

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

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| Report to: | Audit Committee |
| Report of: | Assistant Director, Audit & Risk Management |
| Date of Meeting: | 20th November 2018 |
| Subject: | Corporate Risk Register Update |
| Wards Affected: | All |
| 1. Purpose of Report | |
| <p>To update the Audit Committee with information on the management of risks and issues within the Corporate Risk Register (CRR) at Appendix A. Also provided is an Index of the risks showing previous updates and a Risk Heat Map. The information has been compiled using updates received from directorates on all risks on a monthly basis.</p> | |
| 2. Recommendations | |
| <p>That the Audit Committee reviews the information provided and decide if the risk ratings are reasonable, if action being taken is effective, or if further explanation/information is required. Approval is sought for the following:-</p> | |
| 2.1 All risks have been subject to review and update. | |
| 2.2 The deletion of risk No 35 on GDPR implementation by May 2018 . Risks around information assurance have been captured within Risk No.11 which has been revised. | |
| 2.3 No new risks have been nominated. | |
| 3. Background Information | |
| 3.1 Members have a key role within the risk management and internal control processes. | |
| 3.2 The Audit Committee terms of reference, sets out its responsibilities and in relation to risk management these are: | |
| <ul style="list-style-type: none">• providing independent assurance to the Council on the effectiveness of the risk management framework and the associated control | |

environment,

- whether there is an appropriate culture of risk management and related control throughout the Council,
- to review and advise the Executive on the embedding and maintenance of an effective system of corporate governance including internal control and risk management; and
- to give an assurance to the Council that there is a sufficient and systematic review of the corporate governance, internal control and risk management arrangements within the Council.

4. Corporate Risk Register Update

- 4.1 The CRR is aligned to the corporate objectives of the Council and identifies the key risks to be managed at a corporate level.
- 4.3 The Council Management Team (CMT) and the Deputy Leader now review the CRR on a monthly basis to strengthen oversight arrangements and have agreed to the above changes.

5. Embedding Risk Management

- 5.1 There are directorate risk registers in place supported by individual risk registers for service areas. Monthly updates are facilitated through the Directorate Risk Representatives.
- 5.2 The current main route to provide risk management awareness is the e-learning package for managers, accessed via the internet and the risk management Policy, Strategy and Methodology. All documents and web pages are currently being refreshed.
- 5.3 Service managers are asked about their risk management arrangements as part of routine audit work. In addition the mandatory Public Sector Internal Audit Standards include a requirement with regard to risk management.
- 5.4 Risk management is also covered within the Annual Governance Statement.
- 5.5 To support the above arrangements the risk register format is being simplified so it is more action focused. Audit are also attending Directorate Management meetings to further embed the review and update of the CRR.

6. Legal and Resource Implications

6.1 The work carried out is within approved budgets.

7. Equality Impact Assessment Issues

7.1 Risk management forms an important part of the internal control framework within the Council.

7.2 The Council's risk management strategy has been Equality Impact Assessed and was found to have no adverse impacts.

8. Compliance Issues

8.1 Decisions are consistent with relevant Council Policies, Plans and Strategies.

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INDEX OF RISKS – PREVIOUS UPDATES

Safeguarding / Welfare

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|----------|--|---------------------|---------------------------------|-----------------------------------|----------------------------------|--------------------------------------|
| 2 | Not responding fully and effectively to the improvement agenda for children - Failure to improve children's safeguarding and children's social care. | 1 | H/H ↑ | H/H ↑ | S/H ↓ | S/H ↔ |
| 32 | Risk of significant disruption to Council services and failure to effectively manage and respond to emergency incidents, including acts of terrorism. | 2 | S/H ↔ | S/H ↔ | S/H ↔ | S/H ↔ |
| 33 | Failure of the Council to make its contribution to deliver a step change to the Health and Social Care system resulting in an improvement to the health and well-being of Birmingham citizens. | 4 | S/S ↔ | S/S ↔ | S/S ↔ | S/S ↔ |
| 42 | Travel Assist There are risks within the service over the cost of the provision and ability to deliver the agreed level of service within the agreed budget. | 5 | | | S/H | S/H ↔ |
| 43 | Early Years Health and Well Being contract There are risks that the assumed financial savings from the contract will not be fully realised due to unforeseen costs and possible grant claw backs. | 7 | | | H/S | H/S ↔ |

Statutory Responsibilities / Compliance with Statutory Responsibilities

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|----------|--|---------------------|---------------------------------|-----------------------------------|----------------------------------|--------------------------------------|
| 1 | Management of equal pay claims. | 9 | H/H ↔ | S/S ↓ | S/S ↔ | S/H ↑ |
| 26 | Failure to comply with all of the requirements of the Counter Terrorism and Security Act (2015) and the Prevent Duty. | 10 | H/H ↔ | H/H ↔ | H/H ↔ | H/H ↔ |
| 31 | Increased pressure on the statutory homeless service. | 13 | H/H ↔ | H/H ↔ | H/H ↔ | H/H ↔ |
| 34 | Risk of fines being passed down to Local Authorities in relation to air quality / ongoing fines related to not meeting air quality compliance. | 17 | H/M ↔ | H/M ↔ | H/M ↔ | H/M ↔ |
| 12 | Failure to comply with all the requirements of the Equality Act 2012 and the Public Sector Equality Duty. | 19 | M/S ↔ | M/S ↔ | M/S ↔ | M/S ↔ |
| 25 | Failure to comply with statutory timescales in relation to DoLS (Deprivation of Liberty) referrals, which could lead to legal challenge and result in financial loss to the Council. | 22 | M/S ↓ | M/S ↔ | M/S ↔ | M/S ↔ |
| 11 | The loss of significant personal or other sensitive data | 24 | L/H ↓ | L/H ↔ | L/H ↔ | M/H ↑ |
| 35 | Risk of failure to implement GDPR. Nominated for Deletion | 25 | | H/H | H/H ↔ | H/H ↔ |

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|-----------------|--|----------------------------|---|---|--|--|
| 36 | Failure to respond positively and effectively to the required outcomes of the Grenfell Tower enquiry once known. | 26 | | L/M | L/M ↔ | L/M ↔ |
| 37 | Homelessness Reduction Act – Insufficient council resources to meet the requirements of the Act fully. | 28 | | M/H | M/H ↔ | M/H ↔ |

Financial Resilience

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|-----------------|---|----------------------------|---|---|--|--|
| 29 | Not developing sufficiently robust plans to support setting a balanced budget (including in the medium term), and not containing net spending within the approved budget. | 30 | S/S ↑ | S/S ↔ | H/H ↑ | H/H ↔ |
| 15 | Not recognising the need to divest of costly property assets in radical new solutions to reframe service delivery. | 32 | S/M ↔ | S/M ↔ | S/M ↔ | S/M ↔ |
| 38 | Management of the Enterprise Zone Programme in line with its delivery plan | 34 | | | H/H | M/H ↓ |
| 41 | School Deficits National funding arrangements have resulted in real term funding reductions | 35 | | | H/H | H/H ↔ |

Political

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating July 2017 L / I | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I |
|----------|------------|---------------------|----------------------------------|---------------------------------|-----------------------------------|----------------------------------|
|----------|------------|---------------------|----------------------------------|---------------------------------|-----------------------------------|----------------------------------|

None.

Technology

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|----------|--|---------------------|---------------------------------|-----------------------------------|----------------------------------|--------------------------------------|
| 16 | That web services to customers or work with partners may be disrupted by malicious attacks on the City Council's web based services. | 39 | S/M ↔ | S/M ↔ | S/M ↔ | S/M ↔ |
| 17 | Ineffective Corporate Risk Marker IT solution. | 40 | L/M ↔ | L/M ↔ | L/M ↔ | L/M ↔ |

Transformation

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|----------|--|---------------------|---------------------------------|-----------------------------------|----------------------------------|--------------------------------------|
| 7 | Lack of capacity and capability to respond to employee relations tensions, poor service, performance issues, sickness absence levels and poor morale due to organisational downsizing and pay freezes. | 42 | S/S ↔ | S/S ↔ | S/S ↔ | S/S ↔ |
| 10 | Not building on the recently agreed collaborative approach with the Improvement Panel to deliver change following the Kerslake Report | 44 | M/S ↔ | M/S ↔ | M/S ↔ | M/S ↔ |
| 18 | Failure to adequately evaluate the costs and benefits of alternative delivery models. Failure to fully implement the decisions made to change policy and service delivery. | 45 | M/M ↔ | M/M ↔ | H/H ↑ | M/M ↓ |
| 45 | Allowance payments | 46 | | | M/M | M/M ↔ |

Service Delivery

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|----------|--|---------------------|---------------------------------|-----------------------------------|----------------------------------|--------------------------------------|
| 6 | Failure to achieve all of the services required including delivery of significant investment into the Highway network within the first five years of the contract. | 48 | H/S ↔ | H/S ↔ | H/S ↔ | H/S ↔ |

| Risk No. | Risk Title | Appendix A Page No. | Actual Rating Nov 2017 L / I | Actual Rating March 2018 L / I | Actual Rating July 2018 L / I | Actual Rating November 2018 L / I |
|-----------------|---|----------------------------|---|---|--|--|
| 39 | HS2 Delivery of HS2 following Royal Assent pf HS2 Act. BCC role to help facilitate delivery of new railway (including Curzon Station and depot). Maximise benefits for City and minimise/mitigate impact during construction. | 49 | | | S/S | S/S ↔ |
| 40 | Commonwealth Games – Athletes Village Delivery of the Athletes Village dependant on the funding & acquisition of land in addition to potential changes to sporting schedules affecting the village's capacity to accommodate athletes. | 50 | | | M/M | M/M ↔ |

Index by Risk / Issue Number

| No | Short Description of Risk / Issue | Page |
|------------------------------|---|------|
| 2 | Not responding fully and effectively to the improvement agenda for children - improving children's safeguarding and social care | 1 |
| 32 | Risk of significant disruption to Council services and failure to effectively manage and respond to emergency incidents, including acts of terrorism | 2 |
| 33 | Failure of the STP to deliver a step change to the Health and Social Care system resulting in an improvement to the health and well-being of Birmingham citizens | 4 |
| 42 | Travel Assist – cost of provision and ability to deliver the agreed level of service | 5 |
| 43 | The Early Years Health and Well Being Contract | 7 |
| 1 | Management of Equal Pay Claims | 9 |
| 26 | Failure to comply with all of the requirements of the Counter Terrorism and Security Act (2015) and the Prevent Duty | 10 |
| 31 | Increased pressure on the statutory homeless service in regards to volume of customers, which leads to significant financial pressure on the general fund due to increased use of B&B | 13 |
| 34 | Risk of fines being passed down to Local Authorities in relation to air quality / ongoing fines related to not meeting air quality compliance | 17 |
| 12 | Failure to comply with the Equality Act 2010 and the Public Sector Equality Duty | 19 |
| 25 | Failure to comply with statutory timescales in relation to DoLS (Deprivation of Liberty) referrals, which could lead to legal challenge and result in financial loss to the Council | 22 |
| 11 Revised risk | Loss of personal or sensitive data | 24 |
| 35 Nominated for deletion | GDPR Implementation by May 2018 | 25 |
| 36 | Failure to respond positively and effectively to the required outcomes of the Grenfell Tower enquiry once known. | 26 |
| 37 | Homelessness Reduction Act – Insufficient council resources to meet the requirements of the Act fully. | 28 |
| 29 | Not developing sufficiently robust plans to support setting a balanced budget (including in the medium term), and not containing net spending within the approved budget | 30 |
| 15 | Not recognising the need to divest of costly property assets in radical new solutions to reframe service delivery | 32 |
| 38 | Management of the Enterprise Zone Programme in line with its delivery Plan | 34 |
| 41 | Schools Deficits – National funding arrangements have resulted in real term funding reductions | 35 |
| 16 | Web services may be disrupted by malicious attacks on Council's web based services | 39 |
| 17 | Ineffective Corporate Risk Marker IT solution | 40 |
| 7 | Employee relations, performance issues, sickness absence levels, etc. | 42 |
| 10 | Not building on the recently agreed collaborative approach with the Improvement Panel to deliver change following the Kerslake Report | 44 |
| 18 | Evaluation of cost & benefits of alternative delivery models & failure to fully implement the decisions made to change policy / service delivery | 45 |
| 44 | Allowance Payments | 46 |
| 6 | Failure to achieve all of the services required (including delivery of significant investment into the Highway network), within the first five years of the contract. | 48 |

| No | Short Description of Risk / Issue | Page |
|----|---|------|
| 39 | Delivery of HS2 following Royal Assent of the HS2 Act | 49 |
| 40 | Commonwealth Games – Athletes Village | 50 |

Key:

| | |
|--|---|
| | Safeguarding / Welfare |
| | Statutory Responsibilities / Compliance with Statutory Responsibilities |
| | Financial Resilience - Risk associated with austerity and the financial challenges facing BCC |
| | Political - Risks driven by the political agenda |
| | Technology |
| | Transformation |
| | Service Delivery |

| Safeguarding / Welfare | | | | | |
|------------------------|--|---------------------------|---|---|--|
| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
| 2 | <p>Not responding fully and effectively to the improvement agenda for Children - Failure to improve children's safeguarding and children's social care.</p> <p>Lead: Corporate Director Children & Young People Anne Ainsworth Owner: Assistant Director Commissioning – Sarah Sinclair</p> | Significant / High | <p>Lead Director comment</p> <p>In April 2018 Birmingham Children's Trust became operationally independent of the council as part of the ongoing process of improvement. The Trust is a wholly-owned company of the council, and works in close partnership to continue to improve outcomes for disadvantaged children and young people in the city.</p> <p>The Director of Children's Services duties still remain within the Council and sit with the Corporate Director for Children and Young People</p> <p>The service is subject to regular Monitoring Visits by Ofsted. Positive progress was observed in the September and December visits. Further visits are scheduled for May and August, after which a full inspection is anticipated.</p> | <p>Target risk rating: Medium / High</p> <p>Anticipated date of attainment of the target risk rating: April 2019</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Service Delivery Contract is in place and Commissioning arrangements are being developed to manage the Contract with the Trust.</p> <p>A monthly Operational Commissioning Group meets to consider performance and contract issues, this will also include risk updates. The Lead Member for Children's Services will meet regularly with the Chief Executive of the Trust to be briefed on progress.</p> <p>The Trust will continue to deliver improvement based on the four pillars of</p> <ul style="list-style-type: none"> - Leadership, Management and Governance - Support for Practice & Management | <p>O&S - Schools, Children and Families O&S Cttee: The following discussions, reviews and updates have taken place:-</p> <p>The Inquiry into Corporate Parenting was undertaken to improve the Cllrs role as Corporate Parents for Children in Care. This was agreed at Council on 4th April 2017</p> <p>Continued with scrutinising the progress with the improvement journey at the July 2017 committee meeting with the Cabinet member and Corporate Director.</p> <p>A number of briefings and updates on the Children's Trust (11 July 17 briefing, 13th September 2017 item at committee meeting and 22nd November 2017 workshop).</p> <p>In addition the committee</p> |

| Safeguarding / Welfare | | | | | |
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| | | | | <ul style="list-style-type: none"> - Quality and Assurance - Engagement and Involvement <p>Performance reported at the October Operational Commissioning group (month 6) shows that 14 out of the 15 agreed performance indicators were meeting their target (either above the target or within the accepted threshold for tolerance). In addition a strong focus is being placed on individual case audits and quality reviews with dedicated resource set aside to do this. Plans are underway for an expected Ofsted inspection.</p> | <p>have continued to scrutinise arrangements for children missing from home and care and Child Sexual Exploitation (18th October 2017). IA Review 2018/19: Contract monitoring framework, Service Delivery Framework, Operational review, Client contract monitoring, Correspondence management, Performance framework – high level review and Ofsted Inspection Framework.</p> |
| 32 | <p>Risk of significant disruption to Council services and failure to effectively manage and respond to emergency incidents, including acts of terrorism.</p> <p>Lead: Chief Executive Owner: Jacqui Kennedy</p> | Significant / High | <p>Lead Director comment</p> <p>Project Argus briefing to CLT undertaken during summer 2017.</p> <p>Major incident exercise (Assured) November 2017.</p> <p>Protect and prepare meetings programmed quarterly for 2017. Action tracker in place.</p> <p>Corporate and LRF emergency plans in place.</p> | <p>Target risk rating: Medium / Significant</p> <p>Anticipated date of attainment of the target risk rating: Ongoing.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Cooperation with WMP CTU on their proposed Birmingham Protect and Prepare Board.</p> | <p>O&S update – Planned item on emergency planning to Co-ordinating O&S in Feb/March 2019</p> <p>IA Review - None.</p> |

| Safeguarding / Welfare | | | | | |
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| | | | <p>Working with LRF partners on exercising 24/7 out of hours emergency duty officer service in place including emergency control room.</p> <p>Security awareness briefings held with Council House Staff and elected members.</p> <p>Work progressing with Prevent Community Reference Group to incorporate community responses into wider resilience plan</p> <p>Recruitment of Experienced Emergency Planning Professional</p> | <p>Meeting to discuss this and wider issues 14th July 2017.</p> <p>Consolidate BCC and WMP P&P Processes</p> <p>Active BCC engagement in the new Regional Multi-Agency sharing pilot with Home Office, MI6 and CTU colleagues in the West Midlands.</p> <p>Business Continuity Policy and Corporate Plan in final draft pending CMT.</p> <ul style="list-style-type: none"> • Michael Enderby (Head of Place Resilience) now in post. • Full Review of Emergency Plan and Business Continuity occurred. • New interim Emergency Plan launched and new Emergency Plan being launched. • Roles and people identified. • Training programme starting for commanders. • New response and duty process implemented. • Further review of response | |

| Safeguarding / Welfare | | | | | |
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| | | | | arrangements underway. <ul style="list-style-type: none"> Shelter and Volunteers plan being updated. | |
| 33 | <p>Failure of the STP to deliver a step change to the Health and Social Care system resulting in an improvement to the health and well-being of Birmingham citizens.</p> <p>Lead: Interim Corporate Director Adults Social Care & Health Owner: Graeme Betts</p> | Significant / Significant | <p>Lead Director comment</p> <p>The leadership of the STP has changed. The STP board has agreed a revised purpose which will mitigate this risk. However, the scale of the challenge including meaningful public and staff engagement will mean this process will not be fast. Additionally there are “task” requirements of NHSE which may deflect attention this year.</p> <p>The STP “purpose” is evolving under new leadership. A draft vision and values has been developed and under consideration by the STP Board.</p> <p>The revised STP purpose has been accepted by the STP Board</p> | <p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target risk rating: March 2019.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>STP board which is represented by the Leader / Cllr Hamilton, CEO and Graeme Betts.</p> <p>STP is a standing item on the Health and Wellbeing Board bimonthly meetings to receive updates from the Birmingham and Solihull CCG. Graeme Betts is a member of the STP Programme Board and Becky Pollard is a member of the Development and Delivery Board. Public Health is currently auditing the involvement in the BSol STP process to ensure appropriate engagement.</p> <p>The STP Board has agreed its strategy and</p> | <p>O&S - Health & Social Care O&S Committee have had regular updates on the STP both in main committee and Joint Birmingham / Solihull Health Scrutiny Committee.</p> <p>On 8th March 2017, Andrew McKirgan, who was then the Director BSol STP and Judith Davis, Programme Director, Better Care Fund attended Birmingham / Solihull JHOSC to present a progress report.</p> <p>The new BSOL STP lead Dame Julie Moore, Andrew McKirgan, Director of Partnerships UHB and Graeme Betts attended the</p> |

| Safeguarding / Welfare | | | | | |
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| | | | | <p>will engage the public and stakeholders towards the end of this year. Work streams have been agreed and priorities identified. There is a high degree of commitment amongst the partners. The main risk is that the work streams are not all as well-advanced as others which means that the risk that improvement for some citizens may take longer than would be desirable.</p> | <p>21st November HOSC to update Members. Update on draft stakeholder engagement report shared at Oct 2018 HOSC by STP Director of Planning & Delivery together with input from CCG Chief Exec and Birmingham Interim Director of Public Health.</p> <p>STP draft plan discussed at City Council on 6th November 2018</p> <p>IA Reviews - None.</p> |
| 42 | <p>Travel Assist</p> <p>There are risks within the service over the cost of provision and ability to deliver the agreed level of service within the agreed budget.</p> <p>There are also wider service</p> | Significant / High | <p>Birmingham has a higher than average number of children with SEN (17.8% in the city; 15.5% nationally). Travel Assist supports over 5,700 children and young people to an educational setting. Of these, over 4,200 are on some form of specialised transport (mini-bus/coach/one-to-one transport). It is a huge logistical operation on a daily basis.</p> <p>The TA budget for the last few years has been artificially low. It was significantly reduced to £13.6m in 2016/17 based on a consultancy report.</p> | <p>Target Risk Rating: Medium/ Significant</p> <p>Anticipated date of attainment of target risk rating: Sept 2019</p> <p>Source of assurance regarding progress with mitigating the risk:</p> <ul style="list-style-type: none"> Plans are being developed to remodel and | <p>IA 2018/19: Work completed last year looking at contract arrangements. Work currently taking place in terms of assessment and allocation process which includes impact on cost of delivering service.</p> |

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| | <p>risks about the capacity of the market to deliver this service and the reliance upon a single provider due to limited minibuss capacity with.</p> <p>Lead: Anne Ainsworth, Assistant Director. Owner: Sharon Scott</p> | | <p>This resulted in 2016/17 in a £5.3m overspend (£18.9m), and an unprecedented number of complaints and negative attention placed on the service and BCC. Over the course of the academic year 2016/17 90% of the change programme was delivered. While the TA budget has been increased for 2018/19 the service still faces an potential anticipated deficit of up to £3,000k covering both contract hire and Guides</p> | <p>re-procure the service. As part of the planned procurement new models of delivery with less reliance on minibusses are being developed to provide greater choice with regards to the delivery of the service.</p> <ul style="list-style-type: none"> • A new 0-25 Transport Policy will be drafted for consultation in 2018 which will review the criteria for service provision. • SENAR and Travel Assist will work more closely to consider the combined cost of an education placement and the cost of transport <p>In the longer term the implementation of the SEND and Inclusion Strategy will bring places back into the city closer to where the children who need them live, thus reducing transport costs.</p> <p>Options paper been produced as part of the latest budget template round.</p> <p>Planned report to Cabinet in December for the new contract and permission to consult on a</p> | <p>Cabinet Member agreed to attend November Children's Social Care OSC meeting to report on and review Travel Assist. Also to be asked to report back to Resources O&S on overspends</p> |

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| | | | | <p>new 0-25 policy (one consultation)</p> <p>Communications and Engagement exercise to support the consultation being developed.</p> | |
| 43 | <p>Early Years Heath and Well Being contract</p> <p>There are risks that the assumed financial savings from the contract will not be fully realised due to unforeseen costs and possible grant claw backs. Previous unforeseen costs have been identified in relation to estates and staffing issues</p> <p>There are also wider risks relating to the construction of the contract itself and the lack of robust contract management arrangements.</p> | High/ Significant | <p>In January 2018 the EYHWP Contract was issued to BCHC and a Secondment Agreement put in place between all Parties. Contract mobilisation date was the 8 January 2018. Programme management arrangements were fully stood down in March 2018. In mid-April it was clear that there were a number of outstanding risks and issues in relation to this contract. The following actions have been taken/are planned;</p> <ul style="list-style-type: none"> Interim AD capacity in place to oversee the programme Urgent review of the Contract, Secondment Agreement and contract management arrangements completed Stocktake report being developed | <p>Target Risk Rating: Significant/medium</p> <p>Anticipated date of attainment of target risk rating: January 2019</p> <p>Source of assurance regarding progress with mitigating the risk</p> <ul style="list-style-type: none"> Newly established Children's and Young People's Commissioning Board which has cross directorate senior representation Contract management arrangements in place to effectively monitor Ongoing work to review the contract | <p>IA 2018/19: Job planned for January 2019 looking at commissioning and contract management.</p> <p>Early Years, Health & Wellbeing Contract scheduled to come to November Children's Social Care OSC.</p> |

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| | <p>All risks have been increased due to a lack of permanent commissioning and contract management arrangements</p> <p>Anne Ainsworth Owner: Assistant Director Commissioning – Sarah Sinclair</p> | | <ul style="list-style-type: none"> • Programme management arrangements being reinstated with cross directorate representation • Risk and issues log reviewed and updated • Key actions identified in relation to finance, HR, estates, performance management, contract mobilisation, IT • Developing 1.0 fte grade 6 commissioning capacity as part of an overall Early Years re-structure | <p>and address employment and building issues which are being reviewed.</p> <ul style="list-style-type: none"> - There is a further risk around VAT liability due to staff secondment arrangements - Internal Audit have undertaken a review of at the request of the Directorate. The recommendations from this will be fed into the improvement activity - Contract Management Board now established - Urgent work is taking place to address gaps in contract in relation to finance, performance and estates | |

| Statutory Responsibilities / Compliance with Statutory Responsibilities | | | | | |
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| 1 | <p>Management of Equal Pay Claims</p> <p>Lead: Chief Finance Officer Owner: Kate Charlton</p> | <p>Significant / High</p> <p>Following CMT review</p> | <p>Lead Director comment Since 2007 to date a significant number of claims have been issued against the Council. The predominance of these claims relates to liability pre implementation of single status, which took place in 2008 and also liability post implementation of single status. The time limit for issuing further claims for both these types of claims has now expired.</p> <p>The Council has also received claims for post implementation of the Birmingham Contract (November 2011); some with limited pleadings. The recent industrial action in waste management (July – November 2017) has increased the profile of Equal Pay. There remain considerable unknowns as to how many further claims might be brought and what risk or level of liability these claims might attract.</p> <p>Significant progress has been made in terms of defending equal pay claims and managing settlement negotiations, where approved by the Council. The settlement strategy is based on level of assessed risks in relation to the likely success of claims through the tribunal/court process and the availability of financial resources.</p> <p>The validity of all equal pay claims is constantly challenged</p> | <p>Target risk rating: Medium / Significant</p> <p>Anticipated date of attainment of the target risk rating: March 2019.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Management assurance - reporting to Equal Pay Executive Cabinet Sub Group and to Corporate Governance Group, Audit Committee and District Auditor.. With a view to preventing any discriminatory working practices, robust review of processes and checks and balances to mitigate against / prevent further liability where evidence of potential risk(s) is known / identified.</p> | <p>O&S - None.</p> <p>IA - Payroll review work undertaken annually.</p> |

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| | | | by Legal Services. Each claim is subject to robust legal challenge before any offer to settle is made. | | |
| 26 | <p>Failure to comply with all of the requirements of the Counter Terrorism and Security Act (2015) and the Prevent Duty.</p> <p>Lead: Corporate Director, Place Owner: Jacqui Kennedy</p> | High / High | <p>Lead Director comment</p> <p>The threat and vulnerability risk assessment of a terrorist attack in the UK places Birmingham as the most vulnerable city after London. In 2015 the Council and partners reviewed its infrastructure around this risk to take into account the Counter-Terrorism and Security Act 2015, that includes a duty on certain bodies ('specified authorities' listed in Schedule 6 to the Act), in the exercise of their functions to have 'due regard to the need to prevent people from being drawn into terrorism'.</p> <p>The duty does not confer new functions on any specified authority. The term 'due regard' means that the authorities should place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they</p> | <p>Target risk rating: Medium / Significant</p> <p>Anticipated date of review/attainment of the target risk rating: Ongoing</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Delivery continues to be monitored by the CONTEST Board Chaired by the Deputy Leader.</p> <p>Prevent Delivery Plan in place driven by Counter Terrorism Local Profile, monitored by the Prevent Executive Board, chaired by</p> | <p>O&S</p> <p>Waqar Ahmed and colleagues reported to the Schools, Children and Families O&S Committee on 21/3/18.</p> <p>Birmingham contributing to the Home Office Audit on national Prevent activity</p> |

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| | | | <p>consider all the other factors relevant to how they carry out their usual functions.</p> <p>The Council has applied a partnership and mainstreaming approach to mitigate the risks associated with the threat.</p> <p>Governance for the Prevent programme has been strengthened with the Prevent coordinator now reporting directly to the Strategic Director and Assistant Chief Executive increasing visibility across the Council.</p> | <p>Jacqui Kennedy.</p> <p>Security briefings to Council House staff & Members.</p> <p>Training for front line staff moved to a 'train the trainer' model - 600 trainers having been trained to deliver future WRAP awareness training to schools alleviating capacity issues within the local authority.</p> <p>Support continues to be provided to schools around Prevent via the Schools Resilience Officer and officer has been recruited.</p> <p>Prevent is embedded within CASS/MASH arrangements and within the Right Services, Right Time safeguarding procedures. A new screening tool has been developed to support the request for support form and has been circulated to front line practitioners.</p> <p>CHANNEL is in place as a multi-agency pre-criminal space platform to support vulnerable people; and chaired by the DWPs Think Family Lead.</p> | |

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| | | | | <p>Community initiatives in place commissioned by the Home Officer to provide community solutions and are regarded by the Home Office as national best practice with scaling up plans initiated to extend into other regional areas. Funding for a second community engagement worker has been secured; a secondment arrangement with the youth service is being agreed.</p> <p>BCC Resilience Team continues to lead on the Prepare and Protect strand of the counter-terrorism strategy.</p> <p>CTLP for 2018 delivered to the Chief Executive in January 2018 and the Prevent Executive Board in early February.</p> <p>Recruitment of Michael Enderby as Head of Resilience. Experienced professional in Emergency Planning, Prepare and Protect.</p> <p>In the Chief Executive proposed new structure reporting lines would be to the Assistant Chief Executive only to ensure more profile and clarity of role and reporting line.</p> | |

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| | | | | <p>The recent Home Office Peer review of Birmingham City Council's Prevent responsibilities highly commended the work Birmingham is doing.</p> <p>The recent permanent appointment of a Head of Resilience is a positive step to ensure the City is prepared.</p> | |
| 31 | <p>Increased pressure on the statutory homeless service in regards to volume of customers, which leads to significant financial pressure on the general fund due to increased use of B&B.</p> <p>Lead: Corporate Director, Place Owner: Rob James</p> | High / High | <p>To mitigate the financial pressure on the service, several management interventions have been put in place. These include a report to Cabinet in August 2017 to increase the number of homeless centres owned and managed by Birmingham City Council. Properties are to be refurbished for use as temporary accommodation, which avoids use of Bed and Breakfast (the most expensive).</p> <p>The report sets out:</p> <ul style="list-style-type: none"> Proposals for the creation of two additional homeless centres for use as temporary accommodation as part of the Council's statutory duty to provide temporary accommodation; and The approach and procurement strategy for the | <p>Target risk rating: Medium / Medium</p> <p>Anticipated date of attainment of the target risk rating: March 2019.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Management assurance - regular reporting to Cabinet Member, monthly meetings with finance, discussions at Housing DMT, 1to1s with Head of Service.</p> <p>Reduce known risks at fortnightly meetings with all partners and manage risk to reduce these through pro-active work</p> | <p>O&S -The Housing and Homes O&S Committee inquiry into rough sleeping was presented to City Council in June 2017. The Committee completed the tracking of the rough sleeping inquiry report at its October meeting but will continue to review non-delivered and on-going elements of the recommendations. At the October meeting Members also received an update on the review</p> |

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| | | | <p>refurbishment of two Council owned properties for use as temporary accommodation.</p> <p>The homeless prevention strategy has been launched and commitments gained from partners on how they will collaborate to prevent homelessness. The commitments will form the action plan which will be monitored through the homelessness partnership board.</p> <p>Work continues at Barry Jackson to remove asbestos and prepare the site for refurbishments works to begin this financial year. Risk is being managed by Capital Investment Team, the Service and contractors at fortnightly meetings. There is considerable pressure from and opposition to the proposal from the local community. A plan has been agreed to address concerns however the risk remains very high that this project may be withdrawn as a result of community activity and pressure. Costs have exceeded agreed budget as a result of additional capital works agreed. The requirement to install sprinklers at both locations, further to the Leaders commitment, will push the full occupancy dates back to yet to be confirmed dates.</p> <p>Targeting of readily available void dwellings suitable for re-housing homeless households and for use as temporary</p> | | <p>of the Allocations Scheme and will receive a further update in December as part of a wider update on implementation of the Homelessness Reduction Act.</p> <p>The Committee is also doing a piece of work on the Private Rented Sector, which will look in some detail at the use of private rented accommodation to address homelessness, and temporary accommodation.</p> |

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| | | | <p>accommodation has been increased to help reduce B&B use.</p> <p>Planning permission has now been obtained for Barry Jackson Tower, however the timeline for commencing occupancy remains January 2019.</p> <p>Work is ongoing with Contractors to identify any potential for bringing this forward; however, this needs to be balanced with ensuring it is completed safely and appropriately.</p> <p>Work with Registered Providers has identified opportunities in regard to homeless prevention and provision of accommodation this is being worked on from both the Registered Provider Sector and Birmingham City Council.</p> <p>Following commencement of the Homelessness Reduction Act, there has been a predicted increase in homeless presentations. However, this has also resulted in an increase in preventions as a result of the new approach to handling homeless presentations.</p> <p>Report to be submitted to Cabinet in November and briefing note and presentation to CMT will provide a more detailed update on current position with regard</p> | | |

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| | | | <p>to responding to homelessness, increased risk and current position.</p> <p>The risk is continually reviewed and updates provided to Cabinet Member at weekly briefings.</p> <p>There is a shared Temporary Accommodation and Bed and Breakfast reduction action plan with Homeless Partnership Board and Housing Birmingham.</p> | | |
| 34 | <p>With uncertainty on the UK air quality action plan following challenges through the judicial system and the costs associated with the Government announcing infraction fines being passed down to Local Authorities in relation to air quality there is the potential of an initial £60m fine and then ongoing fines related to Birmingham not meeting air quality compliance.</p> <p>The Council has been mandated to introduce a</p> | High / Medium | <p>Lead Director comment</p> <p>The Council has been issued with ministerial directions under the Environment Act (1995) to complete key milestones to be compliant for roadside NO₂ by 2020</p> <p>Cabinet, in June 2018, agreed options for public consultation regarding a Clean Air Zone for Birmingham. The ambition demonstrated in the option for consultation has gone some way to mitigating the risk of Government fine. An Outline Business Case has been submitted to Government to release relevant funds for preventative work and allow for independent analysis of the modelling outputs. A special Cabinet in September 2018 considered the consultation response and endorsed a 'preferred option business case' for submission to Government.</p> | <p>Target risk rating: Medium / Low</p> <p>Anticipated date of attainment of the target risk rating: January 2020</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Wider Air Quality Plan that includes:</p> <ul style="list-style-type: none"> Traffic management, signalling and signage controls - 12/2018. Controlled Parking Zones - 12/2018. BCC Internal & External Fleet transition to low / zero emission full Low / zero re- | <p>O&S - The Health & Social Care O&S Committee have carried out an inquiry into 'The Impact of Poor Air Quality on Health'. Evidence gathering took place on 17th January 2017 and 28th March 2017. Witnesses included:-</p> <ul style="list-style-type: none"> Public Health England Friends of the Earth Birmingham Trees for Life Transport for West Midlands Birmingham Children's Hospital |

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| | <p>Clean Air Zone by Government. The substantive risk is now to agree, fund and deliver the Clean Air Zone in the shortest possible time, with a target of January 2020.</p> <p>Lead: Assistant Chief Executive Owner /AD Transportation Owner: Waheed Nazir</p> <p>Air quality is now led by Jonathan Tew. However Duncan Vernon Acting AD for Public Health has assisted with the Public Health consultation which has now closed.</p> | | <p>Significant milestones remain; however, a Preferred Clean Air Zone Option Business Case has been prepared and approved to go to Cabinet on 10 September 2018. Following approval this can be submitted to Government for review.</p> <p>This Business Case will need to be further refined into a Full Business Case to fully comply with the Ministerial Direction over the next 2-3 months.</p> <p>Significant milestones remain, however, with particular emphasis around a special Cabinet in September 2018 and submission of the Full Business Case Submission of the Full Business Case will follow in November-December 2018.</p> <p>These headline mitigations are supported by: -</p> <ul style="list-style-type: none"> - Weekly teleconference meetings with DEFRA's Joint Air Quality Unit to update mitigation plans. - Regular Cabinet Member briefing to provide strategic direction for wider Air Quality Programme including deployment of Clean Air Zone. - Ongoing feasibility studies to measure air quality | <p>fuelling infrastructure - 04/2019.</p> <ul style="list-style-type: none"> • Clean Air Zone strategic business case signed off by Secretary of State by 12/2017 to enable CAZ infrastructure for access restrictions deployed by 04/2019. • Revised Birmingham Taxi Licensing Policy based on air quality compliance emissions - 12/2018. • All BCC procurement frameworks and tendering processes aligned with CAZ compliance -12/2018. | <ul style="list-style-type: none"> • Network Rail <p>The final report was presented to City Council for ratification on 12th September 2017.</p> <p>Further reports tracking the implementation of recommendations will be presented to HOSC on a regular basis beginning in January 2018 with progress report from Cllr Trickett on behalf of the Air Quality Members Steering Group</p> <p>A report on the air quality at New Street Railway Station was presented to committee by representatives from Network Rail and the University of Birmingham on 20th March 2018</p> |

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| | | | <p>impact and assess measures and controls to meet compliance, including level of Clean Air Zone to be deployed.</p> <ul style="list-style-type: none"> - Development of overarching clean air policy for Birmingham for 2018. - Ongoing joint development work and positive engagement with WMCA. <p>Key progress comprises the completion of a Preferred Clean Air Zone Option Business Case and Cabinet report to authorise submission to Government by 15 September 2018, as required by the Ministerial Direction. The report follows the largest ever response of circa 11,000 to the CAZ consultation.</p> <p>A special Cabinet in September 2018 considered the consultation response and endorsed a 'preferred option business case' for submission to Government. Submission of the Full Business Case will follow in November-December 2018.</p> <p>Comments provided by Duncan Vernon 030918: Responsibility has now been transferred and enclosing the 'Brum Breathes' Programme Outline.</p> | | <p>The Sustainability & Transport Committee carried out a session focussed on the CAZ consultation on 2nd August 2018 with invited stakeholders. The Committee made a submission to the consultation following this session.</p> <p>IA Review - 2018/19 – Planned.</p> |

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| 12 | <p>Failure to comply with all of the requirements of the Equality Act (2010) and the Public Sector Equality Duty.</p> <p>Lead: Assistant Chief Executive / HR Director Owner: Jonathan Tew</p> | Medium / Significant | <p>Lead Director comment</p> <p>The Public Sector Equality Duty (PSED) was created by the Equality Act 2010 and is set out in section 149. It applies to public bodies, such as local authorities listed in Schedule 19 to the Act, and to other organisations when they are carrying out public functions. The PSED contains specific duties (Specific Duties Regulations 2011) which are an important lever for ensuring that public bodies take account of equality when conducting their day-to-day work. When delivering their services and performing their functions, bodies subject to the PSED must have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. • Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it. • Foster good relations between people who share a relevant protected characteristic and those who do not share it. | <p>Target risk rating: Medium / Significant</p> <p>Anticipated date of attainment of the target risk rating: Attained.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <ul style="list-style-type: none"> • Corporate Governance is in place to manage this risk effectively and close monitoring by ECS&CS and Legal Services will continue in order to address any issues which may arise. • Corporate Consultation undertaken on savings proposals. • Unique EA reference will be tracked and reported against individual Corporate Savings Proposals. • Corporate Steering Group to oversee compliance. • Initial RAG assessment of savings | <p>O&S - Corporate Resources and Governance O&S Committee to have briefing on HR matters including workforce equality on 2nd November 2017.</p> <p>IA Review - None.</p> |

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| | | | <p>Legal challenge can delay implementation of change and significantly delay or reduce the planned savings to be achieved this may also have a detrimental impact on other services. It is important therefore, that Equality Assessments (EAs) are carried out robustly across BCC regarding all initiatives and service delivery changes. The responsibility for ensuring that EAs for all major policy / budget changes lies with the Directorates. All EA are subject to audit by Quality Control Officers and Senior Officers who sign off the completed EA through the Equality Analysis Toolkit currently through the Black Radley software. This supports the equalities agenda and compliance to legislation. They should ensure that the EAs produced by the service are capturing evidence of ongoing compliance. Legal Services are advising on high risk EAs and check compliance through the cabinet report clearance system.</p> <p>Following consultation with Legal Services and Directorate Equality Leads, the Equality Analysis Toolkit was developed to improve the guidance information to staff. If followed, this guidance should help improve the content and standard of EAs submitted for approval.</p> <p>All budget planning paperwork requires equality assessments to be completed at an early stage and throughout.</p> | <p>proposals to be undertaken.</p> <ul style="list-style-type: none"> • Legal advice sought on high risk initiatives. • Process of Legal sign off on Cabinet Reports. <p>Management assurance. In addition to current guidance and information, the development and use of the online Equality Analysis Toolkit will help mitigate against managers undertaking inadequate EAs. The toolkit provides a step by step process and on line guidance to completing an EA and developing an action plan.</p> <p>The online toolkit provides an overview of all EAs undertaken on the system.</p> <p>Project managers are encouraged to take legal advice on high risk initiatives.</p> | |

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| | | | <p>Please note that this Equality Analysis Toolkit will be subject to review in-year 2018/19 as part of a whole-system review of equalities linked to the Councils new workforce strategy.</p> <p>Dedicated ELT session on the 12.09.18 considered workforce strategy and feedback from staff network reps. A self-assessment against the Equality Framework for Local Government was undertaken which will guide our action planning in 2019-20.</p> | | |
| 25 | <p>Failure to comply with statutory timescales in relation to DoLS (Deprivation of Liberty) referrals, which could lead to legal challenge and result in financial loss to the Council.</p> <p>Lead: Interim Corporate Director, Adult Social Care & Health Owner: Pauline Mugridge</p> | Medium / Significant | <p>Lead Director comment</p> <p>This risk is made of 2 components:</p> <p>1) DOLS in Care Homes and Hospitals - DOLS strategy was reviewed in July. ASC&H DLT and the Cabinet Member subsequently adopted the recommendation to adopt an alternative view of the balance of litigation risks v financial risks in this area. In line with the approach taken by the majority of West Midland Local Authorities, it will in future only undertake DOLS assessments for those adults who meet the ADASS "High" criteria. The significantly enlarged Best Interest</p> | <p>Target risk rating: Medium / Significant</p> <p>Anticipated date of review/attainment of the target risk rating: September 2017.</p> <p>Update provided by David Gray 30/04/18 The target risk rating was achieved in September 2017 and now remains static</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>A monthly position report is presented to the</p> | <p>O&S - None.</p> <p>IA Review 2016/17: Deprivation of Liberty Standards F/Up.</p> <p>IA Review 2017/18: Deprivation of Liberty 2nd F/Up</p> |

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| | | | <p>Assessor (BIA) team, with increased management and administrative support will remain but expenditure on the external BIA service has ceased. The effect is anticipated to be a reduction in the number of DOLS authorisations, but an increase of those of "High" priority (and existing cases due for renewal) being completed within the legal time limit. The overall position of the number of cases which have not been assessed will steadily increase, but this will be viewed as a lower risk to the Council than previously.</p> <p>2) Community DOLS - A business process, staff procedure, manager prioritisation guidance and staff training have been established, in conjunction with legal Services, and are now in use. This level of activity seems to be in line with that of</p> <p>Other local authority areas.</p> <p>There has been no change since the last report so there is no update to report. The position remains as previously reported.</p> <p>The Target Risk Rating was achieved in September 2017 and now remains static.</p> <p>The situation described at 1) above altered during the</p> | Directorate DOLS Project Board. A bi-monthly report is presented to the Cabinet Member. | |

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| | | | period since the last update due to the number of DOLS referrals continuing to rise (up by 35% rise in the year to August). As a consequence a back log of high priority cases has begun to develop. The position is to be monitored in the period August to February to understand if the position can be managed within existing resources. A backlog of high priority cases could increase the likelihood of a challenge, but it is not clear that this would alter the position to the extent that a challenge could be described as highly likely. | | |
| 11 | <p>Revised Risk 17/10/18</p> <p>That the loss of significant personal or other sensitive data may put the City Council in breach of its statutory responsibilities and incur a fine of up to £20million from the Information Commissioner.</p> <p>Lead: Senior Information (SIRO) and Chief Operating Officer Strategic Services</p> | Medium / High | <p>Lead Director comment</p> <p>The Information Assurance Board (IAB), chaired by the Senior Information Risk Owner (SIRO) have agreed that the Council should achieve level 2 maturity to support the ongoing implementation of the Council's Information Assurance Framework. A plan of action is in development and agreed targets and resource commitments are being identified to support this work.</p> <p>Current key priorities discussed at IAB are:</p> <p>Across BCC, as well as capturing the data itself, we need to look at maintaining an inventory of the location of key personal data storage and the associated flows (including cross-border), with defined classes of personal data.</p> | <p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target risk rating: December 2019</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Maintain clear lines of responsibility to the Senior Information Risk Owner (SIRO) and the Monitoring Officer.</p> <p>Security posture for the Council is monitored and has been recently reviewed as part of a SOCITM assessment as well as the LGA Stocktake.</p> | <p>O&S - None.</p> <p>IA Reviews 2016/17: Sophos Post Implementation Review, N3 Network, IG - Fostering & Adoption F/Up, Third Party Service Provision F/Up, Network Management and Data Quality - DfE Returns.</p> <p>IA Reviews 2017/18: Data Sharing, Third Party Service Provision, Information Assurance</p> |

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| | (Angela Probert) Risk Owner: Peter Bishop | | <p>We need to ensure that BCC is maintaining contracts and agreements with third-parties and affiliates consistent with the data privacy policy, legal requirements, and operational risk tolerance.</p> <p>BCC will need to maintain an information security program based on legal requirements and ongoing risk assessments. We will need to train our identified employees to be able to conduct a Data Protection Impact Assessment (DPIA) when managing change to personal data.</p> <p>To satisfy GDPR requirements BCC must provide ongoing training and awareness to promote compliance with our data privacy policy and to mitigate operational risk.</p> | <p>A secure email solution, Egress, has been deployed and is operational to prevent the accidental loss of data.</p> <p>Staff training is to be re-launched in Autumn 2018 and staff will be required to undertake the training on an annual basis.</p> <p>Review Breach management processes to ensure any learning from breaches is adopted to prevent further data loss.</p> <p>A project board is to be established, chaired by the CIO, to take the IAMM action plan forward and report on progress to IAB and CMT.</p> <p>Updated Target Closure Date: December 2019</p> | Framework, and IG - Planning Application Compliance with DP Guidelines. |
| 35 | General Data Protection Regulation Implementation - There is a risk of that our GDPR plan does not enable the authority to meet its obligations ready for the May | Medium/High | <p>Lead Manager's comment</p> <p>GDPR materials being prepared by CIM and Legal; Legal Services seeking to appoint additional legal support</p> <p>GDPR is being recommended to be included on the</p> | <p>Target risk rating: Medium / medium</p> <p>Anticipated date of attainment of the target risk rating: May 2018</p> <p>Source(s) of assurance regarding progress</p> | <p>O&S – None</p> <p>Internal Audit reviews – 2017/18. A readiness assessment completed</p> |

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| | <p>2018 implementation date</p> <p>Lead: AD Peter Bishop Strategic Services Owner: Malkiat Thiarai</p> <p>Nominated for deletion. Risk No 11 updated.</p> <p>There is a programme of work being executed to improve the overall way for managing information risk and that is under the sponsorship of the SRO. That programme is part of the risk mitigation activity.</p> | | <p>Corporate Risk Register because of the related new legislation, implementation date of May 2018 and the penalties involved for non-compliance.</p> <p>An updated report was presented to CMT 21st May 2018 on GDPR readiness. The work to meet the requirements of GDPR and mitigate risks of non-compliance will continue as part of the Information Assurance Maturity Plan.</p> | <p>with mitigating the risk:</p> <p>KPMG have been commissioned to conduct a gap analysis to high risk areas for the Council. Feedback on 15.12.17</p> <p>Head of CIM chairs GDPR project board that is taking forward current known actions.</p> <p>Target Closure date June 2018</p> | <p>which included a high-level action plan to assist the project focus on key deliverables.</p> <p>Internal Audit reviews 18/19 - GDPR Readiness review follow up. KPMG have been engaged to complete some work to achieve the GDPR requirements.</p> |
| 36 | <p>Failure to respond positively and effectively to the required outcomes of the Grenfell Tower enquiry once known.</p> <p>Lead: Corporate Director, Place</p> | Low/ Medium | <p>Project plan produced for all programmes of works required to investigate cladding systems and any associated remedial works to further enhance existing fire safety measures.</p> <ul style="list-style-type: none"> Programme to fit Sprinkler systems to 213 high rise blocks over a 3 year period starting 1/4/18 | <p>Target risk rating: Low/Low</p> <p>Anticipated date of attainment of the target risk rating: 2019/20 financial year.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Housing/West Midlands Fire Service</p> | <p>O&S – Members of the Housing and Neighbourhoods O&S Committee have noted the need to consider the outcomes of the inquiry and to address any issues pertinent to</p> |

| Statutory Responsibilities / Compliance with Statutory Responsibilities | | | | | |
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| | Owner: Rob James | | <ul style="list-style-type: none"> • Programme to carry out fire risk assessments to all communal areas annually <p>Programme of work underway to ensure tower block tenants understand fire safety measures and how to respond in the event of an emergency, including:</p> <ul style="list-style-type: none"> • Fire safety campaign – completion April 2018 • Fire awareness visits – completion autumn 2018 <p>Other actions include:-</p> <ol style="list-style-type: none"> a) Resilience processes review – completion autumn 2018 b) Night security service expansion c) Vulnerable persons review – completion autumn 2018 <p>Approached Government for grant funding for the installation of sprinkler systems</p> <p>Continuing to develop an approach to the installation of sprinkler systems in Council flats. Currently</p> | | <p>Birmingham.</p> <p>IA Review – Proactive work to produce a fire risk index</p> |

| Statutory Responsibilities / Compliance with Statutory Responsibilities | | | | | |
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| | | | <p>trialling installations in three blocks of different designs across the City. Have consulted with City Housing Liaison Board, Sheltered Housing Liaison Board and have arranged to consult with tenant management organisations and leaseholders board. All staff in housing management and repairs and maintenance have been briefed with regard to the sprinkler programme.</p> <p>Cabinet Member has been briefed on progress and a further report will be submitted to Cabinet Member in 4 weeks</p> | | |
| 37 | <p>Homelessness Reduction Act – Insufficient council resources to meet the requirements of the Act fully.</p> <p>Lead Corporate Director, Place Owner: Rob James</p> | Medium/ High | <p>Implementation Plan to ensure compliance has been produced and consists of the following key work streams;</p> <ul style="list-style-type: none"> Redesign the Housing Option Service Awareness and Training (Staff, Trade Unions and Elected Members) IT systems to be developed with Councils IT Fixture providers. Accommodation, additional accommodation for | <p>Target risk rating: Medium/High</p> <p>Anticipated date of attainment of the target risk rating: April 2018 for initial implementation but further work over the next 12 months.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: MHCLG</p> | <p>O&S: session on response to the Act (implementation plan) held in February 2018</p> <p>An update on the impact of the implementation of the Homelessness Reduction Act is scheduled for the December meeting of the</p> |

| Statutory Responsibilities / Compliance with Statutory Responsibilities | | | | | |
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| | | | <p>staff, communication plan being produced.</p> <ul style="list-style-type: none"> Temporary Accommodation Services will require a complete review to reduce the Council's reliance on temporary accommodation moving to preventative measures. Report presented to EMT on 23rd January 2018. Cabinet Report March 2018 | | <p>Housing and Neighbourhoods O&S Committee.</p> <p>Audit: 2017/18 Housing Options Service IA Review planned for 2018/19 in February 2019</p> |

Financial Resilience - Risks associated with austerity and the financial challenges facing BCC

| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
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| 29 | <p>Not developing sufficiently robust plans to support setting a balanced budget (including in the medium term), and not containing net spending within the approved budget</p> <p>Lead: Corporate Director Finance and Governance. Owner: Steve Powell</p> | High/High | <p>Lead Director comment</p> <ul style="list-style-type: none"> Delivery of the budget and savings programme is being closely monitored, by CMT and ECMT to review delivery and to identify mitigating actions. This includes the future years' dimension as well as the in-year position. There are regular reports to Cabinet and to the Resources Overview & Scrutiny Committee. Corporate Directors have clear accountability for the delivery of savings in their directorates and this includes attendance at monthly meetings with the Cabinet Member for Finance. The Council's LTFP is refreshed regularly to take account of latest information, including savings delivery issues. Plans for 2018/19 and later years were revised accordingly, and work is in progress ie. in planning for 2019/20 onwards, linked to the Council's policy priorities and the development of the performance management arrangements. This will better integrate revenue and capital financial planning. | <p>Target risk rating: Low / Significant</p> <p>Anticipated date of attainment of the target risk rating: Ongoing.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Planned activities to further mitigate this risk:</p> <ul style="list-style-type: none"> There is close monitoring of the delivery of the Budget and additional governance arrangements have been introduced. The Council has a risk management strategy to address issues relating to difficulties in the delivery of the savings programme. There is a clear focus on the development of robust consultation and implementation plans for all savings. <p>There is focus on the project management of the savings programme. The Council maintains a medium term</p> | <p>O&S - A Resources O&S Committee has been set up to scrutinise budget matters with the Deputy Leader.</p> <p>Resources O&S is scrutinising budget matters on an ongoing basis and flagging up areas of concern as appropriate. Where concerns are identified relevant scrutiny committees will scrutinise impact on specific service areas including impact on services of in-year mitigations.</p> <p>IA Review 2017/18: Financial Control Review.</p> |

| Financial Resilience - Risks associated with austerity and the financial challenges facing BCC | | | | | |
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| | | | <ul style="list-style-type: none"> • More robust arrangements for the programme and project management of the delivery of savings have been introduced • Proposals will be subject to corporate public consultation commencing following Cabinet approval on 13 November 2018 and more specific engagement and consultation also take place where appropriate. • The Council holds reserves as part of its risk management strategy, but plans are being developed that will not assume reliance on these. • Long-term collection rates for principal sources of income, together with any expected surplus/deficit in the Collection Fund for business rates and council tax, are taken into account in setting budgets. Rigorous action is taken to pursue outstanding debts wherever possible. | <p>perspective in its financial plans - spending, savings and resources.</p> <ul style="list-style-type: none"> • The Council is moving to a more integrated planning and performance management approach. | |

| Financial Resilience - Risks associated with austerity and the financial challenges facing BCC | | | | | |
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| 15 | <p>Risk of not recognising the need to divest of costly property assets in radical new solutions to reframe service delivery; driving out property for disposal, but beyond capital receipt generation, ultimately solutions should deliver innovative and appropriate reductions in future revenue operating costs.</p> <p>Lead: Corporate Director, Economy</p> <p>Owner: Alex Grey</p> | Significant / Medium | <p>Lead Director comment</p> <p>Risk mitigated by:</p> <ul style="list-style-type: none"> • The approval of a new corporate Property Strategy (to be considered by Cabinet in late 2018) with a key emphasis on the Operational Portfolio, including reducing the level of directly managed stock in order to retain a smaller, multi-faceted, well-maintained estate • The current rounds of budget proposals for FY19/20 onwards contain a number of property rationalisation propositions across the service areas as part of the contributions to future years cost reductions. This includes the Public Hubs Programme which will remodel and reduce the Council's fromline estate. • Through the recommendations of the Property Strategy services will need to articulate their medium term asset plans and associated utilisation / resourcing which in turn will be subject to critical appraisal by the Property & Assets | <p>Target risk rating: Medium / Low</p> <p>Anticipated date of attainment of the target risk rating: April 2018. Ongoing and subject to potentially, significant change driven by BCC corporate business plan (this is currently "continuously changing in the short term").</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Management assurance.</p> | <p>O&S - None.</p> <p>IA Review - None.</p> |

Financial Resilience - Risks associated with austerity and the financial challenges facing BCC

| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
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| | | | <p>Board.</p> <ul style="list-style-type: none"> To assist with property rationalisation alongside future service planning and development programmes, a Property Services Business Partner role has been established with the Place Directorate. The Corporate Landlord service has continued to deliver the facilitation of delivery of further organisation changes e.g. Service Birmingham and the Contact Centre. Continued development of the corporate property database (Techforge) - information and systems development continues to progress as planned and the additional functionality is being applied in the management of repairs and maintenance costs, provision of information and analysis to inform strategic decision making, etc. <p>The 'Smarter Working' project is intended to increase agility and bring further organisation and management culture change across the Council. A key outcome will be further rationalisation of the</p> | | |

| Financial Resilience - Risks associated with austerity and the financial challenges facing BCC | | | | | |
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| | | | Central Administration Buildings portfolio. | | |
| 38 | <p>To manage the Enterprise Zone Programme in line with its delivery plan.</p> <p>Risk of under achieving: potential business rates income, economic growth, and outputs/achievements.</p> <p>Risk of reputational damage to BCC</p> <p>Lead: Corporate Director, Economy</p> | <p>Medium/High</p> <p>Reduced due to update provided</p> | <p>Lead Director comment</p> <p>Monitor development on EZ sites.</p> <p>Monitor and manage the EZ financial model with finance, using approved financial principles, measure business rates uplift to ensure programme affordability and delivery.</p> <p>Collate programme output achievements. Procure a Programme Monitoring Database.</p> <p>Report quarterly performance and updates to Programme Delivery Board / GBSLEP Board meetings.</p> <p>Annual Delivery Plan Schedules</p> <p>The EZ model continues to be monitored and updated to reflect development activity that supports business rate growth.</p> <p>Appropriate contingencies remain in place to mitigate the impact of business rate growth not being sufficient to repay borrowing commitments.</p> <p>The GBSLEP has responsibility for the performance management of the EZ and a review of the monitoring</p> | <p>Target risk rating: Medium/Significant</p> <p>Anticipated date of attainment of the target risk rating: Ongoing</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>To further improve the programmes due diligence including the ability to measure value for money of funding applications</p> | <p>Internal Audit 2018/19: Work on Enterprise Zones Final Report issued 03/04/18, Follow Up planned for later in year.</p> |

| Financial Resilience - Risks associated with austerity and the financial challenges facing BCC | | | | | |
|--|---|---------------------------|---|--|---|
| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
| | | | <p>systems is underway. All new projects will be subject to the GBSLEP Assurance requirements which align with the existing arrangements for the Local Growth Fund.</p> <p>A health check of EZ projects has been commissioned to identify any key delivery risks.</p> | | |
| 41 | <p>School Deficits</p> <p>National funding arrangements have resulted in real term funding reductions which coupled with rising costs means that there is a risk that increasingly, schools are not able to run balanced budgets:-</p> <p>-There is the potential that some schools may build up deficits which cannot be cleared and which ultimately may need to be met by BCC</p> <p>In addition there is a pressure on the high needs</p> | High/High | <p>Maintained schools are facing significant pressures on funding. As of 31-3-18 the number of schools in deficit compared to a year ago has increased by 5 to 37 (14% of the total number of LA maintained schools) but the cumulative value of deficits has reduced to £10,964k. If a school is issued with a directive academy order then any deficits at the point of conversion may become the responsibility of the local authority. (Any school converting with a surplus may retain this)</p> <p>Separately</p> <p>Even after allowing for a cumulative high needs deficit brought forward from 2017/18 of £13.8m, Indications are that there will continue to be extremely challenging budget pressures in 2018/19.</p> <p>Guidance notes on financial expectations sent out to schools.</p> | <p>Target Risk Rating: Significant/Medium</p> <p>Anticipated date of attainment of target risk rating: March 2019</p> <p>Source of assurance regarding progress with mitigating the risk from school deficits:</p> <ul style="list-style-type: none"> - Schools Financial Governance Group set up to co-ordinate support and challenge to schools. - Schools financial monitoring procedures to be reinforced with requirement that these are reported to ALL Governors. - Earlier use of financial warning notices where there are financial concerns. | <p>IA 2018/19: Work completed last year looking at schools financial management, we are working with the Directorate on their response. A second piece of work on this area planned for quarter 2. Schools work programme adjusted to take account of schools financial management, and a number of schools themed jobs planned during.</p> |

Financial Resilience - Risks associated with austerity and the financial challenges facing BCC

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| | <p>block which centrally supports places for children with SEND.</p> <p>Anne Ainsworth Owners: Assistant Director – Education Safeguarding - Julie Young / Assistant Director SEND – Sharon Scott</p> <p>Update provided by Risk Rep 13/9/18 and 30/10/18.</p> | | <p>Further warning notices sent out to schools with concerns requesting action is taken.</p> <p>Ongoing work around SEND in line with recent Ofsted inspection. This will include review of SEND Strategy and building on the initial priorities.</p> <p>Meeting with DfE and NHS advisors on 10 October to discuss requirements for the required Written Statement of Action for Birmingham.</p> <p>Monthly meeting of the schools financial governance group to co-ordinate action and identify early concerns (met 24 October). This group is also being used to focus audit activity on schools causing concern</p> <p>First audit report on schools financial management published and further work underway.</p> <p>Revision of the audit inspection framework for schools to be used from the beginning of November with a stronger focus on financial processes and strategic financial planning</p> <p>On going schools causing concern meetings taking</p> | <p>Intervention considered as appropriate inc. removal of cheque book facility to the removal of governing body and replacement with an Interim Executive Board</p> <ul style="list-style-type: none"> - Collaboration with Regional schools Commissioner to ensure swift action taken to address school improvement requirements by identifying a Sponsor early to then maximise the impact of additional investment in school improvement. - Initial Audit review carried out with findings being adopted and second review to be set up to include more detailed stress testing of schools ability to cope with further cuts in funding. - More targeted audits of schools - Maintaining an in year balanced budget for placements. | |

| Financial Resilience - Risks associated with austerity and the financial challenges facing BCC | | | | | |
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| | | | place and financial concerns are being fed into this work | <ul style="list-style-type: none"> - Looking to address any pressures with possible mitigations coming from potential underspends. <p>Source of assurance regarding progress with mitigating the risk from high needs block:</p> <p>In the longer term CYP will implement the SEND and Inclusion Strategy's following three strands to reconfigure the provision funded from the high needs block and alleviate pressure on the budget:</p> <ol style="list-style-type: none"> 1. Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement. 2. Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood and minimising dependence on high cost independent placements. 3. Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order | |

Financial Resilience - Risks associated with austerity and the financial challenges facing BCC

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| | | | | to make the most effective use of available resources and maximise the impact on outcomes for young people. | |

Political - Risks driven by the political agenda

| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
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None.

| Technology | | | | | |
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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
| 16 | <p>There is a risk that web services to customers or work with partners may be disrupted by malicious attacks on the City Council's web based services.</p> <p>Lead: Chief Operating Officer Owner: Peter Bishop</p> | Significant / Medium | <p>Lead Director comment</p> <p>The following control measures are routinely taken by the Council's Information, Technology and Digital Services Team:</p> <ul style="list-style-type: none"> Continuously scan the information security landscape with partners to detect upcoming and new vulnerabilities which could be exploited by potential hackers. This ensures that SB are aware of all risk posed by different intrusion methods. Have updated the Council's firewalls and introduced Intrusion Prevention Services as part of the firewall implementation. This means the firewalls are receiving regular updates from the supplier to detect new and evolving types of security attack. The firewalls detect and defeat many thousands of attacks every day. Have implemented a cloud based Distributed Denial of Service system that defends four of the Council's main websites from high volume attacks where hackers are trying to flood the Council's websites with requests for service. This service regularly defends the Council's web sites from attackers and the contract is currently | <p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target risk rating: Ongoing - this risk can only ever be mitigated, and never fully closed due to the nature of hacking etc.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <ul style="list-style-type: none"> The Council are now transmitting sensitive data securely through the PSN secure infrastructure together with the improvements / enhancements made to the firewalls. BCC has successfully passed its PSN accreditation. Service Birmingham, on behalf of the Council, is constantly monitoring the information security landscape with solution providers to detect upcoming and new vulnerabilities which could be exploited by potential hackers. | <p>O&S - Referenced in the Scrutiny Inquiry 'Refreshing the Partnership: Service Birmingham' (presented to Council in June 2015).</p> |

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| | | | <p>being renewed.</p> <ul style="list-style-type: none"> Have implemented the PSN walled garden which has enhanced the security of all users accessing web based government systems. PSN services have been remodelled and are currently being monitored to ensure secure transmission. <p>The management of cyber risks within BCC will form part of the security strategy and responsibilities clearly defined. The ICF will ensure that the cyber risk investment strategy is aligned to, and supports strategic priorities.</p> <p>There is improved reporting of cyber risks and security incidents which will be presented to the Corporate Information Security Group bi-monthly. This will ensure BCC are fully aware of potential regulatory & legal exposures and can assess the implications for future investment decisions.</p> <p>This is an acknowledged ongoing risk that should remain on the CRR. For reference a PSN Compliance Certificate was issued to Birmingham City Council on 27/03/18.</p> | <ul style="list-style-type: none"> Given the nature of this risk these activities are now being kept under constant review. The next health check (a mandatory requirement of PSN) has recently been completed. | |
| 17 | Ineffective Corporate Risk Marker IT solution. | Low / Medium | <p>Lead Director comment</p> <p>Paper went to CLT on 18th January 2018, explaining how it worked currently and what the issues were around funding</p> | <p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target</p> | <p>O&S - None.</p> <p>IA Review - None.</p> |

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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
| | Lead: Corporate Director – Strategic Services Owner: Dawn Hewins | | <p>the costs of accessing the register, including a suggestion we bring the budget together centrally so people don't feel they can't afford to do it. There were a number of actions from CLT, including that: 1) CLT approve the use of the Data Warehouse as a mandatory requirement to check risk markers prior to any visits being undertaken by BCC employees to both domestic properties and businesses 2) CLT will review the funding of the Data Warehouse as part of the Councils long term financial plan to ensure that the risks associated with failure to comply are minimised and that the data warehouse continues to be available for use across the council 3) CLT will identify the appropriate Director to be the named officer responsible for the risk marker solution (currently this is the director of HR) 4) CLT will require the safety manager to draft the appropriate guidelines for usage of the risk marker solution by employees and managers prior to any visits being undertaken.</p> <p>A further report is to be bought back to CLT.</p> | <p>risk rating: December 2018 further work on effective access is required</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Management assurance.</p> <p>Currently the data warehouse pulls in the risk markers from CRM, Housing, MAPSS and CareFirst. Any user of the warehouse that searches a relevant name or address will have the respective risk markers presented to them. The risk markers not only relate to health and safety but child / vulnerable adult safeguarding too.</p> <p>The Audit team are in the process of creating an Intelligence Network across the City for anyone who has an investigative, enforcement or regulatory element to their role; or are likely to have some contact with the public. However there remain challenges regarding balancing the need for timely access by a large number of staff and the requirement to ensure sufficient security of the sensitive data. Further work on this is required</p> | |

| Technology | | | | | |
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| | | | | <p>Council Tax, Business Rates and Rents have a risk marker on their respective systems; this risk marker is extracted and added to the data warehouse.</p> <p>Monitoring the use of the IT system by Corporate Safety Services.</p> <p>Guidance for employees will be completed once surety of access for all required has been secured</p> | |

| Transformation | | | | | |
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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S)Review / Work & Internal Audit (IA) Work |
| 7 | Lack of capacity and capability to respond to threat of industrial action, employee relations tensions, poor service, performance issues, sickness absence levels and poor morale due | Significant / Significant | <p>Lead Director comment</p> <p>Collective agreement has been reached on a package of measures that will secure required reduction in the cost of employment for 2017/18, 2018/19 and 2019/20. This has greatly diminished the likelihood of action on a widespread basis. The proposed national pay award is more generous</p> | <p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target risk rating: Ongoing.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> | O&S - The Corporate Resources OSC received an update from the Deputy Leader and senior HR officers at a briefing in September 2017. |

| Transformation | | | | | |
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| | <p>to organisational downsizing and pay freezes.</p> <p>Lead: Director of Human Resources</p> <p>Owner: Claire Ward</p> | | <p>than originally anticipated and unlikely to elicit national action.</p> <p>There are a number of localised disputes that could result in further service specific industrial action</p> <p>Council wide attendance levels are stable.</p> <p>There have been localised disputes in recent months. One of which has resulted in a series of strike actions. The Council is using non binding mediation as a means of seeking to resolve this matter.</p> <p>There are business continuity plans in place in readiness for industrial action. Bespoke HR support is being provided to identify high risk areas. However contingency plans need testing. A monthly review of Industrial Relations disputes is happening ensuring that we have Council wide oversight and a consistency of approach.</p> <p>Agreement has been reached on an implementation plan for the Waste management MOU and has now been activated.</p> <p>There are a small handful of individual challenges to the implementation but these are being handled via the business as usual processes. There has been demonstrable commitment from the workforce and their trade union representatives to ensure successful</p> | <p>Following significant employee engagement and collective consultation and negotiation with the trade unions, we have reached a collective agreement with the trade unions regarding the workforce savings proposals. Therefore there is now a low likelihood of industrial action in relation to these changes.</p> <p>Expert HR support is being provided to areas experiencing significant employee relations challenges relating to service redesign and headcount reduction.</p> <p>There continues to be regular and positive engagement and dialogue with the trade unions at a corporate and regional level as appropriate</p> | <p>IA Review - None.</p> |

| Transformation | | | | | |
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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
| | | | <p>implementation.</p> <p>The announcement of the intention to withdraw from nursery provision and close the Council's 14 Day Nurseries is likely to result in localised but vigorous industrial action within this service area.</p> | | |
| 10 | <p>Not responding fully and effectively to the recommendations made in the Kerslake Report and implementing the Future Council Programme.</p> <p>Lead Assistant Chief Executive Jonathan Tew</p> | Medium / Significant | <p>Monthly meetings have continued with MHCLG and the BIIP in July and August with a proactive approach to updating / sharing monthly finance summaries, performance management and Corporate Governance Plan documents.</p> <p>Collaboration workshops are now in place between BCC and the BIIP on development issues such as performance management, homelessness and skills.</p> <p>Ongoing productive monthly sessions with the BIIP and MHCLG throughout August and September 2018.</p> <p>The Secretary of State has published, in September 2018, a letter endorsing the Council's published stock-take report and clarifying the importance of the planned budget strategy.</p> | <p>Target risk rating: Low / Significant</p> <p>Anticipated date of attainment of the target risk rating: March 2019</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>The collaborative approach between BCC and the BIIP is now established through the joint editorial against documents released in June 2018. That represented a crucial milestone against our original plan for 2018-19. Monthly meetings (with BCC represented by the Leader, Deputy, Chief Executive, Assistant Chief Executive and CFO) will now embed this way of working and will also provide a monthly opportunity to review the status of this risk.</p> <p>It is clear that the BIIP and MHCLG will come to a view in March 2019 about the future</p> | <p>The Leader and Deputy Leader will report to the O&S co-ordinating committee on a monthly basis, where our improvement planning will be essentially a standing item. The first such session was in June 2018.</p> <p>Similarly, the Resources O&S committee will, less frequently, consider the implications of BIIP challenge against that provided by external audit. The first such session will be in July 2018.</p> |

| Transformation | | | | | |
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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
| | | | | degree of intervention in BCC and that would be a rationale point at which to formally review this risk. | |
| 18 | <p>Evaluation of Alternative Delivery Models</p> <p>a) Failure to adequately identify and agree the costs and benefits of alternative delivery models arising from Service Reviews before the decision to proceed is made.</p> <p>b) Failure to fully implement the decisions taken to change the service model to enable delivery of expected benefits / efficiency gains.</p> | Medium/Medium | <p>Lead Director comment</p> <p>Any alternative delivery model must demonstrate some benefit and better value for the Council. There needs to be the early identification of all costs, benefits, losses/impacts as part of the formulation and evaluation of options in the development of the business case.</p> <p>The financial implications of any change against the existing model need to be evaluated on a case by case basis, seeking specialist advice where necessary to inform recommendations. The evaluation should be proportionate to the value and complexity of the service and the assumptions and level of confidence will need to be made clear in order to avoid over-engineering financial modelling.</p> <p>The Finance Business Partners will provide the necessary skills for the project requirements, as follows:</p> <ul style="list-style-type: none"> All costs and income of the proposed model as compared with existing, together with some sensitivity and risk analysis. remaining costs to BCC (e.g. fixed overheads, | <p>Target risk rating: Medium / Low</p> <p>Anticipated date of attainment of the target risk rating: As soon as possible</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance - reports to CMT, notes and actions from CCMB agenda. Dialogue with directorate lead commissioners. Finance to be embedded in commissioning reviews.</p> <p>Commissioning expertise established in CPS to ensure best practice is applied across the Council.</p> <p>Risk will be managed on a case by case basis through proper use of the Commissioning Toolkit, and through reviews supported by the Finance Business Partners.</p> <p>Working with Finance Business partners on forthcoming commissioning projects</p> | <p>O&S - Corporate Resources and Governance O&S Committee undertaking overview of procurement strategy for DCFM services.</p> <p>IA Reviews 2016/17: Acivico Contract Monitoring - Overall delivery of Contract and Contracts & Procurement Summary Report 2015/16. Acivico Contract Monitoring - Final Accounts Process.</p> <p>IA Review 2017/18: Acivico Review of Business Continuity Arrangements.</p> |

| Transformation | | | | | |
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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S) Review / Work & Internal Audit (IA) Work |
| | Lead: Relevant Chief Officers Owner: Mike Smith | | income targets, resource requirements etc.) <ul style="list-style-type: none"> any costs/benefits to customers/residents who are the recipients of the service <p>These risks/costs need to be presented to and managed by the Commissioning and Contract Management Board (CCMB)/CMT and included in any cabinet reports.</p> | CPS will establish templates and guidance for the level of financial detail required to inform decisions. Projects identified are Birmingham City Laboratories, Civic Catering and Cleaning. The risk is now Med/Med while these projects are being considered. | |
| 44 | Allowance payments. Lead: Chief Operating Officer Strategic Services Owner: Claire Ward | Medium / Medium | Lead Director comment The bulk of unpaid allowances claims have been successfully managed by HR and Legal Services on a case by case basis. As new case law is decided challenges to payments have arisen including: <ul style="list-style-type: none"> Holiday pay – there are some new claims Sleeping in allowance - case law remains ambiguous so at this point all claims are on hold. Travel time - currently a subject of internal challenge, | Target risk rating: Medium / Medium Anticipated date of attainment of the target risk rating: Attained. Source(s) of assurance regarding progress with mitigating the risk: Management assurance. All new claims for allowances are being assessed on their merits and defended wherever practical. | O&S - None. IA Review – Reviewing allowances relating to Payment of Language Supplement, Temporary Night Allowance, Tool Allowance, Disturbance Allowance and Laundry Allowance. |

| Transformation | | | | | |
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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S)Review / Work & Internal Audit (IA) Work |
| | | | but may become a matter for Employment Tribunal. | Use of overtime is being monitored on a monthly basis, with Strategic Directors taking responsibility for addressing any areas of concern. There is a Governance Board monitoring any potential high risk claims. | |

| Service Delivery | | | | | |
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| No. | Description - risk / issue | Current level of risk L/I | Current actions / Comments | Long term aim for the risk - including actions, timescales and target risk rating | Overview & Scrutiny (O&S)Review / Work & Internal Audit (IA) Work |
| 6 | Failure to meet the council's objectives going forward with the Highway Maintenance and Management PFI contract. these are to: | High/Significant | Lead Director comment The council has made extensive effort to resolve issues with Amey informally and through various stages of the contractual Dispute Resolution procedure since April 2014. It has numerous disputes relating to non-delivery of | Target risk rating: Low / Significant Anticipated date of attainment of the target risk rating: | O&S - Economy, Skills and Transport OSC discussed with Cabinet Member at Committee on 22 nd |

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| | <p>i. Obtain the investment for which we are paying;</p> <p>ii. Retain the capacity and financial support from government;</p> <p>iii. Ensure we manage the contract and only pay for what we receive; and</p> <p>iv. Develop a way forward that will enable us to have confidence in future delivery.</p> <p>Lead: Corporate Director, Economy</p> | | <p>investment, non-performance and delivery of previous settlement requirements.</p> <p>To fully resolve this matter requires a number of complex issues to be resolved, including payments, programming of work and assurance of delivery to the appropriate standards.</p> <p>We are considering the appropriate way forward that meets the council's objectives and are discussing this with the project lenders and SPV Board. At the same time, we are taking steps to recover money payable to the council, establish the condition of the network, continue to manage the contract and defend our position in disputes.</p> | <p>At this stage it is not possible to confirm this. It is proposed to bring a further decision on the way forward to Cabinet in late 2018 / early 2019</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>External legal advice and representation has been engaged.</p> <p>Department for Transport (as the sponsoring government department) is also fully engaged.</p> | <p>September 2016. Private briefing sessions have been held for members, most recently in March 2018</p> <p>O&S – The Sustainability & Transport Committee received a briefing on the current position in line with the cabinet report agreed in July 2018 at their meeting on 13th September 2018.</p> <p>IA Review 2016/17: Highways PFI.</p> |
| 39 | <p>HS2</p> <p>Delivery of HS2 following Royal Assent of HS2 Act. BCC role to help facilitate delivery of new railway (including Curzon Station and depot). Maximise</p> | <p>Significant / Significant</p> | <p>Lead Director comment</p> <p>HS2 Ltd is the government's delivery body for the new high speed railway.</p> <p>HS2 governance established including regular meetings on individual projects (station, depot etc.)</p> | <p>Target risk rating: Medium/Medium</p> <p>Anticipated date of attainment of the target risk rating: Ongoing</p> <p>Source(s) of assurance regarding progress</p> | <p>None.</p> |

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| | <p>benefits for City and minimise / mitigate impact during construction.</p> <p>Lead: Corporate Director, Economy Owner: Waheed Nazir</p> | <p>Regular meetings with HS2 Ltd including HS2's planning team regarding programme for Schedule 17 applications and other consents.</p> <p>New burdens on local authority recognised by HS2. Service Level Agreement (SLA) has been completed and signed.</p> <p>On-going meetings and joint working with HS2.</p> <p>Internal meeting established at Directorate level to co-ordinate and support work and address any issues.</p> <p>Joint working with HS2 is ongoing to develop the design of the station, including the public realm, which will create a world class arrival to the city, whilst also improving connectivity to the wider area that will maximise the economic impact of HS2.</p> <p>Consultation has taken place with Planning Committee and senior BCC officers regarding the design of the Curzon Station.</p> <p>Additional funding has been provided by HS2 to improve the design over and above the base scheme developed through the HS2 Act.</p> <p>The SLA is now signed to provide the appropriate resources needed to meet the requirements for Schedule 17 etc.</p> <p>Pre applications on-going regarding the number of schedule 17 planning applications.</p> <p>Time sheets for actions covered by SLA to be</p> | <p>with mitigating the risk: On-going meetings and joint working with HS2.</p> <p>Internal meeting established at Directorate level to co-ordinate and support work and address any issues.</p> | |
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| | | | <p>submitted to HS2 covering the period from April 2017.</p> <p>Curzon Station design has now been launched publicly and HS2 are holding a series of consultation events on the design.</p> | | |
| 40 | <p>Commonwealth Games – Athletes’ Village</p> <p>Delivery of the Athletes’ Village dependant on funding & acquisition of land in addition to potential changes to sporting schedules affecting villages capacity to accommodate athletes.</p> <p>Lead – Corporate Director, Economy Owner: Waheed Nazir</p> | Medium/ Medium | <p>Lead Director comment</p> <p>Funding First phase approval for the HIF Bid has now been given, BCC officers now need to contribute to the development of the WMCA business case (the umbrella bid under which the BCC HIF bid falls). Decision on funding from Government required in September.</p> <p>Land Compulsory Purchase Orders will be used to support the delivery of the Village.</p> <p>Changes to Sporting Schedule Identify potential options for suitable additional accommodation. Flag the risks and consequences of adding additional events to Senior Officers/Members.</p> <p>Government funding for the regeneration proposals has now been confirmed, which ensures that the majority of necessary external funding is now confirmed.</p> <p>Activity to deliver early elements of the regeneration of the area (principally demolition and site acquisitions) continues to be delivered within approved budget levels.</p> | <p>Target risk rating: Medium/Medium</p> <p>Anticipated date of attainment of the target risk rating: Ongoing</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>Funding BCC officers working with WMCA to develop the FBC. Engagement with Government through WMCA re: timescales.</p> <p>Land Land required for residential element of the Village acquired. CPO progressing to agreed timeline.</p> <p>HCA are keen to be involved and have been providing advice to the City Council in relation to planning and delivery.</p> <p>Changes to Sporting Schedule A final date for adding events needs to be agreed and clearly communicated with politicians.</p> <p>The Village will be built to accommodate 6500, that number being inclusive of Games</p> | <p>O&S – The Economy & Skills Committee received a briefing on the economic impact of the CWG village at their meeting on 10th October 2018.</p> <p>IA: None.</p> |

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| | | | | <p>Officials, so if additional athletes are scheduled, Officials could be relocated. Student accommodation has been retained to account for additional influx.</p> | |
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Removed Risks:

| Ref No. | Risk description | Reason for removal | Date removed |
|---------|--|---|---------------|
| 53 | Inadequate or ineffective corporate control of non-core IT spend. | Merged with risk 52 to become: Insufficient in-house IT expertise within Directorates & Inadequate or ineffective corporate control of non-core IT spend. | July 2013 |
| 5 | Safer recruitment. | Had been at target level of risk for over 12 months, will be managed locally in future. | July 2013 |
| 36 | Council Tax Rebate scheme. | The Council Tax Rebate scheme has been adopted by Full Council and was implemented with effect from 1/4/2013. | July 2013 |
| 49 | Delivery of Business Charter for Social Responsibilities. | Cabinet reports and policies for Social Value: The Charter and Living Wage were approved by Cabinet in April 2013. | July 2013 |
| 43 | Implications to BCC regarding decision making due to the provisions within the Localism Act and need to respond to community approaches under the Act. | This issue has been assessed as having met the target level of risk (Low likelihood and Medium impact) since May 2013. Corporate Resources and Development & Culture Directorates to continue to monitor locally. | November 2013 |
| 4 | Need to achieve the full benefits from the whole business transformation programme - including financial and non-financial benefits. | The risk has been fully mitigated and is assessed as being a low likelihood and low impact. The financial challenge going forward is covered within Risk 28 "On-going reduction in government grants resulting in a shortfall in resources compared to projections from 2013/14". | March 2014 |
| 1d | Failure to successfully settle pay & grading and allowances equal pay claims. | The issues will be addressed within risks 1a - 1c & 44. | July 2014 |
| 26 | Failure to utilise resources well in jointly working with the NHS to reduce delayed discharges as measured by National Performance Indicator ASCOF2C. | No Birmingham hospitals are now fining the Council for delayed transfers of care activity, and Members are supportive of the progress made and sustained. | July 2014 |
| 48 | Delivery of new Public Health responsibilities. | All of the actions relating to the transition of Public Health have been actioned. | July 2014 |

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| Ref No. | Risk description | Reason for removal | Date removed |
|--------------|--|--|---------------|
| 20 | Demonstration of benefits arising from Customer First. | All of the actions for 2014/15 are being put in place, ie: Launch of the new Housing Repairs functionality which was delayed from last year, re-design of the website, promotion of self service, improvements to online forms, etc. | November 2014 |
| 25 | Production of timely & accurate IFRS Final Accounts. | The accounts were submitted on 30 th June 2014. | November 2014 |
| 51 | Service Birmingham support provided to the SAP HR and payroll system. | There has been significant progress against an agreed improvement plan and the service is now significantly more stable. | November 2014 |
| 2015/16.08 | Insufficient resources (finance & people) to agree / deliver the change programme. | Cabinet approved a report on 20 th April 2015 that set out the Children's Social Care and Early Help Improvement Plan for 2016-2018, including the appropriate financial envelope for the plan. | July 2015 |
| 2015/16.25 | Supply chain failure by reason of supplier withdrawal, liquidation or contract non-compliance. | Following identification of this risk, processes and procedures were developed and rolled out to key contract managers across the organisation with supply chain risk assessments being completed by suppliers. The supply chain risk assessment process is now captured as an annual activity within the supplier annual reviews and the Council's contract management toolkit. | July 2015 |
| 2015/16.26 | PSN resubmission. | The Council has successfully retained PSN submission till April 2016. | July 2015 |
| 2015/16.27 | Financial implications of failing to meet obligations regarding climate change and sustainability - carbon tax cost. | We have made four submissions out of four without issue (and passed an Environment Agency Audit in 2011), giving a 100% success record. The 2014/15 return is progressing normally. | July 2015 |
| 2015/16.28 | Potential for disruption to council services due to the need to transition to a new Banking Services provider with effect from 1/4/2015. | The banking transfer has been successfully concluded. | July 2015 |
| 2015/16.10 a | Resolution of contractual issues in the Highway Maintenance & Management PFI contract. | A commercial settlement signed on 18 th December 2015, resolved a number of contractual issues. | March 2016 |

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| Ref No. | Risk description | Reason for removal | Date removed |
|--------------|--|--|---------------|
| 2015/16.29 | Risk of Court deciding against the Council regarding the Homeless Service. | The High Court dismissed the four applications for Judicial Review. | March 2016 |
| 21 (old 35) | IT refresh / update. | The desktop refresh is progressing as business as usual, and PSN compliance means that we cannot have unsupported applications running on our network. | July 2016 |
| 23 (old 59) | Risk of enforcement action and fines of up to £500,000 by the Information Commissioners Office (ICO) for failure to comply with the 40 day timescale for responding to Subject Access Requests (SARs). | There has been considerable improvement in responding to Subject Access Requests. The Information Commissioner's Office is happy with the progress being made and are no longer monitoring the Council. | November 2016 |
| 8 (old N/A) | Risk of challenge regarding implementation of the Younger Peoples Re-Provision Programme. | The work stream is now closed, and efficiency and savings targets have been transferred to the Maximising Independence of Adults (MIA) Board. | March 2017 |
| 9 (old 57) | Failure to respond fully and effectively to the issues from recent reviews concerning school governance and related matters. | A much improved performance culture and set of arrangements are now in place for the Council's education services. | March 2017 |
| 13 (old 28) | Not planning appropriately for the on-going reduction in government grants. | This is an annual risk, but there are processes in place to manage it. | March 2017 |
| 24 (old N/A) | That the need to address the updated Pensions Deficit will result in an increase in employer contributions. | This risk crystallised in the setting of the 2017/18+ budget. The information received has been fully taken into account in the update of the Council's medium term financial plan, and in the development of savings proposals. | March 2017 |
| 28 | Risk that in its early stages of delivery the Sustainability Transformation Plan (STP) will not alleviate the financial position of social care. | The Council budget from April 2017 does not make assumptions regarding this proposal contained in the previous year's budget; and is no longer a major financial risk to the organisation. | July 2017 |
| 22 | Risk of fines from HMRC for Directorates employing long term consultants. | There are now processes in place for the engagement of off payroll individuals. | November 2017 |
| 27 | Risk of claims for payback of search fees charged by the Council. | The potential liability is less than £160k, and this risk will be monitored via the directorate risk register. | November 2017 |
| 4 | Defend and or settle pre 2008 equal pay claims | Equal pay risks have been reworded and updated and included on one risk No1. | March 2018 |

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| Ref No. | Risk description | Reason for removal | Date removed |
|---------|--|--|---------------|
| 5 | Further equal pay claims | Equal pay risks have been reworded and updated and included on one risk No1. | March 2018 |
| 14 | Insufficient in-house IT expertise within Directorates | Transition of Service Birmingham | March 2018 |
| 19 | Delivery of Localisation Agenda | Majority of work has now progressed | March 2018 |
| 20 | Allowance Payments | The bulk of unpaid allowance claims have been successfully managed by Legal Services. All other new claims are being assessed on their merits and defended wherever practical. | March 2018 |
| 3 | Failure to identify alternative funding stream for school PFI contracts revenue pressures. | Immediate concern over PFI gap has been met. Longer term concerns are being evaluated. | July 2018 |
| 11 | GDPR | Incorporated into one single risk on information assurance – Risk No.11 | November 2018 |