TRAFFORD COUNCIL

Report to: Accounts and Audit Committee

Date: 31 October 2018
Report for: Information

Report of: Audit and Assurance Manager

Report Title

Strategic Risk Register 2018/19 (October 2018 update)

Summary

The Accounts and Audit Committee is asked to consider this report which provides an update on the strategic risk environment, setting out developments relating to the management of each of the Council's strategic risks.

Recommendation

The Accounts and Audit Committee reviews this report.

Contact person for access to background papers and further information:

Name: Mark Foster – Audit & Assurance Manager. Extension: 1323

Mike Sullivan – Senior Audit & Assurance Officer **Extension:** 1564

Background Papers:

None

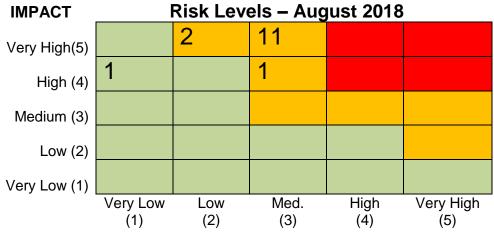
1. INTRODUCTION

- 1.1 The Council's Strategic Risk Register (SRR) contains the strategic risks the Council is likely to face in achieving its high level corporate objectives.
- 1.2 In accordance with the Council's Risk Management Policy, the Corporate Leadership Team (CLT) provides regular periodic updates on the strategic risk environment and in particular performance in managing the specific risks incorporated within the SRR.
- 1.3 This report is based on information provided by risk owners in September and October 2018 for each risk.

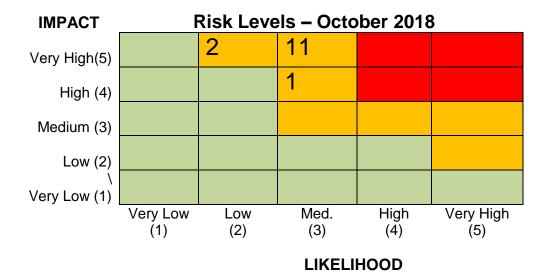
2. <u>THE STRATEGIC RISK ENVIRONMENT – RISK EXPOSURE AND PERFORMANCE MANAGEMENT</u>

- 2.1 The Council continues to review and monitor its strategic risks. Given the challenges faced by the Council going forward, it is acknowledged that it will need to continue to review its approach to risk and risk management as risks change and potentially higher risks arise. Progress has continued to be made in addressing the strategic risks as detailed in this report.
- 2.2 Through September and October 2018, the Audit & Assurance Service liaised with CLT and senior managers to agree the risks to be included in the strategic risk register and provide updates on risks under their remit, including progress in managing these risks. Section 3 of this report contains an update on the strategic risks identified. (The previous risk report update was completed in August 2018).
- 2.3 The risk chart on page 3 shows an analysis of the current strategic risks. The chart analyses the levels of risk exposure in terms of impact and likelihood. The number of strategic risks for each risk level is shown.
- 2.4 In the August 2018 Strategic Risk Register update, it was recommended that the Strategic Risk 13 (Availability of Burial Land) was removed as it was considered a low risk with a risk score of 4. There are now, therefore, 14 strategic risks (The Investment Strategy Risk 15 has been renumbered to Strategic Risk 13).
- 2.5 For each risk listed in Section 3, this includes the relevant Executive Portfolio and Service Directorate, reflecting the changes in these over recent months.
- 2.6 The next Strategic Risk Register update is due to be undertaken in the final quarter of 2018/19 with an update report to be presented to the Accounts and Audit Committee.

Comparison of Risk Levels August and October 2018



LIKELIHOOD



High Risk Medium Risk Low Risk

3. <u>Strategic Risks (October 2018)</u>

Red	Amber	Green

Risk	Strategic Risk Title /(Directorate/ Portfolio)	Risk Score / Level / Direction of Travel	Management of Risk - Direction of Travel ** (Refer to the key at the end of the report for a detailed explanation)	Comments
1	Integration between Trafford Council and Trafford CCG failing to meet its objectives. (Authority-wide - Chief Executive / Leader).	15 Medium (No change).		At the point of integration, 3 April 2018, the Chief Executive of Trafford Council became the Accountable Officer and a joint Corporate Leadership Team (CLT) was put in place. Since the departure of the Chief Executive, in July 2018, the Council and the CCG have confirmed their commitment to an integrated organisation. The exact organisational form is however under review to ensure it is fit for purpose moving forward. A key aspect of the integration is an integrated commissioning team. This fundamental organisational and service redesign is underway and provides both major opportunities and risks to both organisations. This integration requires a clear vision, strong leadership and clear accountability from the top, supported by both community and staff engagement. Detailed work commenced last year and is continuing through a number of Transformation, Finance and HR working groups. The CCG is in formal financial recovery with a plan that has been agreed by GM Health and social Care Partnership and the CCG Governing Body. It is acknowledged that there are significant risks, including financial, reputational, technological and cultural attached to the integration. The opportunities which are likely to be derived include: • More effective commissioning;

<u> </u>		<u></u>
		 Integrated service offering to the residents of Trafford; Financial cost savings, and Improved service offering to residents.
		Action plans are in operation for each of the nine Domains.
The Council does not fulfil its statuto duties and all accompanying porequirements in terms of identifyin and safeguarding vulnerable childre (Children's Service / Children's Services).	Medium (No change). g en.	There is a Sustainability Process in place to change delivery models within Children's Social Care. Child Protection numbers have now stabilised to a more manageable level. Children in Care numbers continue to be high but have now levelled. We have had some churn in our system and delays in recruitment. This, along with the increases we have experienced, have put pressure on social worker caseloads and created pressures within the system generally. These increases are monitored and managed through moving staff or use of agency staff whenever possible. Our temporary Multi-Agency Review and Improvement Team as part of our Sustainability programme is helping the service review existing practice and drive improvements to our approaches to improve outcomes and significantly contributed towards our positive Ofsted outcome. A new set of Inspection Frameworks now apply to Children's Services. We will now be subject to three different unannounced inspection processes over the next three years. The focussed 'visit' from Ofsted in July 2018 was positive and praised strong leadership at council level and strong multi agency working. There are also changes for both the Children's and Adults Safeguarding Boards with a Joint Board Chair for both children and adults. The Safeguarding Board staff team have been through a formal Consultation to make them into one team and gaps are now being recruited to. Measures: Monthly meetings of the Director of Children's Services Safeguarding Croup. Biannual safeguarding children assurance meetings with the Chief Executive, Leader and Executive Member. Rigorous Performance Management and Quality Assurance through robust leadership processes.

Demand for school places underestimated and/ or additional school places are not delivered to satisfy increased demand. (Children's Services / Children's Services).	15 Medium (No change).	 In the 2018 admission round all Trafford children have been allocated places within the current provision. The demand for primary and secondary school places continues to be monitored and capital resources allocated to ensure sufficient places are provided to meet our statutory duty. All basic need funding has been allocated up to March 2018. There was no basic need funding from the Department for Education (DfE) for 2018/19, the first year the LA had received a £0 allocation. Indicative basic need funding for 2019/2020 is £18m. There is no basic need funding for 2020/21. Public consultation for how Special Educational Needs and Disability (SEND) Provision Capital Funding allocation of £1.27m for 2018-2021 can be spent to create new places or improve facilities in existing provision has been
4 Continuing uncertainty regarding the Council's medium term financial position given the reliance that exists on support from Central Government, cost pressures within the existing budget and major changes in the administration of Business Rates resulting in a greater risk being transferred to local government. (Finance & Systems / Finance).	15 Medium (No change).	 The 2018/19 budget was agreed on 21st February 2018, the Council agreed the 2018/19 budget of £164.25m. The funding gap addressed for 2018/19 was £22.9 caused by overall cost pressures of £13.3m and funding reductions of £9.6m have contributed to the gap and these include additional client demand pressures in social care services. The budget gap in 2018/19 was met by a combination of new funding and income of £17m, including: A 4.99% increase in the council tax (2.99% general increase and 2% for adult social care) and increase in tax base £6m; Additional business rate revenues (mainly from the 100% GM pilot) £5.4m; Net income from investment properties £1.2m; Additional MAG dividends and shareholder loan returns £1.6m; Use of Budget Support Reserve £1.6m; Other £1.2m, and; continuation of savings programmes of £6m. The 2018/19 budget monitoring position as at period 4 indicates a projected overspend of £1.96m, albeit a cautious position is being taken at this stage as a number of contingency budget remain which should help mitigate this as the year progresses. Despite this, provision

	T			has been included in building to 1 (0040/00
				has been included in budget plans for 2019/20 to reflect this position.
				 Work is ongoing to develop balanced budget
				proposals for 2019/20 and these will be
				presented to the Executive on 15 October
				2018.
				 The next few years is likely to give rise to
				significant turbulence due to national changes
				in the way resources are distributed to local
				government from 2020/21 as well as significant
				changes to the business rate retention system which will move to a 75% retention scheme
				from 2020/21. The volatility this could cause is
				steering the Council's reserves strategy to
				provide cushion in the event that the council's
				baseline funding or previously retained growth
				in business rates income is reduced.
5	Loss / absence and	15	4->	A review of the senior leadership structure is
	retention of senior	Medium	~ ~	underway to ensure there is sufficient
	managers to the			leadership capacity in the organisation.
	organisation.	(No change).		 Strengthening of the senior leadership team -
	(5) (5)			introduction of new roles and new appointments
	(People / Equalities			will be made to Corporate and Directorate level
	and Partnerships).			roles.
				A number of interim internal 'act-up'
				arrangements are in place, again aiding
				succession planning, pending permanent appointments while we transition to new
				delivery models.
				 Leadership development & coaching for all
				managers/senior managers across the
				organisation to support them in leading and
				engaging their staff through transformational
				change and Vision 2031.
				 A succession planning strategy is being rolled
				out that formalises an approach to ensure that
				key skills are not lost to the Council, whilst up-
				skilling staff to take on higher graded roles.
				Successors will be identified at senior manager
				level and targeted development initiatives provided to ensure that we are equipped to flex
				our workforce to react to resource and skills
				gaps. Each successor will also have access to
				a coach.
				Leadership behaviours are being developed in
				line with #Leading GM expectations and
				Trafford's Vision 2031.
				 Pro-active attendance management strategy
				developed and will be rolled out across Trafford
				with refreshment training for managers.
				A Health & Well-being strategy is in place with
				actions to maintain and improve employee

			m	orale and well-being.
6	Trafford Council	15	•	itizens and businesses have a right to expect
	must ensure that	Medium		ata held about them to be treated in a secure
	information held			nanner and only shared on a need to know
	about citizens,	(No change).		asis.
	employees,			mployees, Partners, Contractors and
	partners,			nembers have the right to expect data held
	contractors,			bout them to be treated in a secure manner.
	members and			rafford Council have a responsibility to protect
	organisations in			neir data and information.
	Trafford is safe in			he Council has a dedicated Corporate
	their hands. To be			offormation Governance (IG) team which
	able to assure its			rovides advice and guidance in relation to
	partners and the			ompliance with Data Protection and Freedom
	public that this is the			f Information legislation. It also investigates
	case they need to			ata security breaches and reports these
	demonstrate that			nonthly to the ISGB and quarterly to CLT,
	they are handling			roviding services concerned with
	personal/ sensitive			ecommendations to improve their working
	and commercial data			ractices. The IG team structure has been
	securely both in			eviewed because of increased workload with
	technology and			nore resources due to be allocated to the
	physical terms. They			eam. A new IG Manager is due to start in
	also need to ensure			ecember 2018.
	that 3 rd parties acting			he Council has an Information Security
	on their behalf are			overnance Board (ISGB), which is comprised
	handling their data			f officers from key service areas across the
	sets in accordance			ouncil who "champion" good information
	with Trafford			overnance practice within their Directorates.
	Council's policies			he ISGB has a terms of reference which
	and procedures.		pr	rovides a direct reporting line to the CLT,
	This is a corporate			nderlining the importance of information
	risk and the risk to		go	overnance and information security within the
	the Council is		C	ouncil. The ISGB takes the corporate lead on
	reputational,			Il data protection related matters and in
	financial, adverse		pr	rogressing the embedding of information
	publicity and could		go	overnance into the Council's day to day
	ultimately be a			ctivities. Progress on the ISGB's information
	breach of the Data Protection Act.			overnance work plan is reported fortnightly to LT.
			• TI	he Council achieved "reasonable assurance",
	(Governance &			ne second highest level awarded, in the,
	Community Strategy			oluntary information governance audit
	/ Constitutional			erformed by the Information Commissioner's
	Reform and		-	office (ICO) during January 2017.
	Resident			rogress has been made and continues with
	Engagement).			nplementing the various changes as a result of
				ne General Data Protection Regulations
				GDPR) and Data Protection Act 2018.
			,	ouncil integration with Trafford CCG will
				nable a "pooling" of IG resources from both
				rganisations to bring a holistic approach to

				address the challenges and changes the new
				data protection laws bring.
				The Council has appointed a Data Protection
7	University Academy 92: failure to implement programme and achieve possible benefits this may bring in terms of regeneration around Stretford and Old Trafford. (Authority wide - Place) / (Investment, Regeneration and Strategic Planning).	15 Medium (No change).		Officer, a mandatory requirement under GDPR. University Academy 92 (UA92) was launched in September 2017 to establish a new model of university by bringing together the best of academia, business and sport. It is a unique collaboration involving the Class of 92, Lancaster University, Microsoft, Trafford College and Bruntwood as well as Trafford Council. Other supporters of UA92 and the regeneration in the Trafford area include Lancashire County Cricket Club and Manchester United Football Club. Trafford Council believe UA92 will help regenerate the area around Stretford and Old Trafford as it presents a fantastic opportunity to revitalise and support local communities to maximise their potential. UA92 aims to create jobs and attract 6,500 students by 2028. This programme comprises of a number of facets including the university campus, student
			1 i i i	accommodation and Stretford leisure centre. Each of these aspects are being considered individually as well as part of the overall programme. Mitigation arrangements are in place in the event of failure of any part of the programme. For example, Stretford Leisure refurbishment will continue regardless of the university as this is also a community asset.
			6 f	The Executive have approved the Council entering into an options agreement for Westpoint for the provision of student accommodation for year one (and up to three years) and the Council will work to enable the development/provision of new student accommodation.
8	A successful Cyber Security Attack could lead to sensitive data being compromised, denial of access to the Council's computing services or severe degradation or loss of control of those services. (Finance & Systems	15 Medium (No change).		The volume and sophistication of cyber-attacks continues to increase as it is a low risk and lucrative form of crime, and there is considerable 'state actors' and 'bedroom hackers' activity. Trafford Council has a number of technical solutions and processes in place to protect IT systems and data from cyber-attack. There remains a significant risk that the Council's defences could be breached even with effective tools and approaches in place, so it is equally important to ensure the processes for dealing with an attack are effective.
	/ Constitutional			A review of the Council's cyber security technical

T		
Reform and Resident Engagement).		solutions and processes will be undertaken during the development of the Council's Digital Strategy. The review will assess whether the existing defences remain proportionate as services and public interaction becomes more digital. The outcome and recommendations of the review are expected in January 2019. Some of the existing controls include: • All information sources and systems within the Council should have an identified information asset owner following the implementation of the General Data Protection Regulations (GDPR) in May 18. • Trafford is actively collaborating and sharing information about potential cyber threats through the iNetwork North West Warning, Advice and Reporting Point community and nationally with the NHS CareCert service. • The Network People (TNP) have been procured to provide Trafford Council with specialist security advice to help develop, manage and monitor Trafford's security defences and incident response. • Public Services Network (PSN) compliance is maintained which includes annual vulnerability penetration testing of both the internal and
9 Failure of the Adult Safeguarding Service. (Adult Services / Adult Social Care).	12 Medium (No change).	 external networks. The Director of Safeguarding and Professional Development has been recruited to on an interim basis (whilst CR acts up to Director for Children's Services) is in role and the standard of safeguarding for adults and children continues to be managed centrally through this role. Serious Case Review Panel (Adults) reviewed and in place, has completed several Learning Reviews, a Safeguarding Adults Review (SAR) has been published, more SAR's have now been commissioned and Independent Authors procured. Learning from these processes will be rolled out to staff. Learning review sessions are being delivered to staff across ASC. The process of handling provider notifications is being revised end of October. The notifications will be sent to the Commissioning team giving grater oversight of issues across the care market. As part of the adult improvement programme all referrals into Screening are immediately risk assessed and Safeguarding referrals are

			 prioritised. Jointly with children's services and GMP. There is a discrete Adult Protection Line for members of the public to directly contact social care to raise safeguarding concerns. There are advanced plans for Greater Manchester Police (GMP) officers to co-locate with the Screening Team to enhance our response to safeguarding referrals. Daily meetings between the Screening team and the Police are in place. Mental Capacity Act (MCA) and Deprivation of Liberty Safeguards (DoLS) e-learning available for all staff and use is monitored. Increased demand presenting at the front door
			 is being managed with additional staff capacity and daily risk management reviews. Member training is in development regarding safeguarding –expected to be delivered early November. All deprivation of liberty safeguarding assessments are now allocated immediately due to changes in process and improved staffing arrangements. Peer review completed with Rochdale safeguarding board .Action plan in place to address agreed areas for improvement. Additional resources agreed to complete the applications to the court of protection for
10	Breach of health and	10	community deprivation arrangements. Due to start towards Christmas 2018.
10	safety legislation leading to prosecution under the Corporate Manslaughter Act and other Health and Safety Regulations. (People / Equalities and Partnerships).	Medium (No change).	 Current Health & Safety Policy and comprehensive arrangements in place. Subject to periodic review as required and available to the workforce via the intranet. Health and Safety Audit programme in place across all Directorates and schools. This programme includes proactive monitoring of compliance with health & safety law and internal H&S management arrangements. Policy, arrangements, protocols and guidance for Directorates and schools updated to reflect legislative or organisational changes and any new or emerging risks (in addition, a targeted rolling programme is ongoing). Health & Safety Unit (HSU) support in the comprehensive assessment and investigation, where required, of health and safety issues or incidents. Facilitates the effective management of risk and statutory compliance. HSU support in responding to occupational health and workforce referrals to ensure the

				health, safety and welfare of staff.
				Staff consultation processes in place to report
				and liaise on Health and Safety performance
				issues.Competent HSU advisory service with advisors
				subject to continuing professional development
				requirements.
				Employee Health and Wellbeing Strategy in
				place which incorporates ill health reduction
				and mental wellbeing support.
				Training calendar in place and online training
				available to support managers and schools in ensuring staff are competent to undertake
				tasks/role.
				 Arrangements in place for the health and safety
				assessment of providers/contractors prior to
				approval and for subsequent monitoring of
				performance.
				HSU engagement in Health, Safety and Walfare in the start of the Councille
				Welfare issues relating to the Council's Corporate and Let Estate through Corporate
				Landlord
11	Joint Venture	15	4->	Third year of contract completed. Increasing
	partner fails to	Medium	~ ~	number of service issues identified and public
	deliver services to	(1)		perception negative. Additional staffing has
	the required	(No change).		been brought into the client team to enhance
	standard or fails to deliver required			contract management.New measures put in place by Amey with
	efficiency savings.			additional resources. Independent validation of
				Key Performance Indicators (KPI) and Job
	(Place /			records by Trafford Council on-going. This has
	Environment, Air			been done across the contract but with a
	Quality and Climate Change).			particular focus on domestic waste, greenspace and highways maintenance services.
	Change).			 KPIs monitored on a monthly basis, and control
				and auditing mechanisms reviewed.
				Capital programme delivery is currently on
				target for highways.
				Out turn KPIs for 2017/18 not agreed as yet
				and negotiations underway on the level of deductions.
				 New client team structure agreed and
				recruitment underway. Current vacancy for
				OTP Director being recruited into both interim
				and permanent.
12	The Programme	15 Modium	4	Robust governance is in place, with greater
	Savings are not delivered in full.	Medium	— —	scrutiny at theme level, and progress reported
	GONVOIGU III IUII.	(No change).		through to Corporate Leadership Team (CLT)A review of programme management is
	(Finance and			underway that will pick up the
	Systems / Leader).			interdependencies between the Council and the
				CCG as well as Place Shaping.

			The CLT continue to support understanding of and engagement in the programmes, to secure support for it and to continue to the original plan with minimal disruption. CLT and Senior Responsible Officers work closely to identify risks and dependencies to the projects and programme outcomes at the earliest opportunity and identify appropriate mitigations plans.
13	Investment Strategy (Finance & Systems / Investment, Regeneration and Strategic Planning). (Previously Strategic Risk 15)	15 Medium (No change).	 Exceptions to plan are escalated to CLT. Since the Executive approved the Investment Strategy in July 2017 and the Investment Fund of £300m, a number of key acquisitions have been completed of revenue generating commercial properties. The returns from this approach have been sufficient to repay borrowing costs and provide a net return to support the revenue budget. In addition the Council will provide development debt where it will be senior lender on some major regeneration projects in the local areas generating a net interest return. To mitigate the risks of the approach nationally recognised investment advisors are being used as part of the due diligence process with emphasis placed on securing investments in low risk assets. Further risk mitigation is being undertaken through the creation of a "Risk Reserve" through the ring-fencing of an element of the returns and an allowance for debt repayment (in accordance with national regulations). All investments are scrutinised by an Investment Management Board which includes cross-party representation. To date nearly £180m has been committed on a range of debt finance arrangements and
			commercial property purchases, yielding an average net return of 2%:- Table 8 : Capital Investment 2017/18 2018/19 Total Strategy £m £m £m
			Total Investment Fund 300.00 Activity to date: Projected Cost
			K Site, Talbot Rd, Stretford 1.24 25.17 26.41
			Sonova House, Warrington 12.17 12.17 DSG, Preston 17.39 17.39
			Grafton Centre incl. Travelodge Hotel, 10.84 10.84
			No.1, Old Trafford : Debt financing for 3 13 37 77 40 00
			residential development 3.13 31.77 40.30
			Trafford Magistrates Court, Sale 4.30 4.30
			The Crescent, Salford : Debt financing for residential development 60.80 60.80
			Total investments 44.77 134.25 179.02
			Balance available 120.98
			When evaluating potential opportunities

14	Failure to complete	10		extensive legal and property due diligence is undertaken which places a significant emphasis on security and liquidity and includes for example an assessment of the financial strength of the tenants and market sector, length of unexpired lease, location, asset condition and residual land value. • Each year there will be performance monitoring of each investment to ensure it is still consistent with the investment strategy. In addition an annual valuation will be undertaken to assess the current capital value of the asset and this will be used to determine whether the right level of debt repayment is being made. It is inevitable there will be changes in valuation year on year but the risks of downward movements in value are being mitigated through a diversified portfolio of assets. • The approach to these strategic investments is currently being reviewed and an updated Investment Strategy will be presented to Executive shortly. • The Emergency Planning Manager maintains a
	the Business Continuity (BC) Programme Project, resulting in an	Medium (No change).	~~	RAG rating for Business Impact Analysis (BIA) completion across all services which is reported to Directors quarterly. There are still gaps in completion. At its last meeting TPR agreed that
	increased risk that the Council may fail to deliver Council services in the event			an annual staggered programme for BIA review and refresh should be devised so that they are not all due at once and so it is easier for Directors to maintain an overview of
	of significant disruption.			 performance across their services. Contractual requirements on external providers
	(Authority-wide / Constitutional Reform and			 have business continuity plans in place. Trafford are considering options for improved IT disaster recovery as the current site at Sale Waterside is inadequate. Identification of a
	Resident Engagement).			preferred option is expected by the end of October and implementation is planned for April 2019.
				 The Council's Digital Strategy is in development and will consider wider adoption of cloud hosting, which should provide greater resilience and disaster recovery capabilities.
				 Mobile Telephone Privileged Access Scheme (MTPAS) – Priority access to telecommunications has been reviewed to
				ensure capability during incidents. Numbers and update processes are now fully functional and up to date.
				Underuse of Resilience Direct, is a national web based portal endorsed by the Cabinet

	Office. Emergency Planning Manager to
	increase usage. All Greater Manchester and Control of Major accidents Hazards (COMAH)
	plans are now accessed through the portal. All
	Forward incident Officers (FIO) and Duty
	Directors are registered.
	 The integration between Trafford Council and
	Trafford CCG and the required fundamental
	organisation and service redesign pose
	additional risks around Emergency Planning
	and Business Continuity. Full oversight of CCG
	rota has now fully transitioned. Business Continuity still remains with the CCG. This
	work sits with the CCG Transitions Programme.
	work sits with the CCG Transitions Programme.
	Refer also to the comments regarding Risk 8.

** Note: This indicates the direction of travel in respect of performance in managing the risk and not direction of travel of the risk level.

Key:	
1	= Improvement in management of the risk.
(++)	= No change in management of the risk.
•	= Deterioration in management of the risk.