

Annual Report of the Corporate Risk Management Group

Report of the Head of Services for Communities

Please note that the following recommendations are subject to confirmation by the Committee before taking effect.

1. Recommendations

It is recommended that Audit Committee:

- (a) Monitor the effective development and operation of risk management in the Council
- (b) Consider and note updates to risk registers

2. Summary

This report provides an update on risk management practice in the Council in the form of the annual report of the Corporate Risk Management Group

3. Introduction

The annual report is intended to support this Committee carry out its role in providing independent assurance of the adequacy of the risk management framework and the associated control environment.

4. General update

As part of the 2012/13 Internal Audit Plan an evaluation of risk management arrangements operating across the Council was undertaken by the Devon Audit Partnership that lead to recommendations for a series of actions to strengthen risk management. Subsequently each Leadership Team agreed a consistent approach to risk management which has now largely become embedded across the Council.

The Council is engaged in a process of change to a greater emphasis on service delivery being undertaken on behalf of the Council by other organisations. There are a wide variety of joint arrangements by which such service delivery may take place and which all fall under the broad banner of partnership working. As a consequence it is right that the Council should examine and look to strengthen its risk management approach for partnership working. It is intended that an internal audit should be carried out to test the governance in a sample of higher risk partnerships to support this end. Corporate Risk Management Group will work with Heads of Service to identify the significant and important partnerships to be considered for this work.

The content of the refreshed Corporate, People, Place and Corporate Services risk registers are provided as Appendices A – D. These are regularly monitored at leadership teams and action taken to escalate or reduce the management of the risks to the appropriate level according to changes in perceived risk to the Council.

5. Risk management updates from Service areas

5.1. People

5.2. Place

The Place Leadership Team (PLT) regularly monitors identified risks and mitigation measures.

All identified risks have associated management action plans which are regularly reviewed by Heads of Service. Service Risks are formally reported to PLT on a six monthly basis or more regularly as significant risk items require escalating.

The Place risk register continues to be kept under monthly review in order taking into account changes in central government policy or new initiatives that may result in new or additional risks to the Local Authority.

5.3. Public Health

The Public Health Leadership team monitor any risks identified against the Local Authority's Public Health protection responsibilities on a monthly basis.

The current risks relate to vaccination uptake, particularly influenza and measles, mumps and rubella (MMR) and the procurement of new services.

All risks have action plans against them and risks are reducing. Significant work has been targeted at promoting the influenza uptake locally and targeted work has taken place in areas of low MMR uptake.

Procurement of new services and change of providers for other services have been identified as potential risks and these are closely monitored via the risk management report until assurance is gained that the service is delivering at the required level.

Emerging risks on a national level, including Ebola awareness, is monitored locally and Public Health Devon has taken part in appropriate emergency exercises.

6. Risk management updates from areas of risk specialism

6.1. Finance

The Outturn Statement and the Statement of Accounts have been approved by the Cabinet and Audit Committee respectively. Both indicate that for the 2013/14 financial year, financial controls and risk mitigation proved effective in producing spending marginally below target. Publication of the audited Statement of Accounts without material alteration demonstrates that underlying arrangements to ensure a high standard of financial governance continue to be in place.

Looking forward, a key risk facing the Council continues to be finding budget reductions to meet increasingly tight financial targets that can be achieved in both a cost effective and efficient way. Work is ongoing to achieve this. The budget process, incorporating Cabinet, Scrutiny and ultimately County Council will determine

the delivery of budget reductions for 2015/16 and the Medium Term Financial Plan will outline targets for subsequent years.

As the impact of budget reductions are determined, the way that Finance Services prioritise and deliver services will also need consideration. Budgets may be assessed to determine their volatility and from this, a risk categorisation applied. To reflect reduced Finance Services resources, budgets deemed as highly volatile may receive higher levels of support than those determined to be medium or low risk. However, the risk approach will seek to minimise financial exposure of the Authority.

6.2. Health and Safety

Health, Safety and Wellbeing risk management, when effectively undertaken, is a management discipline aimed at loss minimisation, increasing productivity and improving the quality of service delivery. Consequently effective health, safety and well-being risk management is critical to the success of the Council and the Council's Risk Management Strategy and the Council's Strategy for Improvement and Efficiency.

The annual report on progress for 2013-14 and a detailed action plan for 2014-15 was presented to the Devon Health & Safety Panel on 23rd September 2014. The report identifies a number of achievements and initiatives throughout the Council since the previous report.

Achievements include a further reduction in the rate of accidents to employees, including a fall in the overall number of violent incidents. A new Employee Assistance Programme (EAP) was introduced in April 2014 which has significantly reduced the costs of counselling to DCC and in addition, the number of staff absence due to ill health reduced.

Challenges in the past 12 months include a number of regulatory and standards changes that have occurred which required amendments to be undertaken to DCC's policies, guidance and actions and whilst the overall number of incidents have reduced, there have been some notable or high profile incidents that have brought DCC health and safety arrangements under scrutiny by external bodies. However, beyond a single notice of contravention involving a DCC Farm, none of these incidents resulted in any other regulatory enforcement against DCC. Following a serious incident in May 2014 and a review of premises arrangements across the organisation, Health and Safety returned to the overall Corporate Risk Register and will remain there until a number of improvements identified have been put into place. The Devon Health & Safety Panel continues to closely monitor the performance of health and safety standards across the organisation.

6.3. Information Governance

The Council's top five information risks are as follows:

1. Fines and Compensation for Damages caused by Data Protection Act Breaches
2. Imperfect Sharing about Vulnerable (or Potentially Vulnerable) People
3. Information during service divestments, take-overs and mergers.

4. Failure to adhere to information management standards
5. Information Governance Capacity and Resources

In 2013/14 there were 212 security incidents reported to the Information Governance Team. Over the last 3 years the council has seen a 285% increase in incidents being reported. During this period the Information Governance team has rolled out mandatory Data Protection training and has carried out awareness sessions on recognising and reporting incidents. It is likely that as a result of this and staff becoming more aware of information security, this has contributed to the increase.

6.4. Insurance

The premiums for most of DCC's insurance policies have remained fairly static during the past year. However, for the reason outlined below, there is a possibility that we might receive a substantial increase for 2015.

2014 has been one of the worst years ever for highway claims for damaged cars due to potholes in the roads. During the peak winter period at one point we were receiving 30 claims per day. Whilst the volume has diminished, the claims have continued to come in on a regular basis right through the year with people damaging their cars due to potholes in the summer months.

With the councils throughout the country suffering from similar problems, there is a good chance that insurers will pass on their misfortune with increased premium charges.

On the plus side, the number of claims received under our Employer's Liability Policy remains very low with only 4 claims received so far in 2014. As usual, this is a result of the robust health and safety regime that DCC follows.

6.5. Emergency Planning

The Emergency Planning Team continues to work closely with the Highways Operations Control Centre, the Flood Risk Management Team and the Council's social care infrastructure to ensure that the Council is able to respond to major incidents and emergencies in a speedy and effective way. The storms around Christmas in 2013, and early in 2014 tested these arrangements thoroughly and highlighted where the plans worked well, and where further work was needed. Overall the response was well handled and the partnership with agencies across the County proved to be robust and reliable. Business continuity challenges in the case of an outbreak of pandemic flu were due to be tested through a national exercise in October 2014, but this was postponed to enable all agencies to put in place those strategies to respond to any cases of Ebola that may occur in the County. Again, close working with partners both within the County and from other specialisms, has proved to be a sound foundation for whatever challenges arrive.

John Smith
Head of Services for Communities

Appendices

Appendix A: Corporate Risk Register

Appendix B: Leadership Team People Risk Register

Appendix C: Place Leadership Team Risk Register

Appendix D: Corporate Services Leadership Team Risk Register

Electoral Divisions: All

Cabinet Member for Community and Environmental Services:
Councillor R Croad

Chief Executive: Dr Phil Norrey

Contact for enquiries: Simon Kitchen
Room No. G43
Tel No: (01392) 382699

Risk Code and Status	Scope of risk	Current Position, Action being taken, and Accountable Officer
Risk Code: TG 12 CRR Inherent Status: Very high (25) Current Status: Very high (25) Last Review Date: 11/06/2014	Health and Social Care Bill That the Authority will not be in an appropriate position to respond to the proposed changes arising from the Bill, which will confer new duties, e.g. prevention and sufficiency of markets; new responsibilities for carers, an increased drive for Health and Social Care integration and a cap on the life time costs of care (Dilnot Review). Risks relate to organisational capacity, financial consequences and the ability of the market to respond.	Risk Owner: Tim Golby Accountable Officer: Jennie Stephens Mitigating Control: Amber a) Project in place to take forward the changes Amber b) Better care fund Amber c) Joint commissioning coordinating group
Risk Code: TG 15 CRR Inherent Status: Very high (25) Current Status: Very high (25) Last Review Date: 23/10/2014	Reduction in funding affects service delivery in event of financial problems at external body Potential loss of funding affecting DCC service delivery in the event of financial problems arising with an external funding body such as a Clinical Commissioning Group.	Risk Owner: Tim Golby Accountable Officer: Jennie Stephens Mitigating Control: Amber Governing body of the CCG Amber Joint Commissioning Executive Group
Risk Code: HTM 1 CRR Inherent Status: Very high (24) Current Status: Very high (24) Last Review Date: 27/05/2014	Failure to maintain C class and unclassified roads effectively. Deterioration of highway network due to insufficient planned and routine maintenance.	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Green Highway Monitoring Green Safety repairs Green Value for Money solutions
Risk Code: HTM 3 CRR Inherent Status: Very high (24) Current Status: Very high (24) Last Review Date: 02/09/2014	Lack of capacity or capability to effectively respond to Extreme weather events Flooding and structural damage to the highway affecting citizens and property	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Green Asset Management Green Delivery of Planned works Green Highway Monitoring Green Preparedness Green Winter Service and Emergency Plan
Risk Code: HTM 2 CRR Inherent Status: Very high (24) Current Status: Very high (24) Last Review Date: 02/09/2014	Lack of capacity or capability to respond effectively to highway safety related issues Potential for fatal and severe accidents to citizens due to lack of effective and timely repair or replacement of highway assets. This could be brought about by deteriorating highway condition, inability to meet policy level of service, inadequate procedures or poor staff/contract performance.	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Green Highway Monitoring Green Programme flexibility Amber Safety repairs
Risk Code: TG 11 CRR Inherent Status: Very high (30) Current Status: Very high (24) Last Review Date: 23/10/2014	Market Capacity: Adult Social Care The supply of personal care is currently inadequate to meet the need in some parts of Devon increasing the risk that we cannot maintain people safely in their own homes, achieve safe discharge from hospital and with the potential to accelerate admission to residential and nursing care. Lack of choice also compromises quality.	Risk Owner: Paul Collinge Accountable Officer: Ian Hobbs Mitigating Control: Red a) Refresh of the Adult Social Care Services Market Position Statement Green b) Provider Engagement Network Green c) Performance monitoring of call off against the Framework Agreement Amber d) work with providers to address capacity shortfall Amber e) Investigation of new solutions/new ways of working
Risk Code: SP 1 CRR Inherent Status: High (20) Current Status: High (20) Last Review Date: 24/07/2014	Flood Risk Management Devon County Council became the Lead Local Flood Authority as defined by Flood and Water Management Act (FWMA) 2010 and, as a consequence, is responsible for managing the risk of local flooding from surface water run-off, groundwater and ordinary watercourses. The Act sets out a number of specific roles for the LLFA. This includes the risks associated with the obligations and expectations associated with this LLFA role, particularly in the light of the major flooding experienced in Devon in 2012 / early 2013 and the impending implementation of Schedule 3 of FWMA 2010 relating to Sustainable Drainage Systems (SuDS) [Note: no specific consideration here to the	Risk Owner: Martin Hutchings Accountable Officer: Dave Black Mitigating Control: Green Capacity of the Flood Risk Management Team Amber Consider options for operation of Sustainable Drainage Approvals Body Green Flood Risk Management Strategy / Flood Resilience Community Pathfinder project

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	risk of flooding to DCC assets or the huge costs of responding to / recovering from flood events, particularly linked to highway flooding.]	
Risk Code: HRO 1 CRR Inherent Status: Very high (30) Current Status: High (20) Last Review Date: 18/07/2014	Health and Safety Failure to deliver our statutory service delivery duties and legal obligations in respect to health and safety requirements	Risk Owner: Margaret Bullock Accountable Officer: Paul Jones Mitigating Control: Green Consultation and monitoring arrangements Green Devon Health and Safety Panel Green Devon Health, Safety and wellbeing Service Amber Health & Safety Management Audit System Amber Policies, procedures and risk assessment Green The Annual Health Safety and Wellbeing Report Green Workforce Wellbeing
Risk Code: FIN 39 CRR Inherent Status: High (20) Current Status: High (20) Last Review Date: 09/10/2014	Failure to deliver priority services due to inadequate financial planning Reductions in government funding over the next 3 years will necessitate reductions in local government spending and service provision. DCC has responded by identifying savings in 2014/15 and is identifying the impact of further reductions in subsequent financial years via its Medium Term Financial Planning process	Risk Owner: Chris Phillips Accountable Officer: Mary Davis Mitigating Control: Completed Medium Term Financial Plan
Risk Code: FF 5 CRR Inherent Status: Very high (24) Current Status: High (20) Last Review Date: 23/10/2014	Early Help The Early Help offer fails to provide effective help and protection to children, young people and their families resulting in an escalation to statutory social care services. (Previously RM3)	Risk Owner: Virginia Pearson Accountable Officer: Fiona Fitzpatrick Mitigating Control: Green a) Devon Children's Safeguarding and Looked After Children Board Green b) Post-Ofsted Improvement Plan Green c) Quality Assurance Work-stream with independent lead officer Green d) Project management capacity identified
Risk Code: SPOC 15 CRR Inherent Status: High (20) Current Status: High (20) Last Review Date: 02/09/2014	Failure to prevent discriminatory practice/adhere to the Equality Act & Public Sector Equality Duty Ensuring the Council gives due regard to the need to eliminate discrimination (end prohibited conduct), advance equality and foster good relations as required by the Public Sector Equality Duty (Equality Act 2010).	Risk Owner: Jo Hooper Accountable Officer: John Smith Mitigating Control: Green (Equality) Impact Assessment Green Communications Toolkit Amber Customer diversity monitoring Green Discriminatory Incident Reporting Amber Equality Framework for Local Government Green Equality Objectives (Fair for all Programme) Green Equality Policy Green Equality Reference Group Green Equality Standards in Procurement Amber Equality Training and Competencies Green Hate Crime Prevention Amber Impact Assessment Performance Measures Green Information (Evidence base) Amber Learning from Judicial Review Project - implementing the recommendations Green Staff Surveys Red Sufficient allocation of staff with responsibility for equality/impact assessment Green Supporting employment policies Red Workforce diversity data
Risk Code: SPOC 1 CRR Inherent Status: Very high (30) Current Status: High (16)	Failure to achieve good working relationship through lack of involvement of partners & stakeholders - RISK of not engaging effectively with partners and stakeholders exposes us to high levels of uncertainty	Risk Owner: Simon Kitchen Accountable Officer: John Smith Mitigating Control: Amber Clear governance arrangements

Risk Code and Status	Scope of risk	Current Position, Action being taken, and Accountable Officer
Last Review Date: 13/06/2014	in terms of capacity, service delivery and finance; OPPORTUNITY for greater value-added benefits through co-operation with other agencies and place-based budgets	Amber Communications between Partners (key individual networks)
Risk Code: HM12 CRR Inherent Status: High (20) Current Status: High (16) Last Review Date: 28/10/2014	Failure to maintain the A and B road network effectively leading to reduced surface life The risk of reduced life of the A and B road surfaces is influenced by several factors including the availability of an adequate budget to carry out work and deterioration factors such as severe winters and climate change.	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Red Assessment of Highway Drainage Green Highways Asset Strategy Amber Materials Selection Amber Re-evaluation of our approach to preventative maintenance
Risk Code: SPOC 16 CRR Inherent Status: Very high (30) Current Status: High (16) Last Review Date: 27/10/2014	Failure to properly implement Impact Assessment in effective decision making Continuing issues with poor consideration of impacts, and the potential for legal challenge and further judicial reviews. There may continue to be staff who consider there to be 'no need' to do an impact assessment or are unaware of the need, or ignore guidance and produce poor quality assessments as a result; this would be reinforced if proposals are accepted at senior level without evidence of an impact assessment of sufficient quality. We may also encounter active resisters to change (in particular where we need to influence a change over other templates, guidance, procedures etc. Occurrence of this operational risk will remove an effective mitigation from the Council's risk management approach and equality practice and threatens change programmes.	Risk Owner: Simon Kitchen Accountable Officer: John Smith Mitigating Control: Amber Escalation Amber Facilitation Amber Governance Green Monitoring and feedback Green Programme Management
Risk Code: FF 2 CRR Inherent Status: High (20) Current Status: High (16) Last Review Date: 08/09/2014	CAMHS Insufficient CAMHS tier 4 service to meet presenting needs of children and young people	Risk Owner: Fiona Fitzpatrick Accountable Officer: Jennie Stephens Mitigating Control: Green a) Case managers appointed to facilitate bed finding Completed b) National bed state produced weekly Amber c) Assertive outreach service being commissioned from Virgin Care by CCQ's Amber d) Specialist commissioners working with Somerset Partnership Trust to reopen tier 4 beds
Risk Code: SS 12 CRR Inherent Status: High (20) Current Status: High (16) Last Review Date: 23/10/2014	Adult mental health services: lack of acute psychiatric bed capacity Lack of acute psychiatric bed capacity locally and nationally is having a detrimental impact on acutely unwell people accessing hospital care increasing the risk to themselves, carers and public.	Risk Owner: Terry Grace Accountable Officer: Sally Slade Mitigating Control: Amber Commissioning arrangements under development
Risk Code: TCS 1 CRR Inherent Status: High (15) Current Status: High (15) Last Review Date: 22/09/2014	Public Transport Support Budget Additional Cost/ budget pressure due to: (a) withdrawal of commercial services, requiring DCC to respond to fill gaps in the bus network through additional support for services. (b) Risk of higher tender prices, given a prolonged period of lower tender prices. (c) funding reductions resulting in significant cuts in bus services.	Risk Owner: Bruce Thompson Accountable Officer: John Smith Mitigating Control: Red Operational, policy and administrative efficiencies Red Operational, policy and administrative efficiencies
Risk Code: AD E 01 CRR Inherent Status: Very high (24) Current Status: High (15) Last Review Date: 12/05/2014	Effects of prolonged recession or austerity policy (Active Devon) Combined & simultaneous pressures on: - core funding and all other funding sources (public, private, discretionary £...); - increasingly competitive bidding; - increasing demand for support; - falling ability or willingness of participants, coaches/clubs to self-fund their activity or development; - reduced or increased volunteering?	Risk Owner: Matt Evans Accountable Officer: John Smith Mitigating Control: Green Emphasis on sustainability

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<p>Risk Code: TG 12 CRR Inherent Status: Very high (25) Current Status: Very high (25) Last Review Date: 11/06/2014</p>	<p>Health and Social Care Bill That the Authority will not be in an appropriate position to respond to the proposed changes arising from the Bill, which will confer new duties, e.g. prevention and sufficiency of markets; new responsibilities for carers, an increased drive for Health and Social Care integration and a cap on the life time costs of care (Dilnot Review). Risks relate to organisational capacity, financial consequences and the ability of the market to respond.</p>	<p>Risk Owner: Tim Golby Accountable Officer: Jennie Stephens Mitigating Control: Amber a) Project in place to take forward the changes Amber b) Better care fund Amber c) Joint commissioning coordinating group</p>
<p>Risk Code: TG 15 CRR Inherent Status: Very high (25) Current Status: Very high (25) Last Review Date: 23/10/2014</p>	<p>Reduction in funding affects service delivery in event of financial problems at external body Potential loss of funding affecting DCC service delivery in the event of financial problems arising with an external funding body such as a Clinical Commissioning Group.</p>	<p>Risk Owner: Tim Golby Accountable Officer: Jennie Stephens Mitigating Control: Amber Governing body of the CCG Amber Joint Commissioning Executive Group</p>
<p>Risk Code: FF 13 Inherent Status: Very high (30) Current Status: Very high (25) Last Review Date: 10/06/2014</p>	<p>Care Leavers in Education, Employment and Training Failure to join up approach across People leads to continuing high numbers of Care Leavers not in education, employment and training.</p>	<p>Risk Owner: Fiona Fitzpatrick Accountable Officer: Jennie Stephens Mitigating Control: Red To join up activity across Heads of Service and Careers South West</p>
<p>Risk Code: FF 14 Inherent Status: Very high (30) Current Status: Very high (25) Last Review Date: 10/06/2014</p>	<p>Accuracy and Completeness of Childrens Records Failure to maintain accurate and complete children's records within CareFirst impacts adversely on practice, inspections (Ofsted Annex A) and children's social care statutory returns.</p>	<p>Risk Owner: Wayne Davies Accountable Officer: Fiona Fitzpatrick Mitigating Control: Amber Exception reports; address missing data; CareFirst reports; Annex A test</p>
<p>Risk Code: FF 15 Inherent Status: Very high (30) Current Status: Very high (25) Last Review Date: 10/06/2014</p>	<p>Attainment of Looked After Children Failure to join up approach across People leads to continuing poor attainment for children in the care of the Authority.</p>	<p>Risk Owner: Fiona Fitzpatrick Accountable Officer: Jennie Stephens Mitigating Control: Red To join up current activity across Heads of Service and LDP.</p>
<p>Risk Code: TG 11 CRR Inherent Status: Very high (30) Current Status: Very high (24) Last Review Date: 23/10/2014</p>	<p>Market Capacity: Adult Social Care The supply of personal care is currently inadequate to meet the need in some parts of Devon increasing the risk that we cannot maintain people safely in their own homes, achieve safe discharge from hospital and with the potential to accelerate admission to residential and nursing care. Lack of choice also compromises quality.</p>	<p>Risk Owner: Paul Collinge Accountable Officer: Ian Hobbs Mitigating Control: Red a) Refresh of the Adult Social Care Services Market Position Statement Green b) Provider Engagement Network Green c) Performance monitoring of call off against the Framework Agreement Amber d) work with providers to address capacity shortfall Amber e) Investigation of new solutions/new ways of working</p>
<p>Risk Code: FF 5 CRR Inherent Status: Very high (24) Current Status: High (20) Last Review Date: 23/10/2014</p>	<p>Early Help The Early Help offer fails to provide effective help and protection to children, young people and their families resulting in an escalation to statutory social care services. (Previously RM3)</p>	<p>Risk Owner: Virginia Pearson Accountable Officer: Fiona Fitzpatrick Mitigating Control: Green a) Devon Children's Safeguarding and Looked After Children Board Green b) Post-Ofsted Improvement Plan Green c) Quality Assurance Work-stream with independent lead officer Green d) Project management capacity identified</p>

Risk Code and Status	Scope of risk	Current Position, Action being taken, and Accountable Officer
Risk Code: People1 CRR Inherent Status: Very high (30) Current Status: High (20) Last Review Date: 10/11/2014	Financial instability Financial instability arising from failure to deliver identified savings plans.	Risk Owner: Tim Golby Accountable Officer: Jennie Stephens Mitigating Control: Green a) Budget Appraisal Process Green b) Improving People's Lives Programme: projects, governance and monitoring Green c) Management/Service action plans Green d) Budget monitoring process
Risk Code: SEND 2 Inherent Status: High (20) Current Status: High (20) Last Review Date: 07/11/2014	Residential Special School funding and inspection Funding beyond Dedicated Schools Grant (DSG) from alternative sources (e.g. social care and education) is confused and possibly unsustainable under the new funding formula resulting in the potential for withdrawal of delegation of funding and destabilisation of service provision and outcomes for children and young people.	Risk Owner: Sue Clarke Accountable Officer: Jennie Stephens Mitigating Control: Green Financial review completed at one residential special school Amber Options appraisal to be undertaken to report on residential special schools
Risk Code: TG 19 Inherent Status: Very high (24) Current Status: High (20) Last Review Date: 29/09/2014	Homes Closure Programme – Judicial Review on Procedural Grounds Legal challenge on procedural grounds results in reputational and financial risk to the Authority.	Risk Owner: Paul Collinge Accountable Officer: Tim Golby Mitigating Control: Red a) Lawyers engaged.
Risk Code: TG 2 Inherent Status: High (20) Current Status: High (16) Last Review Date: 10/06/2014	Data systems Children and young people's services: lack of robust systems impacts on the ability to analyse and integrate datasets in a timely manner to inform commissioning decisions.	Risk Owner: Sarah Aggett Accountable Officer: Damian Furniss Mitigating Control: Amber a) ICT commissioned to use an SQL database in Clearcore to provide the data on screen... Amber b) Outstanding services, e.g. adoption, being transferred onto Care First from existing databases Amber c) Ofsted Annex A developments, incl. CareFirst reports and Clearcore matching with EMS One database
Risk Code: FF 2 CRR Inherent Status: High (20) Current Status: High (16) Last Review Date: 08/09/2014	CAMHS Insufficient CAMHS tier 4 service to meet presenting needs of children and young people	Risk Owner: Fiona Fitzpatrick Accountable Officer: Jennie Stephens Mitigating Control: Green a) Case managers appointed to facilitate bed finding Completed b) National bed state produced weekly Amber c) Assertive outreach service being commissioned from Virgin Care by CCQ's Amber d) Specialist commissioners working with Somerset Partnership Trust to reopen tier 4 beds
Risk Code: SS 12 CRR Inherent Status: High (20) Current Status: High (16) Last Review Date: 23/10/2014	Adult mental health services: lack of acute psychiatric bed capacity Lack of acute psychiatric bed capacity locally and nationally is having a detrimental impact on acutely unwell people accessing hospital care increasing the risk to themselves, carers and public.	Risk Owner: Terry Grace Accountable Officer: Sally Slade Mitigating Control: Amber Commissioning arrangements under development
Risk Code: FF 11 Inherent Status: Very high (25)	Quality of Practice: current social work practice fails to ensure effective protection of children	Risk Owner: Fiona Fitzpatrick Accountable Officer: Jennie Stephens Mitigating Control:

Risk Code and Status	Scope of risk	Current Position, Action being taken, and Accountable Officer
<p>Current Status: High (15) Last Review Date: 23/10/2014</p>	<p>Current social work practice fails to ensure effective protection of children and young people, including those looked after.</p>	<p>Green a) New governance arrangements in place through SIB and DIG Green b) Independently appointed Chair of SIB by DfE Green c) Quality Assurance Framework developed and implemented, Green d) Weekly, monthly and quarterly performance monitoring reports in place Green e) Practice quality audits evidencing improving practice.</p>
<p>Risk Code: TG 18 Inherent Status: High (16) Current Status: Medium (12) Last Review Date: 29/09/2014</p>	<p>Management Information Team Capacity Lack of capacity, skills mix and competing priorities has an adverse impact on operational activity</p>	<p>Risk Owner: Damian Furniss Accountable Officer: Tim Golby Mitigating Control: Amber a) Recruitment exercise to secure permanent capacity Amber b) Temp Solutions to secure additional temporary capacity Amber c) Prioritisation of whole team capacity to areas of greatest risk Amber d) Prioritised work plan Amber e) On-going dialogue with operational colleagues to reassess priorities Amber f) Review of overall MI resource to report by end of September.</p>
<p>Risk Code: SCC 22 CRR Inherent Status: Very high (25) Current Status: Medium (12) Last Review Date: 10/11/2014</p>	<p>Capacity - Organisational Capacity to Change a) to respond to the need for change, b) inadequate resources to deliver change activity, e.g. managerial capacity and business capacity</p>	<p>Risk Owner: Giles Colton Accountable Officer: Tim Golby Mitigating Control: Green Governance and progress chasing Green Improved corporate awareness Green Monthly meetings to review progress</p>
<p>Risk Code: SS 14 Inherent Status: Very high (25) Current Status: Medium (12) Last Review Date: 27/08/2014</p>	<p>Deprivation of Liberties (DoLS) and Court of Protection Recent Supreme Court ruling presents a significant financial risk due to the likely increase in DoLs and CoP assessments required and associated legal costs.</p>	<p>Risk Owner: Paul Grimsey Accountable Officer: Sally Slade Mitigating Control: Amber B) ADASS lobbying nationally to get local authority support Green C) CLT endorsed approach Green D) Managed process in place. Amber Prioritisation and ADASS lobbying.</p>

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Risk Code: HTM 1 CRR Inherent Status: Very high (24) Current Status: Very high (24) Last Review Date: 27/05/2014	Failure to maintain C class and unclassified roads effectively. Deterioration of highway network due to insufficient planned and routine maintenance.	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Green Highway Monitoring Green Safety repairs Green Value for Money solutions
Risk Code: HTM 3 CRR Inherent Status: Very high (24) Current Status: Very high (24) Last Review Date: 02/09/2014	Lack of capacity or capability to effectively respond to Extreme weather events Flooding and structural damage to the highway affecting citizens and property	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Green Asset Management Green Delivery of Planned works Green Highway Monitoring Green Preparedness Green Winter Service and Emergency Plan
Risk Code: HTM 2 CRR Inherent Status: Very high (24) Current Status: Very high (24) Last Review Date: 02/09/2014	Lack of capacity or capability to respond effectively to highway safety related issues Potential for fatal and severe accidents to citizens due to lack of effective and timely repair or replacement of highway assets. This could be brought about by deteriorating highway condition, inability to meet policy level of service, inadequate procedures or poor staff/contract performance.	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Green Highway Monitoring Green Programme flexibility Amber Safety repairs
Risk Code: SP 1 CRR Inherent Status: High (20) Current Status: High (20) Last Review Date: 24/07/2014	Flood Risk Management Devon County Council became the Lead Local Flood Authority as defined by Flood and Water Management Act (FWMA) 2010 and, as a consequence, is responsible for managing the risk of local flooding from surface water run-off, groundwater and ordinary watercourses. The Act sets out a number of specific roles for the LLFA. This includes the risks associated with the obligations and expectations associated with this LLFA role, particularly in the light of the major flooding experienced in Devon in 2012 / early 2013 and the impending implementation of Schedule 3 of FWMA 2010 relating to Sustainable Drainage Systems (SuDS) [Note: no specific consideration here to the risk of flooding to DCC assets or the huge costs of responding to / recovering from flood events, particularly linked to highway flooding.]	Risk Owner: Martin Hutchings Accountable Officer: Dave Black Mitigating Control: Green Capacity of the Flood Risk Management Team Amber Consider options for operation of Sustainable Drainage Approvals Body Green Flood Risk Management Strategy / Flood Resilience Community Pathfinder project
Risk Code: SPOC 1 CRR Inherent Status: Very high (30) Current Status: High (16) Last Review Date: 13/06/2014	Failure to achieve good working relationship through lack of involvement of partners & stakeholders - RISK of not engaging effectively with partners and stakeholders exposes us to high levels of uncertainty in terms of capacity, service delivery and finance; OPPORTUNITY for greater value-added benefits through co-operation with other agencies and place-based budgets	Risk Owner: Simon Kitchen Accountable Officer: John Smith Mitigating Control: Amber Clear governance arrangements Amber Communications between Partners (key individual networks)
Risk Code: HM12 CRR Inherent Status: High (20) Current Status: High (16) Last Review Date: 28/10/2014	Failure to maintain the A and B road network effectively leading to reduced surface life The risk of reduced life of the A and B road surfaces is influenced by several factors including the availability of an adequate budget to carry out work and deterioration factors such as severe winters and climate change.	Risk Owner: Joe Deasy Accountable Officer: David Whitton Mitigating Control: Red Assessment of Highway Drainage Green Highways Asset Strategy Amber Materials Selection Amber Re-evaluation of our approach to preventative maintenance
Risk Code: TCS 1 CRR Inherent Status: High (15) Current Status: High (15) Last Review Date: 22/09/2014	Public Transport Support Budget Additional Cost/ budget pressure due to: (a) withdrawal of commercial services, requiring DCC to respond to fill gaps in the bus network through additional support for services. (b) Risk of higher tender prices, given a prolonged period of lower tender prices. (c) funding reductions resulting in significant cuts in bus services.	Risk Owner: Bruce Thompson Accountable Officer: John Smith Mitigating Control: Red Operational, policy and administrative efficiencies Red Operational, policy and administrative efficiencies
Risk Code: AD E 01 CRR Inherent Status: Very high (24) Current Status: High (15) Last Review Date: 12/05/2014	Effects of prolonged recession or austerity policy (Active Devon) Combined & simultaneous pressures on: - core funding and all other funding sources (public, private, discretionary £...); - increasingly competitive bidding; - increasing demand for support; - falling ability or willingness of participants, coaches/clubs to self-fund their activity or development; - reduced or increased volunteering?	Risk Owner: Matt Evans Accountable Officer: John Smith Mitigating Control: Green Emphasis on sustainability

Risk Code and Status	Scope of risk	Current Position, Action being taken, and Accountable Officer
Risk Code: FIN 39 CRR Inherent Status: High (20) Current Status: High (20) Last Review Date: 09/10/2014	Failure to deliver priority services due to inadequate financial planning Reductions in government funding over the next 3 years will necessitate reductions in local government spending and service provision. DCC has responded by identifying savings in 2014/15 and is identifying the impact of further reductions in subsequent financial years via its Medium Term Financial Planning process	Risk Owner: Chris Phillips Accountable Officer: Mary Davis Mitigating Control: Completed Medium Term Financial Plan
Risk Code: SPOC 15 CRR Inherent Status: High (20) Current Status: High (20) Last Review Date: 02/09/2014	Failure to prevent discriminatory practice/adhere to the Equality Act & Public Sector Equality Duty Ensuring the Council gives due regard to the need to eliminate discrimination (end prohibited conduct), advance equality and foster good relations as required by the Public Sector Equality Duty (Equality Act 2010).	Risk Owner: Jo Hooper Accountable Officer: John Smith Mitigating Control: Green (Equality) Impact Assessment Green Communications Toolkit Amber Customer diversity monitoring Green Discriminatory Incident Reporting Amber Equality Framework for Local Government Green Equality Objectives (Fair for all Programme) Green Equality Policy Green Equality Reference Group Green Equality Standards in Procurement Amber Equality Training and Competencies Green Hate Crime Prevention Amber Impact Assessment Performance Measures Green Information (Evidence base) Amber Learning from Judicial Review Project - implementing the recommendations Green Staff Surveys Red Sufficient allocation of staff with responsibility for equality/impact assessment Green Supporting employment policies Red Workforce diversity data
Risk Code: BI 6 Inherent Status: Very high (24) Current Status: High (18) Last Review Date: 01/10/2014	Data Protection breaches The Council may incur fines and legal actions for damages following incidents of misuse, loss, accidental or deliberate disclosure.	Risk Owner: Alison Layton-Hill, Amber Steer-Frost Accountable Officer: Colin MacKenzie Mitigating Control: Green Staff training and awareness
Risk Code: BI 11 Inherent Status: High (18) Current Status: High (18) Last Review Date: 04/08/2014	Failure to adhere to Information Management standards Information is the mail for DCC services and for the organisation. It needs to be managed effectively. Failure to manage information lifecycles, find it when needed share it appropriately and dispose of it when necessary can all create risks.	Risk Owner: Steve Howkins Accountable Officer: Colin MacKenzie Mitigating Control: Amber Electronic Documents and Records Management Amber Information Standards
Risk Code: DFS 4 Inherent Status: High (20) Current Status: High (16) Last Review Date: 09/10/2014	Failure to Oversee Financial Performance of Commercial Enterprises in which DCC has influence Failure to oversee financial performance of various commercial enterprises in which DCC has a controlling influence eg PLUSS, NPS, NORSE and LDP. Failure could lead to significant financial issues - eg contract performance - as well as consequent impact on Council's reputation.	Risk Owner: Chris Phillips Accountable Officer: Mary Davis Mitigating Control: Green Liaise with other stakeholders (ie Plymouth, Torbay and Somerset CC re PLUSS) to ensure consistency Green Regular review of company business plans and budget Green Review existing governance arrangements for such enterprises and propose improvements where relevant Green Work more closely with Members/Officers who act as Co Directors ensuring info exchange
Risk Code: SPOC 17 Inherent Status: Very high (25) Current Status: High (16) Last Review Date: 27/10/2014	Poor organisational practice of risk management Failure to conduct robust risk assessment consistently across the Council could result in gaps in control of risks and failure to deliver strategic and other priorities or realise opportunities.	Risk Owner: Keith Bowden Accountable Officer: Simon Kitchen Mitigating Control: Green Corporate Risk Management Group Amber Risk Registers

Risk Code and Status	Scope of risk	Current Position, Action being taken, and Accountable Officer
		<p>Green Risk Strategy and Policy</p> <p>Amber Risk training</p>
<p>Risk Code: SPOC 1 CRR</p> <p>Inherent Status: Very high (30)</p> <p>Current Status: High (16)</p> <p>Last Review Date: 13/06/2014</p>	<p>Failure to achieve good working relationship through lack of involvement of partners & stakeholders</p> <p>- RISK of not engaging effectively with partners and stakeholders exposes us to high levels of uncertainty in terms of capacity, service delivery and finance; OPPORTUNITY for greater value-added benefits through co-operation with other agencies and place-based budgets</p>	<p>Risk Owner: Simon Kitchen</p> <p>Accountable Officer: John Smith</p> <p>Mitigating Control:</p> <p>Amber Clear governance arrangements</p> <p>Amber Communications between Partners (key individual networks)</p>
<p>Risk Code: EP 1</p> <p>Inherent Status: High (20)</p> <p>Current Status: High (16)</p> <p>Last Review Date: 28/10/2014</p>	<p>Inadequate DCC access to diesel during a fuel crisis</p> <p>In light of disposal of fuel bunker holding c. 5,000 litres of fuel, c.6% of weekly consumption. E.g. 5k litres of fuel would be enough to keep 100 essential workers delivering services for a week. Further a tentative agreement with SW Highways to supply diesel from their 8 depots around Devon has not been agreed. Other mitigating controls in development with partners. These arrangements are themselves at risk and may in any case be inadequate.</p>	<p>Risk Owner: Keith Reed</p> <p>Accountable Officer: Simon Kitchen</p> <p>Mitigating Control:</p> <p>Red Delays to the review of the national plan</p> <p>Amber Local LRF Planning</p> <p>Amber Mutual aid arrangements with others</p> <p>Amber National Fuel Plan</p> <p>Amber Small Tanker/Bowser Solution</p> <p>Amber Use of the military</p>
<p>Risk Code: I&I ESR 9</p> <p>Inherent Status: Very high (30)</p> <p>Current Status: High (16)</p> <p>Last Review Date: 10/09/2014</p>	<p>Inadequate Budget Setting Engagement</p> <p>A shortfall in meaningful, proportionate and reasonable engagement provision to inform DCC's 2014/15 budget setting process. Local Authority services operate under a wide range of legal responsibilities and statutory duties. Some of these are specific to the delivery of a service (for example, the legal duty to provide residential care), some protect the wellbeing of individuals (for example, health and safety law, anti-discrimination protections within the Equality Act 2010), and others apply more generally to decision making including: - Public Sector Equality Duty, Section 149 of the Equality Act 2010. - Section 3(2) of the Local Government Act 1999 (Duty to Consult). DCC budget setting decision-making, detached and set in isolation from the needs of the communities it serves, will have failed to apply established case law, i.e. the Brown principles, resulting in lack of consideration and application of the Public Sector Equality Duty (PSED) as well as failing to apply the Duty to Consult. This contradicts the values, credibility and successful delivery of DCC's Strategic Plan, Backing Devon and its engagement strategy, Engaging Devon.</p>	<p>Risk Owner: Giles Colton</p> <p>Accountable Officer: Jan Shadbolt</p> <p>Mitigating Control:</p> <p>Green 2014/17 Budget Setting Project</p> <p>Amber Coordinated consultation support for individual service reviews</p> <p>Amber Improved use of impact assessments</p> <p>Amber Promote community interest</p> <p>Green Service Engagement Leads</p>
<p>Risk Code: SPOC 16 CRR</p> <p>Inherent Status: Very high (30)</p> <p>Current Status: High (16)</p> <p>Last Review Date: 27/10/2014</p>	<p>Failure to properly implement Impact Assessment in effective decision making</p> <p>Continuing issues with poor consideration of impacts, and the potential for legal challenge and further judicial reviews. There may continue to be staff who consider there to be 'no need' to do an impact assessment or are unaware of the need, or ignore guidance and produce poor quality assessments as a result; this would be reinforced if proposals are accepted at senior level without evidence of an impact assessment of sufficient quality. We may also encounter active resisters to change (in particular where we need to influence a change over other templates, guidance, procedures etc. Occurrence of this operational risk will remove an effective mitigation from the Council's risk management approach and equality practice and threatens change programmes.</p>	<p>Risk Owner: Simon Kitchen</p> <p>Accountable Officer: John Smith</p> <p>Mitigating Control:</p> <p>Amber Escalation</p> <p>Amber Facilitation</p> <p>Amber Governance</p> <p>Green Monitoring and feedback</p> <p>Green Programme Management</p>
<p>Risk Code: PH 3</p> <p>Inherent Status: High (16)</p> <p>Current Status: High (16)</p> <p>Last Review Date: 09/09/2014</p>	<p>Flu Vaccine Uptake</p> <p>Excess seasonal morbidity and mortality (influenza related) due to low vaccine uptake in clinically at risk groups.</p>	<p>Risk Owner: Mike Wade</p> <p>Accountable Officer: Tracey Polak</p> <p>Mitigating Control:</p> <p>Green Action Plan</p> <p>Green Local Communication Plan</p>

Risk Code and Status	Scope of risk	Current Position, Action being taken, and Accountable Officer
		<p>Green Monthly Surveillance Reports</p> <p>Green Social Marketing Campaign</p>
<p>Risk Code: PH 2</p> <p>Inherent Status: High (16)</p> <p>Current Status: High (16)</p> <p>Last Review Date: 09/09/2014</p>	<p>MMR Vaccination</p> <p>MMR vaccination uptake (complete at aged 5) and risk of localised measles outbreak.</p>	<p>Risk Owner: Mike Wade</p> <p>Accountable Officer: Tracey Polak</p> <p>Mitigating Control:</p> <p>Red At Risk Groups</p> <p>Amber Targeted MMR Strategy</p> <p>Completed Uptake in 10-16 years</p>
<p>Risk Code: PH 6</p> <p>Inherent Status: High (16)</p> <p>Current Status: High (16)</p> <p>Last Review Date: 09/09/2014</p>	<p>Blood Borne Viruses - at risk communities</p> <p>Low levels of vaccinations, testing and treatment of BBVs amongst drug users leading to, low levels of detection, high levels of infection, higher levels of illness and more expensive treatments.</p>	<p>Risk Owner: Kristian Tomblin</p> <p>Accountable Officer: Steve Brown</p> <p>Mitigating Control:</p> <p>Green Actions proposed for implementation of new substance misuse service in Devon 1st April 2014</p> <p>Amber Actions proposed for implementation of new substance misuse service in Devon 1st April 2014</p> <p>Amber Actions proposed for implementation of new substance misuse service in Devon 1st April 2014</p> <p>Amber Actions proposed for implementation of new substance misuse service in Devon 1st April 2014</p> <p>Amber Actions proposed for implementation of new substance misuse service in Devon 1st April 2014</p>
<p>Risk Code: DFS 5</p> <p>Inherent Status: High (15)</p> <p>Current Status: High (15)</p> <p>Last Review Date: 19/08/2014</p>	<p>Failure to Prepare or Control Robust Budget</p> <p>Failure to prepare robust MTFP, managing cost pressures and preserving reserves and balances. Failure to develop financial management skills of budget managers, which could compromise budget control and service delivery. Failure to produce a balanced budget</p>	<p>Risk Owner: Chris Phillips</p> <p>Accountable Officer: Mary Davis</p> <p>Mitigating Control:</p> <p>Completed Financial Literacy survey to obtain a benchmark of the level of understanding from budget managers</p> <p>Amber Management Board and Senior Members Approve the Development of a MTFS</p> <p>Amber Member / Director Input to Budget Process</p> <p>Green Monthly budget monitoring of key budgets, bi-monthly Budget Mngt Group meetings & Exec Reports</p> <p>Green Ongoing support from DFS</p> <p>Green Ongoing training provided to the budget managers within services</p>
<p>Risk Code: ICT 3</p> <p>Inherent Status: High (18)</p> <p>Current Status: High (15)</p> <p>Last Review Date: 01/10/2014</p>	<p>Lack of ICT resources (finance, people)</p> <p>Failure to deliver existing ICT services and deliver new leading to degradation of ICT support and projects.</p>	<p>Risk Owner: Gary Dempster</p> <p>Accountable Officer: Gary Dempster</p> <p>Mitigating Control:</p> <p>Amber Management Plan</p>
<p>Risk Code: SPOC 7</p> <p>Inherent Status: Very high (30)</p> <p>Current Status: Low (9)</p> <p>Last Review Date: 24/07/2014</p>	<p>Potential for wide-ranging impacts resulting from the Euro crisis</p> <p>This risk is a broad assessment of the potential effects of global scenarios resulting from the Euro crisis looking at the potential of impacts on areas that DCC has specific liabilities.</p>	<p>Risk Owner: Simon Kitchen</p> <p>Accountable Officer: Phil Norrey</p> <p>Mitigating Control:</p> <p>Green Policy not to invest capital in non-UK banks.</p>
<p>Risk Code: BI 16</p> <p>Inherent Status: High (20)</p> <p>Current Status: Low (8)</p> <p>Last Review Date: 01/10/2014</p>	<p>Loss of Desktop back-office infrastructure</p> <p>Inefficiencies and potential failure to deliver successful DCC services</p>	<p>Risk Owner: Nicky England</p> <p>Accountable Officer: Colin MacKenzie</p> <p>Mitigating Control:</p> <p>Completed ICT DR Plan, trained support staff & support contracts</p> <p>Completed ICT DR Plan, trained support staff and support contracts</p> <p>Completed Infrastructure Review Complete</p>