

Report to: Audit Committee
Report of: Acting Assistant Director, Audit & Risk Management
Date of Meeting: 22nd November 2016
Subject: Corporate Risk Register Update

Wards Affected: All

1. Purpose of Report

To update the Audit Committee with information on the management of risks and issues within the Corporate Risk Register (CRR) (Appendix A). The information in Appendix A has been compiled using updates received from directorates.

2. Recommendations

2.1 That the Audit Committee reviews the information provided by directorates and decide if the risk ratings are reasonable, if action being taken is effective, or if further explanation / information is required. The level of risk has remained static for most risks, but one has reduced:

- Risk 8 - Risk of challenge regarding implementation of the Younger Peoples Re-Provision Programme.

2.2 That the Audit Committee approves the deletion of one risk:

- Risk 23 - Risk of enforcement action and fines of up to £500,000 by the Information Commissioner's Office (ICO) for failure to comply with the 40 day timescale for responding to Subject Access Requests (SARs).

This is because there continues to be improvement in responding to Subject Access Requests; and the Information Commissioner's Office is happy with the progress being made and are no longer monitoring the Council.

2.3 That the Audit Committee approves the new risks:

- Risk 27 - Risk of claims for payback of search fees charged by the Council.
- Risk 28 - Risk that in its early stages of delivery the Sustainability Transformation Plan (STP) will not alleviate the financial position of social care.

2.4 That the Audit Committee approves splitting Risk 10 to have a separate risk relating to setting / balancing the budget, ie: Risk 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.

3. Background Information

3.1 Members have a key role within the risk management process.

3.2 The Audit Committee terms of reference, sets out its responsibilities and in relation to risk management these are:

- 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.

4.2 The CRR focuses on the cross-cutting corporate issues.

4.3 A Lead Director has been identified for each risk. Directorates have provided information detailing the management of the risks within their service areas as at September / October 2016.

4.4 The CRR is attached as Appendix A.

5. Embedding Risk Management

5.1 The current main route to provide risk management awareness is the e-learning package for managers, accessed via the internet.

5.2 Information on the Council's approach to risk management is available via the BCC website - these are public documents for staff, external partners and anyone else to see. Additional information is attached to the risk management page on InLine, to support staff in using risk management in their day to day

role. Advice, support and guidance are provided by Birmingham Audit as requested.

5.3 Service managers are also 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.

6. Legal and Resource Implications

6.1 The work carried out is within approved budgets.

7. Risk Management & 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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Acting Assistant Director, Audit & Risk Management

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BCC Risk Map - November 2016

Likelihood:				
High			<div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px;">Alternative funding for schools PFI contracts / maintenance of schools estate (R3)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Employee relations / sickness absence levels (R7)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Highways PFI - Core Investment deliverables (R6)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Defend / settle post 2008 equal pay claims (R1)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Compliance re Counter Terrorism & Security Act and Prevent Duty (R26)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">STP not alleviating the financial position of social care (R28)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Not responding to improvement agenda / improving childrens safeguarding (R2)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Claims re Pay Back of Search Fees(R27)</div>	
Significant		<div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px;">Not divesting of property assets (R15)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Malicious attacks on web based services (R16)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Ineffective Corporate Risk Marker IT solution (R17)</div>	<div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px;">Defend / settle pre 2008 equal pay claims (R4)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Further equal pay claims (R5)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Failure to deliver actions & implement savings programme (R13b)</div> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Pensions Deficit - increase in employer contributions (R24)</div>	
Medium		<div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Delivery of Localisation Agenda (R19)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Evaluation of service deliver options (R18)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Unpaid allowances (R20)</div>	<div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Younger Peoples Re-Provision Programme (R8)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Responding to Kerslake Report (R10)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Compliance to Equality Act 2010 & PSED (R12)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Not planning appropriately for ongoing reduction in government grants (R13a)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Insufficient IT expertise / lack of control of non-core IT spend (R14)</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Setting / containing net spending within balanced budget (R29)</div>	
Low		<div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Action / fines by the ICO (R23)</div>	<div style="border: 1px solid black; padding: 5px; display: inline-block; margin-bottom: 5px; margin-left: 20px;">Fines from HMRC (R22)</div>	
	Low	Medium	Significant	High
	Impact			

Key:



Severe

Immediate control improvement to be made to enable business goals to be met and service delivery maintained / improved.



Material

Close monitoring to be carried out and cost effective control improvements sought to ensure service delivery is maintained.



Tolerable

Regular review, low cost control improvements sought if possible.

Index by Risk / Issue Number

New No.	Orig No.	Short Description of Risk / Issue	Page
1	1c	Defend and / or settle post 2008 equal pay claims	10
2	23 / 61	Not responding fully and effectively to the improvement agenda for children - improving children's safeguarding and social care	10
3	14b / 50	Failure to identify alternative funding stream for school PFI contracts - impacting on availability of maintenance funding for essential management of the LA schools estate	16
4	1a	Defend and / or settle pre 2008 equal pay claims	14
5	1b	Further equal pay claims	15
6	46	Failure to obtain the full extent of Core Investment Period deliverables in accordance with the business case (Highways)	17
7	30	Employee relations, performance issues, sickness absence levels, etc	18
8	N/A	Risk of challenge regarding implementation of the Younger Peoples Re-Provision Programme	22
9	57	Not responding fully and effectively to the issues from recent reviews concerning school governance and related matters	18
10 <i>Risk split see Risk 29</i>	N/A	Not responding fully and effectively to the recommendations made in the Kerslake Report and implementing the Future Council Programme	23
11	45	Loss of personal or sensitive data	20
12	2	Failure to comply with the Equality Act 2010 and the Public Sector Equality Duty	25
13	28	a) Not planning appropriately for the on-going reduction in government grants resulting in a shortfall in resources, including taking the necessary actions to avoid legal challenge. b) Failure to deliver the necessary actions to implement the savings programme	27
14	52	Insufficient in-house IT expertise within directorates & inadequate or ineffective corporate control of non-core IT spend	28
15	32	Not recognising the need to divest of costly property assets in radical new solutions to reframe service delivery	29
16	42	Web services may be disrupted by malicious attacks on Council's web based services	30
17	55	Ineffective Corporate Risk Marker IT solution	31
18	37	Evaluation of cost & benefits of alternative delivery models & failure to fully implement the decisions made to change policy / service delivery	31
19	41	Delivery of the Localisation Agenda and commitments made in the Council's Improvement Plan and Leaders Policy Statement	32
20	44	Unpaid allowances	33
21	35	Deleted	-
22	54	Risk of fines from HMRC for directorates employing long term consultants	34
23 <i>Nominated for deletion</i>	59	Risk of enforcement action and fines by the ICO for failure to comply with the 40 day timescale for responding to SARs	35
24	N/A	Risk that the need to address the updated Pensions Deficit will result in an increase in employer contributions	15
25	N/A	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	20
26	N/A	Failure to comply with all of the requirements of the Counter Terrorism and Security Act (2015) and the Prevent Duty	12
27 <i>New Risk</i>	N/A	Risk of claims for payback of search fees charged by the Council	13
28 <i>New Risk</i>	N/A	Risk that in its early stages of delivery the Sustainability Transformation Plan (STP) will not alleviate the financial position of social care	14
29 <i>See risk 10</i>	N/A	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	24

Corporate Risk Register Update for Audit Committee November 2016

INDEX OF RISKS / ISSUES (in order of severity of risk)										
Ranking	New Ref No.	Old Ref No.	Short Description	Lead Director	Actual Risk rating and Target rating Likelihood / Impact Nov 2016	Change in residual risk	Actual risk level in previous 3 updates to Audit Committee			Page No.
							July 2016	March 2016	Nov 2015	
1	1	1c	Defend and / or settle post 2008 equal pay claims.	Strategic Director, Finance & Legal	Actual: H/H Target: M/S	Same	H/H	H/H	H/H	10
2	2	23 & 61	Not responding fully and effectively to the improvement agenda for children - Failure to improve children's safeguarding and children's social care.	Strategic Director, People Directorate	Actual: H/H Target: M/H	Same	H/H	H/H	H/H	10
3	26	N/A	Failure to comply with all of the requirements of the Counter Terrorism and Security Act (2015) and the Prevent Duty.	Strategic Director Place Directorate	Actual: H/H Target: M/S	Same	H/H			12
4	27	N/A	Risk of claims for payback of search fees charged by the Council.	Strategic Director, Economy	Actual: H/H Target: H/S	N/A				13
5	28	N/A	Risk that in its early stages of delivery the Sustainability Transformation Plan (STP) will not alleviate the financial position of social care.	Strategic Director, People Directorate	Actual: H/H Target: H/H	N/A				14
6	4	1a	Defend and settle pre 2008 equal pay claims.	Strategic Director, Finance & Legal	Actual: S/H Target: L/H	Same	S/H	S/H	S/H	14
7	5	1b	Further equal pay claims.	Strategic Director, Finance & Legal	Actual: S/H Target: M/H	Same	S/H	S/H	S/H	15
8	24	N/A	Risk that the need to address the updated Pensions Deficit will result in an increase in employer contributions.	Strategic Director, Finance & Legal	Actual: S/H Target: M/M	Same	S/H			15
9	3	14b / 50	Failure to identify alternative funding stream for school PFI contracts revenue pressure, impacting on availability for essential management of the LA schools estate.	Strategic Director, Finance & Legal	Actual: H/S Target: M/S	Same	H/S	H/H	H/H	16

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							July 2016	March 2016	Nov 2015	
10	6	46	Failure to obtain the full extent of Core Investment Period deliverables in accordance with the business case (Highways).	Strategic Director, Economy	Actual: H/S Target: L/S	Same	H/S	H/S	H/S	17
11	7	30	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.	Strategic Director, Change & Support Services	Actual: H/S Target: L/M	Same	H/S	H/S	M/S	18
12	9	57	Not responding fully and effectively to the issues from recent reviews concerning school governance and related matters.	Strategic Director, People Directorate	Actual: M/H Target L/H	Same	M/H	M/H	S/H	18
13	11	45	The loss of significant personal or other sensitive data.	Strategic Director, Major Projects	Actual: M/H Target: L/H	Same	M/H	M/H	M/H	20
14	25	N/A	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.	Strategic Director, People Directorate	Actual: M/H Target: M/S	Same	M/H			20
15	8	N/A	Risk of challenge regarding implementation of the Younger Peoples Re-Provision Programme.	Strategic Director, People Directorate	Actual: M/S Target: M/S	Reduced	S/S	S/S	S/S	22
16	10	N/A	Not responding fully and effectively to the recommendations made in the Kerslake Report and implementing the Future Council Programme.	Chief Executive	Actual: M/S Target: L/H	Same	M/S	M/H	M/H	23

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							July 2016	March 2016	Nov 2015	
17	29	NA	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.	Strategic Director, Finance & Legal	Actual: M/S Target: L/H	N/A				24
18	12	2	Failure to comply with all the requirements of the Equality Act 2012 and the Public Sector Equality Duty.	Strategic Director, Place Directorate	Actual: M/S Target: M/S	Same	M/S	M/S	M/S	25
19	13	28	a) Not planning appropriately for the on-going reduction in government grants resulting in a shortfall in resources and avoid legal challenge. b) Failure to deliver the necessary actions to implement the savings programme.	Strategic Director, Finance & Legal	Actual: M/S Target: L/L (ratings relates to (a))	Same	M/S	M/S	M/S	27
20	14	52	Insufficient in-house IT expertise within Directorates and inadequate or ineffective corporate control of non-core IT spending.	Strategic Director, Change & Support Services	Actual: M/S Target: L/S	Same	M/S	M/S	M/S	28
21	15	32	Not recognising the need to divest of costly property assets in radical new solutions to reframe service delivery.	Strategic Director, Major Projects	Actual: S/M Target: M/L	Same	S/M	S/M	S/M	29
22	16	42	That web services to customers or work with partners may be disrupted by malicious attacks on the City Council's web based services.	Strategic Director, Change & Support Services	Actual: S/M Target: L/M	Same	S/M	S/M	S/M	30
23	17	55	Ineffective Corporate Risk Marker IT solution.	Strategic Director, Change & Support Services	Actual: S/M Target: L/M	Same	S/M	S/M	S/M	31

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							July 2016	March 2016	Nov 2015	
24	18	37	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.	Strategic Director, Change & Support Services	Actual: M/M Target: M/M	Same	M/M	M/M	M/M	31
25	19	41	Failure to deliver the Council's localisation agenda and commitments made in the Council's improvement Plan and Leaders Policy Statement.	Strategic Director, Place Directorate	Actual: M/M Target: L/M	Same	M/M	M/M	M/M	32
26	20	44	Unpaid allowances / contractual overtime payments / equality of flex time agreements.	Strategic Director, Change & Support Services	Actual: M/M Target: M/M	Same	M/M	M/M	M/M	33
27	22	54	Risk of fines from HMRC for Directorates employing long-term consultants.	Strategic Director Change & Support Services	Actual: L/S Target: L/M	Same	L/S	L/S	L/S	34
28	23	59	Risk of enforcement action and fines by the ICO for failure to comply with the 40 day timescale for responding to SARs.	Strategic Director, Major Projects	Actual: L/M Target: L/L	Same	L/M	L/M	H/H	35

Corporate Risk Register Update for Audit Committee November 2016

New No.	Original 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
1	1c	<p>Failure to successfully defend and / or settle post 2008 equal pay claims.</p> <p>Lead: Strategic Director, Finance & Legal Owner: Kate Charlton</p>	High / High	<p>Lead Director comment</p> <p>A significant number of claims have been issued. A proportion of these have already been settled or are in the process of settlement. A growing proportion are now progressing through the tribunal and civil court process.</p> <p>No win / no fee solicitors are still canvassing for claimants.</p> <p>The validity of claims is constantly challenged by Legal Services. Each claim is subject to robust legal challenge.</p> <p>Settlement of claims is subject to financial provision and establishing validity of claims.</p>	<p>Target risk rating: Medium / Significant</p> <p>Anticipated date of attainment of the target risk rating: March 2018.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance - regular separate reporting to Corporate Governance Group, EMCB and the Audit Committee. External & internal audit review.</p>	<p>O&S - The subject of equal pay claims has been discussed at meetings of the Corporate Resources O&S Committee and former Governance, Resources and Customer Services, but only in general terms during items relating to the Council's budget and Annual Audit Letter.</p> <p>IA - Payroll review work undertaken annually.</p>
2	23 & 61	<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: Strategic Director, People Directorate Owner: Alastair Gibbons</p>	High / High	<p>Lead Director comment</p> <p>A new Commissioner for Children's Care was appointed in December 2015. He is working with the Council to oversee continued implementation of the improvement plan, already agreed with the DfE and support for the potential development of a Children's Trust.</p> <p>There is now greater clarity about resources and priorities going forward, including a sustainable 4 year financial plan and a stable operational model was fully in place in February 2016. We have worked with partners in the Early Help & Safeguarding Partnership to redesign the front door for early help and social work contacts and referrals to improve referral-taking, advice, screening and decision-making. CASS (child advice and support service is the way into family support and social work services including MASH and child protection, and is in place from September 2016).</p> <p>BCC were inspected by Ofsted during September / October 2016. Their report is due at the end of November 2016.</p>	<p>Target risk rating: Medium / High</p> <p>Anticipated date of attainment of the target risk rating: April 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance, Peer review, Ofsted visits, Scrutiny Committee monitoring, and Children's Commissioner fortnightly. Quartet Board Meetings (Children's Improvement Programme Board); Essex improvement support.</p> <p>The refreshed improvement plan, with the necessary investment is being delivered.</p> <p>There is still much to do, (for example, about the capacity of HR corporate resources, a credible recruitment and retention strategy) to ensure the quality of practice and its timeliness. A proposed new model for the LSCB is being discussed with partners and a new chair has been appointed to the LSCB. Cabinet approval has been given to the</p>	<p>O&S - Education & Vulnerable Children O&S Committee:</p> <ul style="list-style-type: none"> Completed the Scrutiny Inquiry: Children Missing from Home and Care (presented to Council in Jan 2016). Also discussed children missing from education and the safeguarding issues at the Jan 2016 and October 2016 meetings. Discussed the Children's Social Care and Safeguarding Improvement Plan at the June 2015 meeting. Members had an informal meeting in October 2015 to discuss the

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				<p>Improvement priorities until April 2017 with necessary investment are in place and are being progressed.</p>	<p>replacement of the CareFirst case system so that practitioners are freed up to undertake direct social work practice.</p> <p>An Ofsted monitoring visit in June highlighted the front door and assessment services, and the children with disability service as areas for continuing attention.</p> <p>As a proposed move to a Children's Trust, Cabinet will be asked to agree one or more alternative delivery models for design work between October 2016 and March 2017.</p>	<p>improvement plan in more detail, and an update at the July 2016 meeting. Progress towards the voluntary children's trust was discussed at the Sept 2016 meeting.</p> <p>Held meetings with the Exec Director for Children's Services, Chief Social Worker, adoption and fostering team and Lifford Lane Social work teams.</p> <p>IA Reviews 2014/15: Corporate Parenting, MASH, Section 11 Safeguarding Return, Excluded Pupils, Child Protection Plans, Quality of Children in Need Plans and CareFirst IT.</p> <p>IA Reviews 2015/16: Integrated Support Plans, S175 Safeguarding Return, Personal Education Plans, Strategy for Supporting Carers, Effective Home Education, Safeguarding Disclosure & Barring Checks and Multi Agency Safeguarding Hub.</p> <p>IA Reviews 2016/17: Child Protection Case</p>

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						Conference - Engagement, Dealing with Excluded Pupils, Children Missing From Education, Effective Social Working with Families, Carefirst and Sexual Health Contract - Identification of Child Sexual Exploitation, Personal Education Plans F/Up.
26	N/A	<p>Failure to comply with all of the requirements of the Counter Terrorism and Security Act (2015) and the Prevent Duty.</p> <p>Lead: Strategic Director, Place Directorate 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 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>Target risk rating: Medium / Significant</p> <p>Anticipated date of review/attainment of the target risk rating: October 2016.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: 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 (CTLP), monitored by the Prevent Executive Board, chaired by Peter Hay.</p> <p>Consultations undertaken with elected members, District Chairs and communities.</p> <p>15,000+ front line schools staff have undertaken Workshop to Raise Awareness of Prevent (WRAP) training. Over 600 staff within Adult Safeguarding also trained In WRAP awareness training.</p> <p>450 trainers have 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</p>	<p>O&S - Waqar Ahmed, Prevent Manager reported to Scrutiny on 12th October 2016 alongside Chief Social Worker Tony Stanley to discuss safeguarding arrangements for Prevent.</p> <p>IA Review 2016/17: Work being undertaken during quarters 1&2.</p> <p>Birmingham contributing to the Home Office Audit on national Prevent activity.</p>

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					<p>Prevent via the Schools Resilience Officer.</p> <p>Prevent is embedded within MASH arrangements and within the Right Services, Right Time safeguarding procedures.</p> <p>CHANNEL is in place as a multi-agency pre-criminal space platform to support vulnerable people; and is chaired by the DWP's Think Family Lead.</p> <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.</p> <p>BCC Resilience Team continues to lead on the Prepare and Protect strand of the counter-terrorism strategy.</p>	
27	N/A	<p>Risk of claims for payback of search fees charged by the Council.</p> <p>Note: Relates to reimbursement of fees deemed to be in breach of Environmental Information Regulations. Claims for costs can be substantial higher than the search fees.</p> <p>Lead: Strategic Director, Economy Owner: Anne Shaw</p> <p>New Risk</p>	High / High	<p>Lead Director comment</p> <p>Current charges are in line with guidance issued by the European Court of Justice; preventing any other grounds for claims beyond 1st April 2016.</p> <p>Charges prior to 1st April 2016 are subject to challenge. If payback is necessary it will impact the Council's budget.</p> <p>The potential liability to the Council is estimated to be in the region of £0.5m.</p>	<p>Target risk rating: High / Significant</p> <p>Anticipated date of attainment of the target risk rating: March 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Legal Services are being consulted.</p>	

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28	N/A	<p>Risk that in its early stages of delivery the Sustainability Transformation Plan (STP) will not alleviate the financial position of social care.</p> <p>Lead: Chief Executive Owner: Peter Hay</p> <p>New Risk</p>	High / High	<p>Lead Director comment</p> <p>To facilitate the STP development, Council resources were utilised.</p> <p>In addition the CEO is the System Leader for this process. Whilst an STP has been submitted, it is very uncertain whether this will deliver against the required financial savings in the short and medium term.</p>	<p>Target risk rating: High / High</p> <p>Anticipated date of attainment of the target risk rating: N/A</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Further controls will be required to mitigate the risk.</p>	
4	1a	<p>Failure to successfully defend and / or settle pre 2008 equal pay claims.</p> <p>Lead: Strategic Director, Finance & Legal Owner: Kate Charlton</p>	Significant / High	<p>Lead Director comment</p> <p>In 2010, the Tribunal determined that the Council had no defence to pre 2008 equal pay claims (Barker v Birmingham City Council). C12,000 early claims without the involvement of solicitors have been settled including a further cohort as part of settlement agreements reached in 2011 and 2013.</p> <p>Claims issued since January 2015 are now out of time and are not valid claims. The Council is succeeding in striking out these out of time claims.</p> <p>The validity of claims is constantly challenged by Legal Services. Each claim before any offer to settle is made is subject to robust legal challenge. Any offer of settlement is subject to available financial resources.</p>	<p>Target risk rating: Low / High</p> <p>Anticipated date of attainment of the target risk rating: March 2018.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance - reporting to Corporate Governance Group, Audit Committee, external & internal audit review.</p>	See risk 1 above.

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5	1b	<p>Risk of further equal pay claims.</p> <p>Lead: Strategic Director, Finance & Legal Owner: Kate Charlton</p>	Significant / High	<p>Lead Director comment</p> <p>Claimant solicitors are continually 'fishing' for further equal pay liability by issuing further equal pay claims in addition to those referred to in risks 01 and 04.</p> <p>The validity of these type of claims is, and will be subject to robust legal challenge. At the moment, there is no determination as to liability or attainment as to target risk due to the nature of the challenge.</p>	<p>Target risk rating: Medium / High</p> <p>Anticipated date of attainment of the target risk rating: Not known at current date.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance - reporting to Corporate Governance Group, Audit Committee, external & internal audit review. With a view to preventing discriminatory working practices, robust review processes and checks and balances have been put in place to mitigate against / prevent further liability post 2011; where evidence of potential risk(s) is known / identified.</p>	See risk 1 above.
24	N/A	<p>Risk that the need to address the updated Pensions Deficit will result in an increase in employer contributions.</p> <p>Lead: Lead: Strategic Director, Finance & Legal Owner: Steve Powell</p>	Significant / High	<p>Lead Director comment</p> <p>The assessment of any pension fund deficit is updated every 3 years. The position as at 31.3.16 will affect employer contribution rates from 2017/18 onwards.</p> <p>The Council has been proactive in working with other councils (particularly through a sub-group of Finance Directors) and in utilising advisors to provide independent advice and expertise.</p> <p>Regular meetings have been held with the Pension Fund (WMPF) and will continue to ensure that there is a shared understanding of the issues facing both parties.</p> <p>We expect to receive information in the near future, which will be taken into account in the update of the Council's medium-term financial plan for the period from 2017/18 onwards. In the meantime, a potential range of impacts has been built into provisional planning figures. (See Risk 13)</p>	<p>Target risk rating: Medium / Medium</p> <p>Anticipated date of review/attainment of the target risk rating: December 2016.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <ul style="list-style-type: none"> • Regular updates to WM Finance Directors. • Sub-group continuing to liaise with advisors and WMPF. • Reporting to Leaders. 	<p>O&S - None.</p> <p>IA - None.</p>

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3	14b & 50	<p>Failure to identify alternative funding stream for school PFI contracts revenue pressure, impacting on availability of maintenance funding for essential management of the LA schools estate.</p> <p>Lead: Strategic Director, Finance & Legal Owner: Mike Jones</p>	High / Significant	<p>Lead Director comment</p> <p>Major review of PFI contract management arrangements underway following Local Partnerships pilot project.</p> <p>External consultants are engaged and a Lead Officer allocated to fully explore all opportunities to reduce PFI costs. Proposals are being brought forward and while the project more than pays for itself, there are limited opportunities to impact on the major £6m annual affordability gap.</p> <p>The savings proposal, being implemented to meet the current PFI affordability gap from within the funds available to invest in the maintenance of the estate, has not yet impacted on the funding available for emergency repairs. However, there are significant risks of funding shortfall into 2017/18, due to the diminishing annual maintenance grant funds available, particularly as more schools convert to academy status.</p> <p>The current risk rating relates to the PFI affordability gap and subsequent impact on availability of funding to address backlog maintenance across the schools' estate. The opportunities to reduce the PFI costs are limited, and this therefore remains a high risk in terms of management of the education infrastructure and potential impact of asset failure. There is a very substantial Schools Capital Programme in delivery that includes basic need and planned maintenance programmes, with further emergency maintenance projects emerging regularly. Mitigations include:</p> <ul style="list-style-type: none"> • Schools capital maintenance programme is successfully leveraging school spend on essential repairs and maintenance through a dual funding strategy. • Dedicated resource is focusing on maximum savings against current PFI contracts although opportunities are limited. 	<p>Target risk rating: Medium / Significant</p> <p>Anticipated date of review/attainment of the target risk rating: September 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management reporting to Strategic Director Finance & Legal on PFI savings.</p> <p>Oversight and monitoring of temporary school closures due to asset failure.</p> <p>A report was submitted to the March Audit Committee meeting outlining some of the initiatives being pursued to reduce the gap and a subsequent report has been consider at Cabinet (20th September 2016), detailing savings associated with the Broadway lifecycle arrangements. The outcomes of recent benchmarking exercises are anticipated to be reported to Cabinet in November 2016.</p> <p>A final offer on benchmarking has been communicated verbally, but until written confirmation has been received the report cannot be concluded.</p>	<p>O&S - None.</p> <p>IA Review 2015/16: Final Planning Permission Breach - Longmoor Special School.</p>

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				<ul style="list-style-type: none"> Lean review of Acivico has potential to reduce overheads associated with planned maintenance programme, releasing those funds for investment into the schools stock. Options for alternative revenue funding stream for the PFI affordability gap are being explored. 		
6	46	<p>Failure to obtain the full extent of Core Investment Period deliverables in accordance with the business case for the Highway Maintenance and Management PFI contract.</p> <p>Lead: Strategic Director, Economy Owner: Paul O'Day</p>	High / Significant	<p>Lead Director comment</p> <p>The Council has sought to resolve the issue informally but this was not possible.</p> <p>The Council referred this matter for adjudication under the contractual Dispute Resolution procedure, the outcome of which was advised favourably to the Council's case in July 2015.</p> <p>The outcome was referred to court by the Service Provider, and the trial took place in February 2016.</p> <p>The judgment was handed down on 5th September 2016, which ruled that the adjudication "was wrong", but did not grant the declarations sought by the Service Provider.</p> <p>The Council is considering the merits of appealing the decision. Another related dispute will also need to be resolved, and the way forward on this is also being considered.</p>	<p>Target risk rating: Low / Significant</p> <p>Anticipated date of attainment of the target risk rating: The date of an appeal of the judgement is presently awaited.</p> <p>Resolution of the further dispute is not yet known but is likely to take many months.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: External legal advice and representation has been engaged. The merits of an appeal are being considered.</p>	<p>O&S - Economy, Skills and Transport O&S Committee discussed with Cabinet Member at Committee on 22nd September 2016 and agreed to set up private session / task and finish to scrutinise in more detail.</p> <p>IA Review 2016/17: Highways PFI.</p>

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7	30	<p>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 to organisational downsizing and pay freezes.</p> <p>Lead: Strategic Director, Change & Support Services Owner: Claire Ward</p>	High / Significant	<p>Lead Director comment</p> <p>The budget proposals for 16/17 and 17/18 include making savings of circa £30m from workforce costs. In addition there will be continuing headcount reductions of over 1,000. We are also reviewing our organisational operating model, organisational structure and the roles & responsibilities of employees. This is a significant and challenging change agenda that will have an impact on the Council's workforce, including support staff in the 170 schools within the City still under the employment of the Council. In this context the likelihood of some form of industrial action is probable.</p> <p>There are business continuity plans in place in readiness for industrial action and they have been effective in reducing the impact of action on service users. Particular areas of risk such as Fleet and Waste management have well progressed contingency plans.</p> <p>A workforce planning framework is in place for 2016/17 and its effectiveness will be reviewed during the year.</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: 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>Management are also committed to building on the current positive relationships with the trades unions, to move towards a more collaborative approach to the developments of the Council of the Future.</p>	<p>O&S - The Corporate Resources O&S Committee received an update from the Deputy Leader and senior HR officers at its October 2015 committee meeting.</p> <p>IA Reviews 2015/16: Hardship Grants, Managing Absence, and review of managing absence arrangements in Place Directorate.</p>
9	57	<p>Failure to respond fully and effectively to the issues from recent reviews concerning school governance and related matters.</p> <p>Lead: Strategic Director, People Directorate Owner: Colin Diamond</p>	Medium / High	<p>Lead Director comment</p> <p>Sir Mike Tomlinson was appointed as Commissioner to oversee a programme of improvement and his time in Birmingham ended in July 2016. Improvement is being driven by the Leader, Cabinet Member, Chief Executive and Strategic Director.</p> <p>Progress has been made on a number of issues (for example: a revised recruitment process for LA governors; guidance to schools on the Nolan principles of good governance; improved take up of safeguarding training; a new whistleblowing policy implemented from January 2015; improved communications).</p>	<p>Target risk rating: Low / High</p> <p>Anticipated date of attainment of the target risk rating: January 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance obtained through the usual systems, and checked by the Cabinet Member. There will also be verification through key channels - the Unions, meetings with Heads and Governors etc.</p> <p>Oversight of the Action Plan and checks on implementation.</p>	<p>O&S - School governance with regard to safeguarding issues was discussed at the June 2015 meeting of the Education & Vulnerable Children O&S Committee and the informal meeting held in October 2015. The whistle blowing implementation was presented in July 2015. Members have been involved in the LGA Peer Review. The Peer Review Findings were discussed at the February 2016</p>

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				<p>The Council commissioned Birmingham Education Partnership to deliver school improvement support and challenge functions from September 2015.</p> <p>An Education Improvement Group comprising BCC, DfE, Regional Schools Commissioner and Ofsted meets monthly to share information on schools causing concern.</p> <p>Systematic school surveys are in place to inform the work of the local authority.</p> <p>Work on civic leadership and community cohesion is being developed given the need to tackle the causal factors underlying Trojan Horse. This will complement the city leadership approach to be established in the light of the Kerslake review.</p> <p>A week long peer review, by the LGA in November 2015, confirmed evidence of progress, particularly on safeguarding & governance, and improved relationships with schools but with more to do. A new Education Improvement Plan has been agreed and covers the next phase of improvement. An operating model for the LA's education function is also being designed and consulted upon.</p> <p>An Ofsted monitoring visit in June highlighted records of children missing education and visits to children with whom the local authority is working (eg. SEND) as matters needing attention.</p> <p>An Ofsted inspection of the LA's School Improvement function is imminent and this will provide evidence of improvement and outstanding work.</p>	<p>Monitor Key Indicators - for example, the extent to which Head Teachers feel complaints / concerns are identified and responded to.</p> <p>Assurance via the Commissioner is an external check.</p> <p>A performance culture and set of arrangements are now in place for the Council's education services.</p>	<p>committee meeting. Governance and related matters were also picked up in the previous Scrutiny Inquiry on Child Sexual Exploitation (presented to Council in December 2014) and the recommendations are currently being tracked. An update report was presented in October 2016.</p> <p>IA Reviews 2014/15: Sallley School Visit. School Improvement Strategy.</p> <p>IA Reviews 2015/16: School Governance 2015, numerous school visits and Schools Unannounced Cash Counts.</p> <p>IA Reviews 2016/17: Numerous school visits.</p>

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11	45	<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 £500,000 from the Information Commissioner.</p> <p>Lead: Strategic Directorate, Major Projects Owner: Malkiat Thiarai</p>	Medium / High	<p>Lead Director comment</p> <p>Current controls based on encryption of data on mobile devices or copied to removable media; and programme of staff education and training.</p> <p>Breach management processes have been established with clear lines of responsibility to the Senior Information Risk Owner (SIRO), and the Monitoring Officer. Known data breaches are discussed at the Breach Management Panel and reports and recommendations are presented to the Monitoring Officer for consideration to notify the Information Commissioner's Office.</p> <p>Egress has been deployed and is operational.</p> <p>The e-learning Information Governance modules were launched in October 2016 following approval by the SIRO.</p>	<p>Target risk rating: Low / High</p> <p>Anticipated date of attainment of the target risk rating: August 2016.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance via reports to Breach Management Panel. The annual Breach Management report has been prepared and was presented to the IAB in May 2016. The report shows a reduction in the number of breaches reported from the previous year.</p> <p>Further controls on assuring that suppliers and partners impose similar controls on Council data in their possession.</p>	<p>O&S - None.</p> <p>IA Reviews 2014/15: Third Party Service Provision, Review on SARs, MASH, Family Support - Data Quality, Children's Services - Data Security Breach and IT Standards.</p> <p>IA Reviews 2015/16: Caldicott Guardian, Information Governance (IG) - Data Classification, Third Party Information Security, Data Sharing Review, Sophos Local Self Help, and IG - Fostering & Adoption.</p> <p>IA Reviews 2016/17: Sophos Post Implementation Review, N3 Network and IG - Fostering & Adoption F/Up.</p>
25	N/A	<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: Lead: Strategic Director, People Directorate Owner: Alan Lotinga</p>	Medium / High	<p>Lead Director comment</p> <p>This risk is made of 2 components:</p> <p>1) DOLS in Care Homes and Hospitals - Since May the combined effect of all the actions taken (including increased resources, recruitment, sponsored training, contracting with an external provider for BIA services and other measures), has continued to result in a steadily improving position. May's backlog of 1212 had reduced to 11 cases by the end of September.</p>	<p>Target risk rating: Medium / Significant</p> <p>Anticipated date of review/attainment of the target risk rating: March 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>DOLS in Care Homes and Hospitals - Continue existing actions to achieve removal of assessment backlog by March 2017. Deploy new fast track renewal process for authorisations less than 1 year old.</p>	<p>O&S - None.</p> <p>IA Review 2015/16: Deprivation of Liberty.</p> <p>IA Review 2016/17: Deprivation of Liberty Standards F/Up.</p>

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				<p>The Council's Best Interests Assessors Team is now able to complete as many assessments as referrals received each month.</p> <p>Working towards all assessments being undertaken within the legal time limit of 7 days (for urgent cases) 21 days (for standard cases), is a significant challenge that no other West Midlands local authority has so far achieved.</p> <p>2) Community DOLS - DOLS in a citizen's own home; a suitably briefed social worker can undertake this work, rather than a Best Interests Assessor with a Psychiatrist; but only the Court of Protection can authorise these DOLS, following the preparation of a case by Legal Services.</p> <p>The approach to this risk, in line with that adopted by other local authorities, has been to set up a business process, train staff to respond to cases of the highest risk and priority, and give managers clear guidance as to which cases should be a priority (in line with Department of Health guidance). This is because there will be many hundreds of potential situations where technically a Community DOLS could be required, and the Council could not possibly undertake all this lengthy work and meet any of its other statutory duties. The legal costs of requesting court decisions would also make this impractical and Legal Services would have insufficient resources to meet this demand.</p> <p>A business process, staff procedure, manager prioritisation guidance and staff training have been established, in conjunction with Legal Services. Training of the workforce is well advanced. Assessments and presentation of cases to the Court of Protection have commenced.</p> <p>Financial pressures continue to be closely monitored / reported.</p>	<p>Community DOLS - Continue to train staff and priorities those highest risk cases where the approach would bring significant benefits to the citizen for requesting Court decisions, in line with Department of Health guidance.</p>	

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8	N/A	<p>Risk of challenge regarding implementation of the Younger Peoples Re-Provision Programme.</p> <p>Lead: Strategic Director, People Directorate Owner: Alan Lotinga</p> <p>Note: will consider the closedown of this risk and replace it with risks identified through the MIA Programme.</p>	Medium / Significant	<p>Lead Director comment</p> <p>The Younger Peoples Re-Provision programme is focused on maximising people's independence and moving them to less restrictive accommodation, which has encountered opposition from carers who do not want people to move. There has also been opposition from providers.</p> <p>Legal Services involved in high risk cases.</p> <p>Proposed new team to script and roll out the offer - job descriptions have been written and JQ'd adverts placed in January. Responses to the 'new team' adverts were poor. As a consequence, concentration has shifted to Senior Management capacity and the detail around 'Maximising Independence for Adults (MIA)' - the transformational plan for adults taking us to 2020. Recruitment for senior capacity is taking place and the Transformational Plan looks at the Adult Services across the board.</p> <p>Future Council Proposals did proceed and are now wrapped up and contained within the Maximising Independence Programme work. As a consequence PEPSG was reviewed and closed down. Close down report completed.</p> <p>The work that was completed for Younger Peoples provision and the associated savings have been removed and replaced. The Adult Savings are now contained within different project lines and reported into the Maximising Independence Board. There is also other work continuing in terms of savings that currently sit outside the MIA Board.</p>	<p>Target risk rating: Medium / Significant</p> <p>Anticipated date of attainment of the target risk rating: Targets and Risk are being identified and will be detailed in the project approach for MIA programme.</p> <p>Source(s) of assurance regarding progress with mitigating the risk:</p> <p>The Care & Housing Allocation Panel (CHAPS) is in operation, and receives all information regarding placement moves. Commissioning are contributing and discussion is taking place regarding the market. The appointment of a Lead Officer, Commissioning has helped.</p> <p>MIA Programme Board in place as well as MIA Operations Board.</p>	<p>O&S - None.</p> <p>IA Review 2015/16: Young Adults Re-provisioning.</p> <p>IA Review 2016/17: Independent Living F/Up. Young Adults Re-provisioning F/Up.</p>

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10	N/A	<p>Not responding fully and effectively to the recommendations made in the Kerslake Report and implementing the Future Council Programme.</p> <p>Lead: Chief Executive Owner: Angela Probert</p> <p>Risk split (see new risk 29)</p>	Medium / Significant	<p>Lead Director comment</p> <p>The Future Council Programme budget has been identified and is being supplemented with funding from the Department for Communities and Local Government.</p> <p>The Kerslake actions are a sub set of the programme and delivery is being monitored on a monthly basis.</p> <p>The Future Council Programme Board has been subsumed into the monthly CLT Performance Board.</p> <p>In its most recent letter to the Secretary of State, published on 9th November 2016, the Birmingham Independent Improvement Panel recognised that the Council has made progress in addressing many of its own improvement priorities and handled effectively some unexpected external events and challenges.</p> <p>The Panel also noted that focused activity has enabled the Council to further address some of the outstanding recommendations from Lord Kerslake's review.</p>	<p>Target risk rating: Low / High</p> <p>Anticipated date of attainment of the target risk rating: Ongoing - review April 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Planned activities to further mitigate this risk:</p> <ul style="list-style-type: none"> There was a report to the Birmingham Independent Improvement Panel in Autumn 2016. 	<p>O&S - A Future Council Working Group has been set up under the Corporate Resources and Governance O&S Committee to maintain oversight of Future Council programme.</p> <p>The Corporate Resources O&S Committee and Neighbourhood & Community Services O&S Committee completed work on reviewing governance arrangements at district level, including the Neighbourhood Challenge.</p> <p>There is a Member Development Programme in place and the Corporate Resources O&S Committee received an update on the work completed to date at its September 2016 meeting. A further update will be brought to that committee.</p> <p>IA Review 2015/16: Customer Service Contract Centre Dashboard.</p>

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29	N/A	<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: Strategic Director Finance & Legal Owner: Steve Powell</p> <p>New Risk</p>	Medium / Significant	<p>Lead Director comment</p> <p>The following key activities have been undertaken:</p> <ul style="list-style-type: none"> The Council holds reserves which can be used as part of a risk management strategy to support the implementation of the budget. Financial support is being provided to address budget pressures. Delivery of the budget and savings programme is being closely monitored, and the outcome of a Mid-Year Review was reported to Cabinet on 20 September 2016. The Council's LTFP is being refreshed to take account of latest information, including any areas where savings are no longer considered to be deliverable. Policy choices are being discussed with Cabinet Members, with proposals being developed in the context of the Council's vision and policy priorities. 	<p>Target risk rating: Low / High</p> <p>Anticipated date of attainment of the target risk rating: Ongoing - review April 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Planned activities to further mitigate this risk:</p> <ul style="list-style-type: none"> There is close monitoring of the delivery of the Business Plan and Budget (including reports through directorate management teams to the CLT Performance Board, as well as to Cabinet), with a particular focus on effective project management and the resolution of delivery difficulties and, if necessary, the adoption of appropriate mitigation strategies. The Council has a risk management strategy to address issues relating to difficulties in the delivery of the savings programme. The Mid-Year Review was undertaken relatively early in the financial year and alternative plans are being developed where necessary. There is a clear focus on the development of robust consultation and implementation plans for all savings. The Council maintains a medium term perspective in its financial plans - spending, savings and resources. 	

Corporate Risk Register Update for Audit Committee November 2016

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12	2	<p>Failure to comply with all of the requirements of the Equality Act (2010) and the Public Sector Equality Duty.</p> <p>Lead: Strategic Director, Place Directorate Owner: Jacqui Kennedy</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>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. Directorate Equality Champions are responsible for assuring their SMT that a governance framework is in place across their directorate which 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.</p>	<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 proposals to be undertaken. 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>	<p>O&S - None.</p> <p>IA Reviews 2014/15: Corporate Review, other work at request of Mashuq Ally re ethnicity monitoring.</p> <p>IA Review 2016/17: Audit planned to review divisional management arrangements, including review of management of the corporate risk.</p>

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				<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>The Equality Analysis Toolkit is available to Directorates to undertake EAs for all new Policies and Procedures, and the EA process includes a quality assurance check by the Directorate Equality champion, alongside a senior officer level sign off and assurance of each EA. Advice and support on completion of the EA is provided from the Equalities, Community Safety and Cohesion Service (ECS&CS) and Legal Services. Guidance on undertaking consultation has been updated and is available on Inline and this is now aligned with the EA process. Over 700 staff ranging from GR5 through to JNC have been trained on the EA Toolkit and on undertaking an EA.</p> <p>Corporate consultation and EAs have been undertaken on all relevant corporate savings. Directorates will continue to undertake consultation and EAs for individual initiatives where appropriate. This process is overseen by the Directorate Equality Champions. Directorate DMTs will monitor progress on the EAs alongside other performance related issues which are then reported to the CLT Performance Board.</p> <p>A robust approach exists for savings proposals. Corporate Consultation, EAs and all associated consultation are aligned, with emphasis on feedback from the protected groups. All EAs and consultation are tracked corporately.</p> <p>In line with the Specific Duties Regulations 2011, the council must annually publish information relating to (a) people who are affected by our policies and practices who share protected characteristics; and (b) our employees who share protected characteristics. The Regulations also require us to</p>		

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				<p>Resources have been identified to provide additional capacity / expertise to facilitate the implementation of the savings programme and the associated organisational change.</p> <p>The Council's on-going financial position is updated on a regular basis, and is linked to the monitoring process. As part of the preparation of the mid-year review of the revenue budget, and in preparing the report to Cabinet, a pragmatic assessment has been made of the extent to which savings are now felt to be undeliverable, and also of new savings opportunities. This has included consideration of the position for future years.</p> <p>Consideration of further savings opportunities is being taken forward in the context of the Council's policy priorities, and the impact in future years will feed into the business planning and consultation processes leading up to decision-making by the Council in the Spring in the usual way.</p>		
14	52	<p>Inadequate or ineffective corporate control of non-core IT spend as a result of insufficient in-house IT expertise within Directorates to ensure software / systems changes are adequately specified, that their implementation is adequately managed and that changes are adequately coordinated across the organisation to maximise the benefit to the Council.</p> <p>Lead: Strategic Director, Change & Support Services Owner: Nigel Kletz</p>	Medium / Significant	<p>Lead Director comment</p> <p>The ICT and D Strategy was approved by Cabinet on 18th October 2016, and provides a stronger framework for ICT&D within the Council. The work is led by the Interim CIO.</p> <p>In addition, additional resources for the ICF are either in place, planned or being developed. Where appropriate additional work has been sourced from third parties.</p> <p>Business case training has also been provided across BCC to ensure that officers improve their abilities to detail business requirements that may lead to an ICT solution. At a Directorate level Strategy groups are in place, and they review all ICT spending to ensure there are robust business cases and no duplication of solutions.</p>	<p>Target risk rating: Low / Significant</p> <p>Anticipated date of attainment of the target risk rating: November 2016.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Governance structure in place and planned actions.</p>	<p>O&S - Completed Scrutiny Inquiry 'Refreshing the Partnership: Service Birmingham' (presented to Council in June 2015). A progress report on implementation of the recommendations was considered at the April & September 2016 meetings of the Corporate Resources O&S Committee.</p> <p>IA Review 2015/16: IT Project Governance.</p> <p>IA Review 2016/17: IT Project Governance F/Up.</p>

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15	32	<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 radical reductions in future revenue operating costs.</p> <p>Lead: Strategic Director, Major Projects Owner: Peter Jones</p>	Significant / Medium	<p>Lead Director comment</p> <p>Risk mitigated by:</p> <ul style="list-style-type: none"> The Future Council Programme and proposals put out to public consultation, have the potential to drive commitment to property rationalisation, as part of the contributions to future years cost reductions. 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 cleared, decommissioned and sold Tamebridge House. Accommodation changes across Directorates are being dealt with and the freeing up of space to accommodate the Call Centre, and Service Birmingham staff has been achieved (this has enabled the release of B1). Further 're-stacking' is underway to assist occupants improve their working practices and utilisation of the office space available. 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. The 'Smarter Working' project is intended to increase agility and bring further organisation and management culture change across the Council. A key outcome will potentially be further rationalisation of the Central Administration Buildings portfolio. 	<p>Target risk rating: Medium / Low</p> <p>Anticipated date of attainment of the target risk rating: April 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance as detailed in Lead Director comment.</p>	<p>O&S -None.</p> <p>IA Review 2014/15: Asset Management Corporate Review.</p>

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16	42	<p>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: Strategic Director, Change & Support Services Owner: Nigel Kletz</p>	Significant / Medium	<p>Lead Director comment</p> <p>Service Birmingham on behalf of the Council:</p> <ul style="list-style-type: none"> Have updated the Councils firewalls and introduced Intrusion Prevention Services (IPS) as part of the firewall implementation. This means that 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 (DDoS) 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 Councils web sites from attackers and the contract is currently being renewed. Continuously scan the information security landscape with partners to detect upcoming and new vulnerabilities which could be exploited by potential hackers. 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. SB are producing a Lesson Learnt from the PSN process to ensure improved future working. <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>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, are constantly monitoring the information security landscape with solution providers to detect upcoming and new vulnerabilities which could be exploited by potential hackers. Given the nature of this risk these activities are now being kept under constant review. 	<p>O&S - Referenced in the Scrutiny Inquiry 'Refreshing the Partnership: Service Birmingham' (presented to Council in June 2015).</p> <p>IA Reviews 2014/15: Cyber Risk & Firewalls.</p> <p>IA Review 2015/16: Web Page Security.</p> <p>IA Review 2016/17: Web Page Security F/Up.</p>

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17	55	<p>Ineffective Corporate Risk Marker IT solution.</p> <p>Lead: Strategic Director, Change & Support Services Owner: Chris Gibbs</p>	Significant / Medium	<p>Lead Director comment</p> <p>The Corporate Risk Marker solution in SAP CRM system is defective and the data harmonisation to service areas is not working as specified.</p> <p>Whilst a more long term solution is investigated as part of the updating of the Councils e-forms package, an interim solution is being investigated to see if the data warehouse held within the Councils Audit Division can offer the required functionality to enable this risk to be at least partially mitigated.</p> <p>Note: Access to the information will only be available to those members of staff who can access the data warehouse.</p>	<p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target risk rating: May 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance.</p> <p>Interim manual process currently in place.</p> <p>Monitoring the use of the IT system by Corporate Safety Services.</p>	<p>O&S - None.</p> <p>IA - None.</p>
18	37	<p>Failure to adequately identify the costs and benefits of alternative delivery models arising from Service Reviews to enable them to be fully and accurately modelled and ensure they are feasible and the changes proposed can be delivered, before the decision to move forward is made.</p> <p>Failure to fully implement the decisions taken to change BCC policy and service delivery to enable delivery of expected benefits / efficiency gains.</p> <p>Lead: Strategic Director, Change & Support Services Owner: Nigel Kletz</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 and benefits as part of the formulation and evaluation of options in the consideration of the business case.</p> <p>The ADs of Finance will provide support on key projects based on their area of expertise.</p> <p>Those developing new service delivery options need to evaluate the full circumstances on a case-by-case basis, seeking proper advice where necessary, in order to identify the implications of the change in service delivery model. This will include assessing what will be left behind in BCC (e.g. fixed overheads, income targets etc.) as well as ensuring that all of the costs and income of the new model are taken into account - including those which are not applicable to a local authority model of delivery (e.g. taxation), together with some sensitivity and risk analysis. This needs to be done before any commitments are given. The need to evaluate the full circumstances for each delivery option requires a</p>	<p>Target risk rating: Medium / Medium</p> <p>Anticipated date of attainment of the target risk rating: Attained.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance - reports to EMCB, notes and actions from Corporate Commissioning Board agenda. Dialogue with directorate lead commissioners. Finance to be involved in commissioning reviews.</p> <p>Additional resources to support commissioning have been recruited (internally) to support the commissioning approach.</p> <p>Commissioning Toolkit in place.</p> <p>Risk will be managed on a case by case basis through proper use of the Toolkit, and through reviews supported by the ADs of Finance.</p> <p>A checklist developed by AD Finance (Strategy) will</p>	<p>O&S - None.</p> <p>IA Reviews 2014/15: Acivico reviews, Museum Management Arrangements, Golf Management Arrangements, Efficiency Agenda and Change Management.</p> <p>IA Reviews 2015/16: Acivico Deferred Services, Governance Review, Acivico Contract Monitoring, Procurement Contracts - Engagement of Individuals and Acivico - Recruitment & Selection Concerns.</p> <p>IA Reviews 2016/17: Acivico Contract Monitoring - Overall delivery of</p>

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				<p>proportionality to it, and due regard for the need for calculated assumptions in order to avoid over-engineering financial modelling based on projected costs.</p> <p>The risk to the transferred service is the possible future loss of the Council as a customer and the risk to the Council is the loss of services provided to the transferred service as a customer, if the transferred service obtains these same services from another provider.</p> <p>These risks need to be managed by the corporate commissioning hub with peer reviews undertaken by Thematic Centres of Excellence and approval via Cabinet.</p>	<p>continue to be used to ensure proper evaluation and appraisal of decision making reports.</p> <p>Corporate Commissioning Board will provide the governance for new commissioning strategies.</p> <p>CPS believes that given the challenges encountered in supporting alternative delivery models, and the innovative approaches required, the risk remains at Medium / Medium (target met). Only when we have examples of alternative delivery models being successfully implemented should this risk be removed.</p> <p>Mitigations detailed above are now in place with commissioning checklists to CCB ensuring that appropriate resources are in place to manage risk in implementing alternative service delivery models.</p>	<p>Contract and Contracts & Procurement Summary Report 2015/16. Acivico Contract Monitoring - Final Accounts Process.</p>
19	41	<p>Failure to deliver the Council's localisation agenda and commitments made in the Council's Improvement Plan and Leaders Policy Statement.</p> <p>Lead: Strategic Director, Place Directorate Owner: Chris Jordan</p>	Medium / Medium	<p>Lead Director comment</p> <p>The Improvement Panel have assessed progress in relation to the specific prescriptions made on localisation through the independent Lord Kerslake report and commitments made against this in the Council's Improvement Plan in September 2015 and January 2016. The feedback from this has been positive. In particular all direct recommendations have been actioned including the transfer of delegations away from district committees and the delineation of a new role for district committees. Services are now accountable to cabinet portfolios and management. The remit for district committees around neighbourhood challenge and community planning has been embedded effectively. Policy guidance for this was agreed by cabinet in July 2015 and development undertaken with members in five sessions over July to October, with delivery of outcomes currently live within 2016/17. Delivery against this has been performance managed through the Future Council Local Leadership sub programme board</p>	<p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target risk rating: Attained.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance as detailed in Lead Director comment - Scrutiny Report in January 2013.</p> <p>Cabinet Committee Local Leadership is meeting monthly and now has accountability for progressing this agenda.</p>	<p>O&S - The Corporate Resources O&S Committee has completed a piece of work around district and ward arrangements. This includes a review of arrangements put in place in May 2015 and options for the future development of devolution. The Neighbourhood & Community Services O&S Committee completed a review of the Neighbourhood Challenge. Recommendations were made to the Leader.</p>

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				<p>meeting fortnightly. This has now moved to business as usual.</p> <p>The next phase of local leadership / political governance is being shaped through the newly formed Cabinet Committee Local Leadership.</p> <p>Four Assistant Leaders have been given responsibility to review local working with a focus on 'every place matters' and 'delivering differently in neighbourhoods'. A clear timetable has been set out for their work and how this ties into the changing landscape for ward and district committees.</p>		<p>IA Reviews 2014/15: Housing Governance Arrangements and watching brief - quarterly progress updates from Place.</p> <p>IA 2015/16: Watching brief - quarterly progress updates from Place.</p>
20	44	<p>Unpaid allowances / contractual overtime payments / equality of flex time agreements.</p> <p>Lead: Strategic Director, Change & Support Services Owner: Claire Ward</p>	Medium / Medium	<p>Lead Director comment</p> <p>The bulk of unpaid allowances claims have been successfully managed by Legal Services on a case by case basis, with outstanding claims being considered and managed by Legal Services on the same basis.</p> <p>A review of all contractual overtime has been undertaken and completed. There is confidence that all application of contractual overtime is appropriate.</p> <p>There is a clear policy and monitoring framework regarding the application of regular overtime.</p> <p>A new standard Flexi scheme has been developed as part of the Future Council workforce Contract.</p>	<p>Target risk rating: Medium / Medium</p> <p>Anticipated date of attainment of the target risk rating: Attained.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance.</p> <p>All new claims for allowances are being assessed on their merits and defended wherever practical.</p> <p>Use of overtime is being monitored on a monthly basis, with Strategic Directors taking responsibility for addressing any areas of concern.</p> <p>A new universal Flexi scheme will be introduced as part of the new contract of employment to be introduced in 1st July 2017.</p> <p>There is a Governance Board monitoring any potential high risk claims.</p>	<p>O&S - None.</p> <p>IA Review 2014/15: Review on overtime -in conjunction with HR.</p> <p>IA Review 2015/16: Overtime F/Up.</p>

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22	54	<p>Risk of fines from HMRC for Directorates employing long term consultants.</p> <p>Lead: : Strategic Director, Change & Support Services Owner: Nigel Kletz</p>	Low / Significant	<p>Lead Director comment</p> <p>A revised process has been implemented for the engagement of off payroll 'Individuals' in April 2016 which has resulted in a significant increase in compliance.</p> <p>HR and CPS are working collaboratively to ensure compliance by cascading the process through DMT's and monitoring engagements centrally within the CPS compliance team. No orders are released until the manager has completed all the required approval documentation.</p>	<p>Target risk rating: Low / Medium</p> <p>Anticipated date of attainment of the target risk rating: September 2017.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: The new process has been widely publicised to all Directorates and is available on People Solutions as well as Voyager. It has been embedded in to the procedures within Payroll and CPS. In addition CPS are in the process of arranging information events for officers to attend in order to gain further advice, guidance and support in order to minimise the Council's exposure to risk.</p> <p>A review group has been established to review the new proposals being introduced with regard to off payroll engagements by HMRC from April 2017. This requires all off payroll engagements within the public sector to be paid via PAYE by the Council.</p> <p>The Director of HR has taken over ownership of interims & off payroll individuals.</p>	<p>O&S - None.</p> <p>IA Review 2014/15: Audit carried out in quarter 3.</p>

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23	59	<p>Risk of enforcement action and fines of up to £500,000 by the Information Commissioner's Office (ICO) for failure to comply with the 40 day timescale for responding to Subject Access Requests (SARs).</p> <p>Lead: Strategic Director, Major Projects Owners: Alastair Gibbons, Adrian Phillips & Dawn Hewins</p> <p>Risk nominated for deletion.</p>	Low / Medium	<p>Lead Director comment</p> <p>The ICO wrote to BCC in December 2014 re an issue with timely responses to SARs.</p> <p>An action plan has subsequently been submitted / accepted by the ICO, and monthly reporting to the ICO will continue until April 2016.</p> <p>In respect of Children's reporting, there has been a great improvement with SAR and FOI delays. In March 2016 only one SAR was outstanding due to the particular circumstance of the case.</p> <p>Adults continue to monitor SARs and FOIs with reports produced for the Caldicott Guardian. No concerns have been reported.</p> <p>Corporately, the Head of Corporate Information Management is reporting that the ICO is happy with progress and are no longer monitoring the Council.</p>	<p>Target risk rating: Low / Low</p> <p>Anticipated date of review/attainment of the target risk rating: April 2016.</p> <p>Source(s) of assurance regarding progress with mitigating the risk: Management assurance from HR and Children's Services.</p>	<p>O&S - None.</p> <p>IA Review 2014/15: SARs.</p> <p>IA Reviews 2015/16: SARs F/Ups.</p> <p>IA Review 2016/17: HR SARs.</p>

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Removed Risks:

Ref No.	Strategic Outcome / Corp Object	Risk description	Reason for removal	Date removed
13	Succeed economically	Failure to progress with delivering against the Birmingham Prospectus.	Risk flagged for deletion by Development & Culture Directorate, this risk should now be picked up at the Directorate level due both to the progress of individual projects and the engagement which is now in place with public and private sector partners.	November 2008
10	Achieving excellence	Property Utilisation of Central Admin Buildings – failure to take full advantage of the opportunities arising from the Working for the Future (WFTF) Business Transformation Programme.	Merged with risk 3 regarding WFTF cross portfolio buildings, at request of Business Transformation Steering Group.	July 2008
7	Achieving excellence	Reduction in non-core budgets e.g. Working Neighbourhoods Fund Comprehensive Spending Review, grant regimes etc.	Risk flagged for deletion by Corporate Director of Resources. Will remain on Directorate Risk Register.	July 2008
19	Achieving excellence	Failure to deliver on the Executive Management Team's (EMT's) key supporting outcomes.	Risk flagged for deletion by Effectively Managed Corporate Business group – EMT's key supporting outcomes were identified in June 07 and are fully embedded within the Directorate Business Plans and monitoring of the Performance Plan. It is a duplication to have this as an issue in the Corporate Risk Register.	January 2008
22	Achieving excellence	Failure to meet the code of connection for Government Connect.	Risk flagged for deletion by the Corporate Director of Resources. Will be managed via ICF Risk Register.	March 2010
8	Succeed economically	Failure to co-ordinate / control all of BCC's Accountable Body roles and responsibilities.	This has improved and will continue to be monitored via the Resources risk register.	July 2010
14a	Succeed economically	Failure to progress the Highways Public Finance Initiative (PFI).	The PFI contract was signed on 7 May 2010.	July 2010
15	Achieving excellence	Failure to achieve the efficiencies agreed in the budget round and plan for the efficiencies necessary for the next two years.	This has been incorporated into risk 28.	July 2010
16	Achieving excellence	Lack of compliance with and appropriateness of, corporate people management policies & procedures and national regulations.	The policies & procedures have been updated on People Solutions with the Excellence in People Management system, and compliance with them is covered in risk 18.	July 2010
17	Achieving excellence	Failure to act on the sustainability agenda.	This has been included by Directorates as business as usual now. It will continue to be monitored via the Development risk register.	July 2010

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21	Succeed economically	Adverse impact of the economic downturn.	This has been included by Directorates as business as usual now. It will continue to be monitored via Directorate and Department risk registers.	July 2010
3	Succeed economically	Failure to progress the Cross portfolio elements of the Working For The Future (WFTF) programme.	This has been flagged for deletion by the Corporate Director of Resources as progress is being made on this and where there are problems with buildings this is covered in new risk 32 added November 2010.	November 2010
1c	Achieving excellence	Failure to implement the pay and grading review for all non-schools staff.	The pay and grading structure for has now been fully implemented and this is no longer a risk.	March 2011
6a	Achieving excellence	Failure to adopt the new working practices implemented through the EPM programme which in turn will impact on benefit delivery.	The new working practices have become business as usual. Benefits delivery is being monitored as part of risk 4.	March 2011
6b	Achieving excellence	Failure to achieve the IT infrastructure which allows all employees to access information electronically.	A full business case is being developed to achieve this. This is no longer a corporate risk and will be monitored through the Corporate Resources Directorate risk register.	March 2011
24	Achieving excellence	Failure to manage pay progression effectively.	The pay progression framework has been applied to Council managed staff and is no longer a risk. The pay progression issue regarding schools staff is covered in risk 1a and will also be monitored through CYP&F Directorate risk register.	March 2011
12	Make a contribution	Failure to engage and inform communities around the Council's approach to improving community cohesion.	Strategic Director of Corporate Resources considers this is no longer a corporate issue and it has been delegated to the Strategic Directorate of Corporate Resources' risk register for continued management.	July 2011
18	Achieving excellence	Failure to implement recommendations made to improve internal control in the External Audit Annual Letter and by Internal Audit to help prevent fraud and error.	Strategic Director of Corporate Resources considers this is no longer a corporate issue and the risk has been delegated to each Directorate to continue to manage.	July 2011
29	Achieving excellence	Failure to achieve progress against local priorities as stated in the Sustainable Community Strategy.	Strategic Director of Corporate Resources considers this is no longer a corporate issue and the risk has been delegated to each Directorate to continue to manage.	July 2011
27	Succeed economically	Failure to put in place action plans and strategies to fully mitigate the effects of reductions in area based grants.	Merged with risk 28 "Need to meet the massive spending reductions over the three years from 2011/12" at request of Strategic Director of Corporate Resources.	December 2011

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Ref No.	Strategic Outcome / Corp Object	Risk description	Reason for removal	Date removed
11	Enjoy a High Quality of Life	Failure to deliver Achieving Excellence with Communities.	The target risk level has been met. Cabinet Committee Achieving Excellence with Communities receives progress reports. The risk has been delegated to Homes and Neighbourhoods directorate to manage.	March 2012
33	Succeed Economically	Failure to adapt to Climate Change.	The target risk level has been exceeded and long term planning has now been put in place. This risk will continue to be managed by directorates.	March 2012
9	Public Service Excellence	Need for capacity to react promptly to and manage the significant workforce changes occurring.	The level of risk has reduced to the target level.	July 2012
31	Public Service Excellence	HRA Finance Reforms.	This is no longer a risk - the funding has been agreed and is included in the 2012/13 budgets.	July 2012
34	Enjoy a High Quality of Life	Independent Care Sector Fees.	The target level of risk has been attained. The risk will continue to be monitored by the Adults & Communities Directorate.	July 2012
38	Public Service Excellence	Failure to maintain infrastructure assets including responsibilities regarding protected listed buildings.	Merged with risk 32 and changed to: Shortage of capital and failure to take appropriate long term decisions to manage the property asset portfolio (by disposals and reinvestment of capital in the residual estate); including responsibilities regarding protected listed buildings, leading to escalating costs.	November 2012
39	Public Service Excellence	Shortfall in resources compared to projections from 2013/14 onwards as a result of the new system of local retention of business rates.	Merged with risk 28 and changed to: Need to plan appropriately for the on-going reduction in government grants resulting in a shortfall in resources compared to projections from 2013/14, particularly the significant potential reduction in resources from 2014/15, and avoid legal challenge.	November 2012
53	Public Service Excellence	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	Stay Safe	Safer recruitment.	Had been at target level of risk for over 12 months, will be managed locally in future.	July 2013
36	Public Service Excellence	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

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Ref No.	Strategic Outcome / Corp Object	Risk description	Reason for removal	Date removed
49	Succeed Economically	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	Enjoy a High Quality of Life	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	Public Service Excellence	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	Public Service Excellence	Failure to successfully settle pay & grading and allowances equal pay claims.	The issues will be addressed within risks 1a - 1c & 44.	July 2014
26	Be Healthy	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	Be Healthy	Delivery of new Public Health responsibilities.	All of the actions relating to the transition of Public Health have been actioned.	July 2014
20	A Prosperous City	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	A Prosperous City	Production of timely & accurate IFRS Final Accounts.	The accounts were submitted on 30 th June 2014.	November 2014
51	A Prosperous City	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	A Fair City	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

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Ref No.	Strategic Outcome / Corp Object	Risk description	Reason for removal	Date removed
2015/16.25	A Prosperous City	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	A Prosperous City	PSN resubmission.	The Council has successfully retained PSN submission till April 2016.	July 2015
2015/16.27	A Prosperous City	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	A Prosperous City	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
2015/16.10a	A Prosperous City	Resolution of contractual issues in the Highway Maintenance & Management PFI contract.	A commercial settlement signed on 18th December 2015, resolved a number of contractual issues.	March 2016
2015/16.29	A Fair City	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)	A Prosperous City	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

