Risk Management

Cabinet Member for Finance & Commissioning

Date: 2 February 2023

Agenda Item:

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Key Decision? No
Local Ward Full Council

Members

Lichfield district council

Audit and Member Standards Committee

1. Executive Summary

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

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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

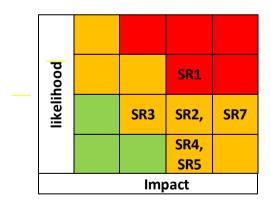
- The purpose of risk management is to effectively manage potential opportunities and threats to the Council achieving its objectives. Part of the Audit & Member Standards Committee's terms of reference is 'to monitor the effectiveness of the Council's risk management arrangements, including the actions taken to manage risks and to receive regular reports on risk management'. This report supports the Committee in achieving this objective.
- 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 18 January 2023 and is detailed at **Appendix 1** The key changes since the Committee's last risk update (November 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 regularly reviewed by Leadership Team and in January 2023 it was agreed to lower the current score from 9 (L3xI3) to 3 (L3xI1). The reduction of the score is due to the confirmation of the financial settlement for 2023/24 and the principles being set for 2024/25. Additionally this has allowed the Council to put forward a balanced budget for the next 2 years.

This risk previously was the only strategic risk that was above the Council's risk appetite. However, over time and in response to funding settlements this migrates the Council's risk and brought this below the risk appetite threshold.

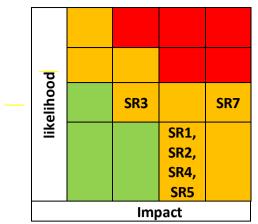
- SR2 (Resilience of teams to effectively respond to a further serious disruption to services). Leadership Team have continued to monitor this risk on a monthly basis and it was agreed that due to the ongoing resilience framework and business continuity arrangements it was agreed lower the current score from 6 (L2xI3) to 3 (L1xI3). This risk continues to be monitored in relation to teams being able to react and manage ongoing service delivery.
- 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. Leadership Team continue to monitor both external information received and compare this to the affects which are impacting on the council's services. To date there have been no recorded incidents of Lichfield District Council specific cyberattacks. However the Council and Leadership Team continually review the situation and adjust the scoring and mitigating, as appropriate, to protect council assets and continued service delivery.
- Updates to mitigating controls, actions and lines of assurance have been updated on the Register where applicable.
- 'Other Horizon Scanning Risks Arising at January 2023' (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. There were a number of changes since the last risk update in November within the Horizon Scanning risks. This involved the inclusion of;
 - potential increases in fuel duty from 1 April 2023,
 - pEPR requirements around the recycling of packaging,
 - planning fees (self-funding potential opportunity),
 - LATCO review of governance arrangements and structures, and
 - Arrangements for 'blanket' legislative changes in December 2023 following Brexit withdrawal.

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

3.5 The Council's 6 strategic risks as at November 2022 the risk profile of strategic risks of the Council is shown below:



To provide clarity over the changes since November 2022 the table below shows the scoring of the 6 current strategic risks as at January 2023 with SR6 now removed (existing numbering of remaining strategic risks will be retained) and are shown below:



The overall aim to reduce the current scores by the use of mitigating control and robust management processes, progress has been made since the last Audit & Member Standards Committee meeting and strategic risks will continue to be reported quarterly.

- **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.
- **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 Leadership Team 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	Yes
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)
Α	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

	Risk Management Policy – updated and approved by Audit & Member Standards Committee 11 November 2021.
Relevant web links	



Strategic	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
A good	SR1 Pressures on the	16	 Prudent estimates for 	3	4	Update of the Medium	1 st Line:
council,	availability of finance may	(L4xI4)	Business Rates and New	(L1xI3)	(L2xI2)	Term Financial	Approved Medium Term
developing	mean the Council is not able		Homes Bonus based on			Strategy	Financial Strategy including
prosperity,	to deliver the key priorities		modelling provided by	was		Responsibility:	the Capital Strategy covering 5
shaping	of the strategic plan.		Local Government	9		Assistant Director	years plus a 25 year capital
place,	The risk is influenced by:		Finance experts.	(L3xI3)		Finance &	investment model.
enabling	 The spending review. 		 Risk assessed minimum 			Commissioning will	A longer term financial plan
people	 The short term nature of 		level of reserves set at			commence in July	covering a 25 year horizon for
	Local Government		<mark>£1.9m.</mark>			2022 and be approved	revenue budgets.
	Finance Settlements and		 Routine budget 			28 February 2023	Approved Treasury
	the ongoing impact on		monitoring reported to				Management Strategy.
	financial sustainability		Leadership Team, Cabinet				Production of monthly budget
	including <mark>C Tax</mark>		and Overview and				reports to Managers.
	<mark>referendum limit, grant</mark>		Scrutiny Committee.				Procurement Strategy
	funding implications and		 Requirements of the new 				2 nd Line:
	changes to business		CIPFA Financial				• Leadership team review of 3,
	<mark>rates.</mark>		Management Code,				6, 8 and 12 month reports to
	 Local Government 		information contained in				Cabinet and Strategic (OS)
	Finance Reform		the CIPFA Resilience				Committee.
	including New Homes		Index and benchmarking				Mid-year and outturn
	Bonus, Business Rates		reports from LG Futures.				Treasury Management reports
	and the Fair Funding		 Confirmation and 				to Audit and Member
	Review.		Implementation of				Standards Committee.
	Other Government		financial settlement for				Initial assessment of LDC's
	Policy announcements		<mark>2023/24 and principles</mark>				level of compliance with the
	impacting on Local		for 2024/25.				FM Code to Audit and
	Government such as the		 Balanced budget for next 				Member Standards
	Call for Evidence on		<mark>2 years</mark> .				Committee 12/11/2020.



Strategic	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
	Business Rates and Procurement Policy Notes. Inflationary pressures on procurement of services, cost of living/fuel/construction and replacement fleet vehicles.						 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:
	Vermones.						External Audit – going concern
	Owner: Assistant Director - Finance & Commissioning (Section 151)						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 22/23 substantial assurance LGA Corporate Peer Challenge



Strategic	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
A good	SR2 Resilience of teams to	12	Mutual aid assistance	3	6	 Tasks completing and 	1st Line:
council,	effectively respond to a	(L3xI4)	 Local Resilience Forum 	(L1xI3)	(L2xI3)	move away from	Day to day business continuity
developing	further serious disruption to		(LRF).			initial Pandemic	plans in place.
prosperity,	services (e.g. multiple layer	was	 Tested business 	was 6		response, move to	Regular BCP testing
shaping	disruption arising from	8	continuity arrangements	(L2xI3)		Being a Better	(generator)
place,	flooding and other	(L2xI4)	in place including office			Council.	Training programme.
enabling	disruptive events).		power generation.				2nd Line:
people			 Strong links with the 				Annual Report to Leadership
	New people into		Staffordshire CCU, Risk				Team.
	organisation.		Action Working Group				CCU test of arrangements
			and wider LRF.				feedback.
	Potential for power		 Active workshop on BCP 				Response and learning from
	disruptions.		to LT.				recent incident at Ridware
	Affects to service delivery		 Actively engaged in 				House.
	and office systems.		ongoing Local Resilience				Report on recovery plan
	and office systems.		Forum response and				Overview & Scrutiny (O&S).
			recovery work streams.				Approval of Climate Change
			Experienced (from				Strategy.
	Owner: Leadership Team		previous waves / national				and a
	Cimen Leadership Team		lockdowns re Covid-19)				3 rd Line:
			Leadership Team and				Internal Audit of business
			supporting teams in place				continuity 2019/20 –
			to respond.				reasonable assurance, ICT –
			 Strategic and tactical flood planning work 				remote working 20/21 –
			across LRF, to assist in				reasonable assurance.
			our response and the				• Flash Covid-19 Risk Assurance
			multi-agency response to				Business Continuity,
			main agency response to				Emergency Planning and



Strategic	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
			such events. This includes identifying 'at risk' areas in the District and specific				Recovery 20/21 substantial assurance
			 actions required. Provision of Foodbank presence, Warm Spaces 				Internal Audits of Accountancy and Budgetary
			etc.Business Continuity planning.				Control 2018/19 -substantial assurance, Capital Strategy 2020/21 – reasonable
							assurance, Capital Accounting 2020/21 – substantial assurance, Income Management 20/21 –
							reasonable assurance, Procurement 22/23 substantial assurance
							 External Audit – going concern test and sign off of financial statements 2020/21. Unqualified VFM assessment.
A good	SR3: Capacity and capability	6	Regular review of	4	4	Implementation of	1 st Line:
council,	to deliver / adapt the new	(L2xI3)	progress against delivery	(L2xI2)	(L2xI2)	Being a Better	Day to day business / service
developing	strategic plan to emerging		plan outcomes and			Council.	planning, financial planning
prosperity,	landscape.		prioritisation process			 Management 	and performance
shaping			agreed between			oversight and robust	management.
place,	Senior Leadership Team		Leadership Team and			project management	Completion of OKRs.
	changes.		Cabinet.			requirements for	2 nd Line:



Strategic	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
	Strategic level roles and active recruitment. Owner: Leadership Team	_	 Robust project management. People strategy. Communications to all staff. Recruitment activity. OKR 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. 	Score	_	Responsibility / Timescale 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



Strategic	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
A good	SR4: Failure to meet	9	Regularly reviewed	3	3		1 st Line:
council	governance and / or	(L3xI3)	constitution, policies and	(L1xI3)	(L1xI3)		Day to day processes and
	statutory obligations e.g.		procedures.				Local Code of Governance
	breach of the law (e.g.		 Training and awareness 		was		Forward plans/committee
	Health & Safety, GDPR,		for all staff and members.		6		work plans/ delivery plan and
	procurement, Safeguarding),		 Effective Overview and 		(L2xI3)		service planning.
	lack of openness /		Scrutiny and Audit &				Use of Mod Gov and
	transparency in decision		Member Standards				publication scheme.
	making, breach of the		Committee oversight.				2 nd Line:
	constitution. This could lead		 Codes of Conduct. 				Annual reports to Audit and
	to fines as well as		 Internal audit. 				Member Standards
	reputational damage.		 Dedicated Monitoring 				Committee.
			Officer				Regular reports to leadership
	Subsidy Control Framework		 Roles of Section 151 				team.
	and self-assessment risks		Officer and Monitoring				Transparency data
	subject to challenge.		Officer.				publication.
	Arrangements in process of		 Shared legal services. 				Completed review of
	being developed,		 Procurement Team. 				document storage.
	requirement to build in		 Governance Team with 				Procurement Team in place
	operation and awareness		additional capacity being				and operating.
	training.		recruited.				Internal DPO in place
	Risk of failure to retain		 Transition to internal 				3 rd Line:
	documentation in a manner		DPO.				RIPA, ICO and Ombudsman
	to allow both storage and		 Review of document 				reports/returns.
	retrieval.		storage and filing				External audit of Annual
	Techeval.		systems.				Governance Statement as part
	Owner: Chief Operating		 Electronic retention of 				of the financial statements.
	Officer		documentation.				
	Officer						



Strategic Plan Link	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score	 Sealed documents held in fire proof room. Education and development of Service Managers to support teams with advice and guidance. Implementation of Tortara (May 2022) 	Score	Score	Responsibility / Timescale	 2019/20 – adequate assurance, GDPR follow up 2019/20 & 2022/23 (draft) – limited assurance, Transparency code follow up Procurement 20/21 limited assurance – follow up. Review of GDPR and agreed action place reported to A&MS Committee for 2022/23 and 2023/24. 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. Relating specifically to the effects of the 'cost of living crisis. This results in an increase in unemployment,	9 (L3xI3)	 Financial assistance from Government to businesses and the public. Prosperity is a key theme in the new Strategic Plan. Economic Prosperity Action Plan is in place. Council's effective presence on the Local Enterprise Partnerships. 	3 (L1xI3)	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 	 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.



Strategic Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link	Score		Score	Score	Responsibility / Timescale	
business closures coupled with emergence of higher expectation of ongoing support from the Council. Increased demand on Council services such as benefits via increased Universal Credit claims, at	Score	 Strong partnership working e.g. Lichfield District Board, Staffs CC, Birmingham Chambers. Burntwood Business Community LGA, DCN, New burdens funding. Partnership influences 	Score	Score	with the reopening of high streets and support to local businesses through to March 2022. Additional spend on a variety of projects currently in process of	Health and Wellbeing Strategy delivery reports. 3 rd Line: Internal Audit of Economic Development Partnership Arrangements 2017/18 – adequate assurance, Tourism 2019/20 – reasonable
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. Including Ukraine families and Refugee dispersal within area. Owner: Leadership Team		 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. Economic Prosperity Action Plan in place. Cost of living issues mitigated and off set by Tourism. Ongoing Council Plans development. 			being identified. Implementation of Being a Better Council Better Led, Better Equipped and Better Performing. UKSPF exploring further funding streams with LUF2	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	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
A good council	SR7: Threat to the Council's ICT systems of a cyberattack 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. Involvement of state players and their use of cyber warfare as part of a strategy to further agendas. Increased number of	4 (L1xI4)	 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 	8 (L2xl4) was 12 (L3xl4)	4 (L1xI4)	 Review mandatory training requirements. Reminder to staff to complete training and awareness. Re-run Awareness Training/Meta Compliance Completion of PSN Compliance checklist 	 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.
	sophisticated 'phishing' attacks with increased time taken to investigate and remediate. Move away from purely email to other platforms such as 'Teams'.		 externally procured. Adoption of multi-factor authentication. Development of monthly reports from software supplier for follow up of 				 2nd Line: Regular monitoring and reporting on security issues to Leadership Team. External penetration testing. Full Council wide adoption of multi-factor authentication.



Strategic	Risk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
Plan Link	Failure by staff to complete ICT training and the take up of MFA. Owner: Chief Executive	Score	staff not completing mandatory ICT training. Implementation of Knowledge Hub training.	Score	Score	Responsibility / Timescale	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.



Key to 3 lines of assurance:					
1 st Line	Day to day operations of internal control systems				
2 nd Line	Management oversight and monitoring controls				
3 rd Line	Independent assurance from Internal / external audit and				
	other independent assurance sources (e.g. HSE, BFI)				

Other Horizon Scanning Risks Arising January 2023:

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.

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.

Impact of withdrawal of government support measures (furlough), Universal Credit and implications for businesses and residents.

pEPR implications around systems for recycling packaging and compensatory affects.

Implications of increase in fuel duties from 1 April 2023.

Planning application fees – self funding.

LATCo review of governance arrangements and structures.

Arrangements for legislative changes following Brexit and blanket withdrawal in December 2023.



Appendix 1: Strategic Risk Register – January 2023 Strategic Risk Register – removed risks

Strategic Ris	tisk & Owner	Original	Mitigating Controls	Current	Target	Actions	3 Lines of Assurance
Plan Link		Score		Score	Score	Responsibility / Timescale	
A good council, bu enabling people are Co	R6: Failure to innovate and puild on positives / pportunities / learning rising (including from the covid-19 situation) to maximise outcomes for the council, e.g. technological colutions Owner: Leadership Team	Score 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 (L1xl1)	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