Risk Management

Cabinet Member for Finance & Commissioning

Date: 21 July 2022
Agenda Item:
Contact Officer: Andrew Wood
Tel Number: 01543 308030
Email: andrew.wood@lichfielddc.gov.uk
Key Decision? **No**
Local Ward Members **Full Council**

Audit and Member Standards Committee

1. Executive Summary

1.1 To provide the Committee with their routine risk management update.

2. Recommendations

2.1 That Members note the risk management update and receive assurance on actions taking place to manage the Council's most significant risks.

3. Background

3.1 The purpose of risk management is to effectively manage potential opportunities and threats to the Council achieving its objectives. Part of the Audit & Member Standards Committee's terms of reference is 'to monitor the effectiveness of the Council's risk management arrangements, including the actions taken to manage risks and to receive regular reports on risk management'. This report supports the Committee in achieving this objective.

3.2 The strategic risk register is produced by assessing the risk factors that could potentially impact on the Council's ability to deliver its strategic plan. This assessment ensures that there are the right measures in place to control the potential risks to our business objectives. Risks are assessed based on their likelihood of occurrence and their potential impact. Each of these are rated on a scale of 1 (Low), 2 (Medium), 3 (Significant) and 4 (High). By multiplying the two scores together, each risk receives a score.

3.3 The Strategic Risk Register was considered by Leadership Team on 22nd June 2022 and is detailed at **Appendix 1** The key changes since the Committee's last risk update (April 2022) are:

- **SR1** (Pressures on the availability of finance may mean the Council is not able to deliver the key priorities of the strategic plan). The risk has been regular reviewed by Leadership Team and has a rating of 9 (3 Likelihood x 3 Impact) from 6 (2 Likelihood x 3 Impact). Whilst the MTFS was approved, 22nd February 2022 there are ongoing uncertainty over the supply of goods and services and increasing energy costs. This risk will be reviewed monthly by Leadership Team.

  This is the only strategic risk that is currently above the Council's risk appetite. However, over time and in response to funding settlements this migrates between being above and below the risk appetite threshold.

- **SR2** (Resilience of teams to effectively respond to a further serious disruption to services). Leadership Team are currently monitoring the situation and this risk is now more generic in relation to being not specifically focussed on 'Covid-19'.
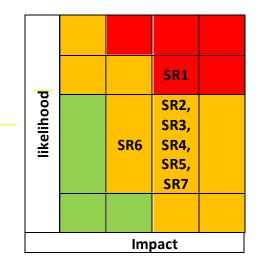
- **SR3** (Capacity and capability to deliver / adapt the new strategic plan to emerging landscape) Leadership Team are currently monitoring the situation with regards to leavers from the authority. This however now includes areas of Strategic Risk 8 (which has been removed from the register) and is being reviewed via a data driven approach to highlight areas of concern and ensures resources are maintained to deliver Council priorities and services.

- **SR4** (Failure to meet governance and/or statutory obligations e.g., breach of law)). The mitigating controls have been reviewed in respect of the embedding of both Procurement and Governance Teams into the authority. The Council is also transitioning into the provision of a Data Protection Officer employed internally to the Council.

- **SR5** (Failure to adequately respond to the wider socio-economic environment over which the Council may have little control, but which may impact on the growth and prosperity of the local area). Leadership Team are monitoring the situation together with **SR2.** The score for this risk has been increased from 4 (L2 xI2) to 6 (L2 x I3). There is an increased risk due to the current geo-political impacts.

- **SR7** (Threat to the Council's ICT systems of a cyber-attack). This risk has been re-evaluated due to the current geopolitical situation and the perceived risks from 'state' players in this area and the impacts encountered by the Council. Due to the robustness of current mitigating actions in place we Leadership Team have re-evaluated this risk and the current score has been decreased from 9 (L3 xI3) to 6 (L2 x I3). However, it has been agreed by Leadership Team to keep this risk under review to ensure that if issues escalate the Council proactively manages this risk.

  At the Audit & Member Standards Committee meeting in April 2022, comments were received in relation to the wider possibility of armed conflict which may affect both the country and district. This was discussed and reviewed by Leadership Team, at this time an additional risk was not required.

- **SR8** (Being a Better Council – the Council is not able to deliver the key priorities of the strategic plan) Leadership Team discussed this risk at their meeting on 22nd June 2022. Due to the overarching nature of this risk the mitigating controls were also included with strategic risks **SR2 & SR3** therefore Leadership Team have asked for a rationalised version of the strategic risk register and the removal of this risk.

- Updates to mitigating controls, actions and lines of assurance have been updated on the Register where applicable.

- 'Other Horizon Scanning Risks Arising at June 2022' (at the end of the register) are risks which are not strategic risks currently, but that need a 'watching brief' have been reviewed and updated.

All changes have been highlighted on the Strategic Risk Register at **Appendix 1**.

3.5   The Council's 8 strategic risks at June 2022 are shown below:

- **SR1:** Pressures on the availability of finance may mean the Council is not able to deliver the key priorities of the strategic plan.

- **SR2:** Resilience of teams to effectively respond to a further serious disruption to services.

- **SR3**: Capacity and capability to deliver / adapt the new strategic plan to emerging landscape.

- **SR4:** Failure to meet governance and / or statutory obligations e.g. breach of the law.

- **SR5**: Failure to adequately respond to the wider socio-economic environment over which the Council may have little control, but which may impact on the growth and prosperity of the local area.

- **SR6**: Failure to innovate and build on positives / opportunities / learning arising (including from the Covid-19 situation) to maximise outcomes for the Council, e.g. technological solutions.

- **SR7**: Threat to the Council's ICT systems of a cyber-attack.

3.6   Work to review of the effectiveness of our sub strategic (service / operational) and project risk has now been completed. In summary:

- The 3 lines of assurance approach (as used in the Strategic Risk Register) has now been adopted for sub-strategic risks (i.e. service level risks).

- Quarterly update meetings have been scheduled with Heads of Service and Audit Manager (Shared Service).

- There is no longer a requirement to record and manage risks below service level (services or teams are, however, at liberty to do so if it meets their business requirement).

- Project risks continue to be managed in accordance with accepted project methodology (i.e. PRINCE2).

- At this stage, no sub strategic risks need to be escalated to the strategic risk register

Alternative Options	There are no alternative options.

Consultation	Leadership Team receive monthly updates on Strategic Risk Register

Financial Implications	Risk management processes consider value for money at all times of the process. Failure to manage risks could lead to the Council being faced with costs that could impact on its ability to achieve its objectives.
Approved by Section 151 Officer	Approved.

Legal Implications	None identified.
Approved by Monitoring Officer	Approved

	Contribution to the Delivery of the Strategic Plan	Sound risk management ensures that risks affecting the delivery of the strategic plan are identified and managed.

	Equality, Diversity and Human Rights Implications	Sound risk management ensuring a consistent and robust approach all equality, diversity and human rights issues and their implications to the Council.

	Crime & Safety Issues	None.
	Environmental Impact	Risk arising from climate change and the green agenda are considered by management and Leadership Team.

	GDPR/Privacy Impact Assessment	Risks associated with non-compliance with GDPR are included within SR4: Failure to meet governance and / or statutory obligations e.g., breach of law (e.g., Health & Safety, GDPR, procurement, Safeguarding).

	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Failure to manage known risks and opportunities proactively. Leadership Team	Likelihood: Green Impact: Red Severity: Red	Strategic risks are closely monitored by the Audit & Member Standards Committee, Cabinet Member and Leadership Team. Reports to Audit & Member Standards Committee provide assurance that active steps are being taken to control risks.	Likelihood: Green Impact: Yellow Severity: Green

Background documents	Risk Management Policy – updated and approved by Audit & Member Standards Committee 11 November 2021.

Relevant web links	

Appendix 1: Strategic Risk Register – June 2022

Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
A good council, developing prosperity, shaping place, enabling people	**SR1 Pressures on the availability of finance may mean the Council is not able to deliver the key priorities of the strategic plan.** The risk is influenced by: • The spending review. • Local Government Finance Reform including New Homes Bonus, Business Rates and the Fair Funding Review. • Other Government Policy announcements impacting on Local Government such as the Call for Evidence on Business Rates and Procurement Policy Notes. • Funding of Council's headline priorities and the shortfall of funding. • Inflationary pressures on procurement of services, <mark>cost of living/fuel/construction</mark>	16 (L4xI4)	• Prudent estimates for Business Rates and New Homes Bonus based on modelling provided by Local Government Finance experts. • Risk assessed minimum level of reserves set at £1.6m. • Routine budget monitoring reported to Leadership Team, Cabinet and Strategic (OS) Committee. • Requirements of the new CIPFA Financial Management Code, information contained in the CIPFA Resilience Index and benchmarking reports from LG Futures. • Confirmation and Implementation of financial settlement.	9 (L3xI3)	4 (L2xI2)	• Update of the Medium Term Financial Strategy **Responsibility: Assistant Director Finance & Commissioning will commence in July 2022 and approved February 2023** • Outcome of Government Financial Settlement – single year.	**1st Line:** • Approved Medium Term Financial Strategy including the Capital Strategy covering 5 years plus a 25 year capital investment model. • A longer term financial plan covering a 25 year horizon for revenue budgets. • Approved Treasury Management Strategy. • Production of monthly budget reports to Managers. • Procurement Strategy **2nd Line:** • Leadership team review of 3, 6, 8 and 12 month reports to Cabinet and Strategic (OS) Committee. • Mid-year and outturn Treasury Management reports to Audit and Member Standards Committee. • Initial assessment of LDC's level of compliance with the FM Code to Audit and Member Standards Committee 12/11/2020.

Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
	and replacement fleet vehicles. **Owner:** Assistant Director - Finance & Commissioning (Section 151)	🟥		🟥	🟧		• CIPFA Resilience Index with comparative information to nearest statistical neighbours and all District Councils. • Cabinet and Leadership Team are undertaking work to look at options to address the Funding Gap.
							3rd Line: • External Audit – going concern test and sign off of financial statements 2020/21. Unqualified VFM assessment. • Internal Audits of Accountancy and Budgetary Control 2018/19 -substantial assurance, Capital Strategy 2020/21 – reasonable assurance, Capital Accounting 2020/21 – substantial assurance, Income Management 20/21 – reasonable assurance, Procurement 20/21 limited assurance • LGA Corporate Peer Challenge

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Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
A good council, developing prosperity, shaping place, enabling people	**SR2 Resilience of teams to effectively respond to a further serious disruption to services** (e.g. multiple layer disruption arising from flooding and other disruptive events). New people into organisation. **Owner:** Leadership Team	8 (L2xI4)	• Mutual aid assistance • Local Resilience Forum (LRF). • Tested business continuity arrangements in place. • Strong links with the Staffordshire CCU and wider LRF. • Actively engaged in ongoing Local Resilience Forum response and recovery work streams. • Experienced (from previous waves / national lockdowns re Covid-19) Leadership Team and supporting teams in place to respond. • Clear structure and plan in place for Covid-19 waves. • Strategic and tactical flood planning work across LRF, to assist in our response and the	6 (L2xI3)	6 (L2xI3)	• Tasks completing and move away from initial Pandemic response, move to Being a Better Council.	**1st Line:** • Day to day business continuity plans in place. • Training programme. **2nd Line:** • Annual Report to Leadership Team. • CCU test of arrangements feedback. • Response and learning from recent incident at Ridware House. • Report on recovery plan Overview & Scrutiny (O&S). • Approval of Climate Change Strategy. **3rd Line:** • Internal Audit of business continuity 2019/20 – reasonable assurance, ICT – remote working 20/21 – reasonable assurance. • Flash Covid-19 Risk Assurance Business Continuity, Emergency Planning and

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			multi-agency response to such events. This includes identifying 'at risk' areas in the District and specific actions required.				Recovery 20/21 substantial assurance **3rd Line:** • Internal Audits of Accountancy and Budgetary Control 2018/19 -substantial assurance, Capital Strategy 2020/21 – reasonable assurance, Capital Accounting 2020/21 – substantial assurance, Income Management 20/21 – reasonable assurance, Procurement 20/21 limited assurance • External Audit – going concern test and sign off of financial statements 2020/21. Unqualified VFM assessment.
A good council, developing prosperity, shaping place,	**SR3: Capacity and capability to deliver / adapt the new strategic plan to emerging landscape.** <mark>Upcoming pay settlement Of pay claim for 2022/2023.</mark>	6 (L2xI3)	• Regular review of progress against delivery plan outcomes and prioritisation process agreed between Leadership Team and Cabinet.	6 (L2xI3)	4 (L2xI2)	• Implementation of Being a Better Council**.** • Commissioned Partner (via ESPO framework) – Lambert Smith Hampton,	**1st Line:** • Day to day business / service planning, financial planning and performance management. • Completion of PDRs. **2nd Line:**

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Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
enabling people	**Owner:** Leadership Team		- Robust project management. - People strategy. - Communications to all staff. - PDRs linked to Strategic and Delivery Plans. - Recruitment activity. - PDR completion leading to identifying training and development needs. - Monitoring resource demands. - Mental health / wellbeing systems in place. - Being a Better Council and implementation of Better Led, Better Equipped. - Upcoming Community Power Strategy to increase capacity to deliver. - Data collection on monthly leavers reviewed by LT. - New Strategic Plan to 2050.			provision of client side advice (and resource) in a range of areas including Regeneration, Leisure, Housing, Economic Development and Planning – in place and underway. • Management oversight and robust project management requirements for delivery of Better Council.	- Delivery Plan reported 6 monthly to Cabinet and shared with Overview & Scrutiny. - Quarterly updates to LT on Belonging and Wellbeing Strategy. **3rd Line:** - Internal Audits of People Strategy and Workforce Development 2019/20 – reasonable assurance, Performance Management 19/20 – substantial assurance. - Inclusion in Audit Plan for reviews against delivery of themes. - LGA Corporate Peer Challenge follow up

Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
A good council	**SR4: Failure to meet governance and / or statutory obligations e.g. breach of the law** (e.g. Health & Safety, GDPR, procurement, Safeguarding), lack of openness / transparency in decision making, breach of the constitution. This could lead to fines as well as reputational damage. Subsidy Control Framework and self-assessment risks subject to challenge. Arrangements in process of being developed, requirement to build in operation and awareness training. Risk of failure to retain documentation in a manner to allow both storage and retrieval.	9 (L3xI3)	- Regularly reviewed constitution, policies and procedures. - Meta compliance policy training, testing and acceptance systems. - Training and awareness for all staff and members. - Effective Overview and Scrutiny and Audit & Member Standards Committee oversight. - Codes of Conduct. - Internal audit. - Dedicated Monitoring Officer - Roles of Section 151 Officer and Monitoring Officer. - Shared legal services. - Procurement Team. - Governance Team with additional capacity being recruited. - Transition to internal DPO.	6 (L2xI3)	6 (L2xI3)		**1st Line:** - Day to day processes and Local Code of Governance - Forward plans/committee work plans/ delivery plan and service planning. - Use of Mod Gov and publication scheme. **2nd Line:** - Annual reports to Audit and Member Standards Committee. - Regular reports to leadership team. - Transparency data publication. - Completed review of document storage. - Procurement Team in place and operating. **3rd Line:** - RIPA, ICO and Ombudsman reports/returns. - External audit of Annual Governance Statement as part of the financial statements.

Appendix 1: Strategic Risk Register – June 2022

Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
	Owner: Chief Operating Officer		• Review of document storage and filing systems. • Electronic retention of documentation. • Sealed documents held in fire proof room. • Education and development of Service Managers to support teams with advice and guidance. • Meta Compliance training.				• 2019/20 – adequate assurance, GDPR follow up 2019/20 – limited assurance, Transparency code follow up Procurement 20/21 limited assurance – follow up. • External investigations and lessons learnt exercises to address internal control weaknesses.
A good council, developing prosperity, shaping place,	**SR5: Failure to adequately respond to the wider socio-economic environment over which the Council may have little control, but which may impact on the growth and prosperity of the local area**, for example, the UK withdrawal from the European Union / Covid-19 crisis, results in an increase in unemployment, business closures coupled with emergence of higher	9 (L3xI3)	• Financial assistance from Government to businesses and the public (Grants, Test & Trace Support Payments) particularly in terms of furlough scheme end Oct 20, potential further implications for individuals and businesses arising from potential local lockdowns.	6 (L2xI3) was 4 (L2xI2)	4 (L2xI2)	• Continued delivery of immediate actions to support high street economy and business (including visitor economy and hospitality sector). • Further government support – the Welcome back Fund - received to extend timescales and assist with the reopening of high streets and	**1st Line:** • Day to day delivery of economic development, housing and health and wellbeing strategies. • Development and inclusion of Being a Better Council **2nd Line:** • Leadership team review of 3, 6, 8 and 12 month Money Matters reports to Cabinet, Strategic (OS) Committee. • Health and Wellbeing Strategy delivery reports.

Appendix 1: Strategic Risk Register – June 2022

Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
	expectation of ongoing support from the Council. Increased demand on Council services such as benefits via increased Universal Credit claims, at the same time that Council suffering reduced income. Local Enterprise Partnership review and residual role around support. Ongoing relationship change leading to potential increase in future opportunities. **Owner:** Leadership Team		• Prosperity is a key theme in the new Strategic Plan. • Economic Development Strategy is in place. • Council's effective presence on the Local Enterprise Partnerships. • Strong partnership working e.g. Lichfield District Board, Staffs CC, Birmingham Chambers. Burntwood Business Community LGA, DCN, • New burdens funding. • Partnership influences built into business case considerations. • Work with redundancy task force • Continue to develop and improve the business contact and relationships locally. • Development of Wellbeing indicators at ward level for both activity and response.			support to local businesses through to March 2022. Additional spend on a variety of projects currently in process of being identified. • Economic Development, Finance and Revenues and Benefits Services distributing government grants to support businesses impacted by Covid-19 pandemic. Discretionary Additional Restricted Grant scheme providing for direct business support, start up assistance and skills/training. ARG top up monies to be allocated shortly subject to member agreement.	**3rd Line:** • Internal Audit of Economic Development Partnership Arrangements 2017/18 – adequate assurance, Tourism 2019/20 – reasonable assurance, Housing Benefits – overpayments 2017/18 – adequate assurance, Housing Benefits – verification and performance 2016/17 – substantial assurance, Housing Benefits and Council Tax Relief 20/21 substantial assurance

Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
			• <mark>Economic Prosperity Action Plan in place.</mark> • <mark>Cost of living issues mitigated and offset by Tourism.</mark>			• Decision taken to defer preparation of new ED Strategy to focus on Covid-19 recovery via the Corporate Recovery Plan and use time to gather intelligence to inform new strategy. • Council continues to be a member of the County Redundancy Task Group identifying impacts of Covid-19 on local employment levels and particular demographic groups and agreeing responses. **Interim Director of Regeneration/LT** • Implementation of Being a Better Council – Better Led, Better Equipped and Better Performing.	

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Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
						• UKSPF exploring further funding streams with LUF2	
A good council, enabling people	**SR6: Failure to innovate and build on positives / opportunities / learning arising (including from the Covid-19 situation) to maximise outcomes for the Council, e.g. technological solutions** **Owner:** Leadership Team	9 (L3xI3)	• Refurbishment and reorganisation of office spaces. • Cyber security e-learning. • Engagement Strategy. • Capture best practice • Reinforce a culture of innovation. • Belonging and Wellbeing Strategy. • Virtual committee meetings. • Business cases required for all major projects. • Drive to find ongoing efficiencies as part of service / financial planning process. • Customer promise.	4 (L2xI2)	1 L1xI1	• IT Strategy and options appraisals.	**1st Line:** • ICT hardware replacement programme providing the right equipment for mobile and flexible working. • Ongoing monitoring of customer (internal and external) feedback. **2nd Line:** • Monitoring of Lichfield Connects contact levels, trends and reporting on complaints and compliments to Leadership Team. **3rd Line:** • Local Government Ombudsman. • Flash Covid-19 Risk Assurance Staff Wellbeing 20/21 substantial assurance • Flash Covid-19 Risk Assurance Productivity and Governance 21/22 substantial assurance

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Strategic Plan Link	Risk & Owner	Original Score	Mitigating Controls	Current Score	Target Score	Actions Responsibility / Timescale	3 Lines of Assurance
A good council	**SR7: Threat to the Council's ICT systems of a cyber-attack** following dramatic increase in remote working which if successful could result in loss of data / loss of access to applications – which may incur fines / reputational damage. Increased number of sophisticated 'phishing' attacks with increased time taken to investigate and remediate. Move away from purely email to other platforms such as 'Teams'. Failure by staff to complete ICT training and the take up of MFA. **Owner:** Chief Executive	3 (L1xI3)	• Use of firewalls and virus protection to manage cyber security, including penetration testing. • Strong access level controls (including remote access). • Training and regular awareness raising to staff of risks. • Digital strategy. • PSN compliance checklist. • Revision of Service Business Continuity Plans. • IT Auditor provision resourced from August 2021. • Adoption of multi-factor authentication. • Development of monthly reports from software	6 L2xI3) Was 9 (L3xI3)	2 (L1xI2)	• The move to Health is sufficiently complete that we have been able to end the contract for our hardware maintenance and support with ANS. The migration has presented the opportunity to also upgrade some of our servers to the latest version of Windows Server and close down the oldest servers with the additional security benefits that this brings. • Review mandatory training requirements. • Reminder to staff to complete training and	**1st Line:** • Day to day operation of ICT Training programme for all staff. • Up to date versions of software and implement all IT security patches. • Awareness Training/Meta Compliance. • Maintenance of PSN Compliance. **2nd Line:** • Regular monitoring and reporting on security issues to Leadership Team. • External penetration testing. • Full Council wide adoption of multi-factor authentication.

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			supplier for follow up of staff not completing mandatory ICT training.			awareness. Re-run Awareness Training/Meta Compliance • Completion of PSN Compliance checklist	**3rd Line:** • ICT Audit Procurement to review risk environment. • ICT Audit Needs Assessment completed. • Review of Microsoft 365 2021/22 • IT Remote Access 2021/22 • IT Website 2021/22. • Increase in the amount of IT Audit days from 20 to 40 for 2022/23. **2nd Line:** • Regular monitoring of delivery targets by Programme Board to deliver themes. **3rd Line:** • Inclusion in Audit Plan for reviews against delivery of themes. • LGA Corporate Peer Challenge follow up

Key to 3 lines of assurance:	
1st Line	Day to day operations of internal control systems

Appendix 1: Strategic Risk Register – June 2022

2nd Line	Management oversight and monitoring controls
3rd Line	Independent assurance from Internal / external audit and other independent assurance sources (e.g. HSE, BFI)

Other Horizon Scanning Risks Arising June 2022:
Impact on the organisation arising from the devolution / local recovery white paper which was due in September 2020 and has now been postponed to 2021. Not a strategic risk at present, to include as a horizon scan until more information is known and impact on operations can properly be assessed.
Impact on Council activities via the Government's legislative timeframes and planning activities arising from the Planning Bill detailed in the Queen's Speech.
Risks arising from staff leaving key posts including retention and recruitment, review at June 2022 meeting.
Elections review by Association of Electoral Administrators (AEA) and challenge around legislation in the reduction of time for provision of elections (Voter Registration no guidance until November 2022).
To balance the delivery of service specific objectives against the priorities and demands from Members/Cabinet to ensure continued alignment with Strategic Plan.
Legal Shared Service – capacity and resilience
Disabled Facilities Grants
Impact of withdrawal of government support measures (furlough), Universal Credit and implications for businesses and residents.
Impact of current geopolitical situation in terms of global unrest and conflict
Impact of Ukraine families within the District and potential claims for homelessness, failure of scheme