could have a reputational

Conclusion

Tolerate

Actions

Due Date

Consideration of adopting the CYC Engagement Strategy by the LSP

31/03/09

WW = Without Walls

SYP = Safer York

EP = Economic Partnership

LCY = Learning City York

Y@L = York@Large

YE = York Environment

IY = Inclusive York

YOK = YorOK Board

HC = Healthy City

FP = Future Prospects

VY = Visit York

SC = Science City

CC = City Centre

YPO = Yorkshire Purchasing Organisation

Learning City York

6. Inadequate medium term financial stability 19

Cause - Insecurity of funding streams, in particular from the LSC (Learning Skills Council).

Consequence - Loss of dedicated resource to service the partnership and this could result in an inability to progress the priorities of the board.

Controls

2008/09 Budget in place

Owner

Pete Dwyer

Conclusion

Tolerate

Yorkshire Purchasing Organisation

1. Financial liability to Yorkshire Purchasing Organisation 18

Cause - There is possibility that no dividend will be paid in any given year.

Consequence - This would result in budget shortfalls across departments (~£135K).

Controls

Constitution controlling Governance of organisation
Representation on the management committee
Officer Group

Owner

David Walker
David Walker
David Walker

Conclusion

Tolerate

Science City York

6. Inadequate medium term financial stability 20

Cause - A lack of external funding to undertake core activities in Science City York. Funding ends in March 2009.

Consequence - Impact on the local economy and potential issues in terms of staff.

Controls

Bid for European funding
Discuss with Yorkshire forward re continued funding

Owner

Roger Ranson
Roger Ranson

Conclusion

Tolerate