

Appendix 4 - Leicester City Council Operational Risk Register

Risk Register Owner: Andy Keeling, COO													
Risk	Consequence /effect: what would occur as a result, how much of a problem would it be, to whom and why	Existing actions/controls	Risk Score with existing measures			Response Strategy / Action	Further management actions/controls required	Target Score with further controls			Cost	Risk Owner	Review Date
			Impact	Likelihood	Risk			(See Scoring Table)					
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What is the issue:													
what is the root cause/													
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STRATEGIC AREA - Adult Social Care													
1. Adult Social Care (ASC) - Budget - Compliance/DOLS Lack of budget / resources to comply with changes in DOLs legislation.	- DOLs assessments not carried out; - Potential for individuals to be illegally deprived of their liberty, for safeguarding due to lack of oversight and for legal claims against LCC, and fines. Reputational risk if someone dies whilst illegally deprived of their liberty, financial risk if taken to court - Changes to the legislation Oct 2020 (LPS)	- Following legal advice from a Barrister, Leadership has agreed a revised prioritisation system that is reviewed regularly. - Use of Independent BIAs - Use of form 3b; - Development of internal staff (Social workers - BIA) - JE completed for BIAs (unsuccessful), further request for market supplements made, waiting list risk assessed monthly and prioritisation system agreed with Leadership (reviewed regularly)	4	4	16	Treat	- Working across LLR to develop an implementation plan for Liberty Protection Standards in Oct 2020.	4	3	12		Ruth Lake	31.05.2020 Ongoing
2. Care Services & Commissioning (ASC) - Mental Health - Statutory Duty LCC is legally obliged under the Mental Health Act (MHA) to provide 24/7 service. Current issue is the lack of trained Adult Mental Health Practitioners (AMPs). This is a national issue.	- Risk of harm to, or by, mentally ill person - Breach of compliance and possible fines - Reputational damage - Impact on morale and stress if staff working outside hours - Increased staff turnover leads to immediate resource issues; also recruitment and training requirement - Potential delays and can increase working hours. - Not meeting MHA legislation - Potential delays and can increase working hours.	- 24/7 rota in place. - Using non-AMHPs for appropriate functions - Offered additional pay to cover Bank Holiday shifts. - Market supplements in place. - Rolling recruitment/adverts.	4	4	16	Treat	- Possible T&C for Social Workers.	4	3	12		Ruth Lake	31.05.2020 Ongoing
STRATEGIC AREA - City Development and Neighbourhoods													
3. Neighbourhood and Environmental Services Ash Dieback - Epidemic of Ash Trees Caused by an introduced pathogen that most local ash trees are unlikely to have resistance to. It is anticipated that up to 95% of the tens of thousands of ash trees in the city will die. Perhaps 50% of the total will be the council's direct liability. Many trees are located on traffic routes or in areas of use and habitation. Dying and collapsing trees will present an injury and property damage risk, and present a hazard risk to staff during removal operations. Under normal conditions £135k per year is devoted to clearing similar problems across all species. It is anticipated this cost will multiply several times at the height of the epidemic.	- Injury to staff and residents, including highway users. - Damage to property including animal injury, buildings, parked and moving vehicles, various infrastructure and parks and street furniture. - Disruption to traffic routes and areas of high use during removal operations.	- Established teams, structures and systems will address problems in the early stages. These can be built on further as the problem starts to strain existing resources. There is no way to limit or control the establishment and spread of the pathogen as it is a windborne micro-organism. In essence management is a reactive process.	4	5	20	Treat	- Effective and timely reactive responses.	4	2	8	Unknown at present	John Leach	31.05.2020 Ongoing

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<p>4. Neighbourhood and Environmental Services - Lack of Adequate Resource Capacity</p> <p>Increase in the demand led services, along with the reduction in head count could mean that there are insufficient resources to deliver the required service levels.</p> <p>During times of change, staff are not always aware of the changes being made, resulting in confusion etc.</p>	<ul style="list-style-type: none"> - Teams already at a minimum and extra workloads are unsustainable. - As demand-led services increase, workload and public expectations increase. - Likelihood of key person dependency as teams reduce further (fewer people in key roles). - Potential risk of non-compliance or breaches/lack of a substantial control environment. - Service delivery requirements not met. - Staff wellbeing may be harmed. - Reputational damage may result from unplanned building closures due to staff shortages. 	<ul style="list-style-type: none"> - Existing prioritisation arrangements are in place. - Policies and procedures are in place. - Processes are in place. - Regular briefings and PDRs - Organisational review consultation process. - Managing expectations with senior officers / stakeholders - Accessing external grants 	4	4	16	Treat	<ul style="list-style-type: none"> - Building adequate criteria and expectations into Service Reviews. - Creating temporary project roles where relevant. - Income generation to fund service specific posts / resources. - Better use of existing internal & external resources (partnerships). 	3	3	9		John Leach	31.05.2020 Ongoing
<p>5. Neighbourhood and Environmental Services - Beaumont Park Depot</p> <p>Condition of depot creating risks to service delivery, individuals working on site and visitors, situation identified in H&S report in 2011. Previously requested in 2014 to be accommodated in Capital Programme. Strategic Director with Head of Finance moved to be dealt with as part of Depot Review passed for action to Director of EBS following site visit in Nov 2017. Options drawn up Feb 2018 but later abandoned. Director of EBS now progressed further work.</p>	<ul style="list-style-type: none"> - Serious accident injury and or death to staff/member of public. - Reputational damage to LCC. - Insurance claims against the Council. - Legal challenge. - Media exposure. - Adverse effect on budget/finances. - Closure of premises, loss of service. - Breaches in legislation and/or non-compliance. - Demand led services may not be met. - Significant delay to decide and implement a solution could weigh heavily in any proceedings that would follow a serious incident. 	<ul style="list-style-type: none"> - On going review of depot in-house Business Change Manager facilitating with E&B. Undertaking options appraisal with input from Legal, Planning and Highways. - Building conditional surveys reviewed under the TNS Programme. - Agreed to manage outside of Depot review with separate budget allocation. - NES/P& O have ensured operational mitigating action in place. 113Dedicated Banksman employed to manage traffic movement on site. - All staff trained in banksman duty of care. - H&S team undertaken review C13of short term safety measures for pedestrians and vehicles on site. - £125k approved from Loss Reduction Risk fund to install one way system, plus £10k EBS. (NEW ADDITION). Meeting held with EBS 11th April - Trees and Woodland Team and Landscapes Team ensuring all appropriate alternative storage options are utilised. EBS committed to confirmation/delivery of scheme within budget and to providing implementation timescale asap. Andy Keeling supporting NES urgent request for appropriate action.G16 	5	3	15	Treat	<ul style="list-style-type: none"> - New site - Suitable adaptation of existing to accommodate operational practices and introduction of one way traffic system. - Capital project established and full Planning Application submitted 9 October 2019 with provisional start date 4 February 2020. 	4	2	8	£135k	John Leach/Matthew Wallace	31.05.2020 Ongoing

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						Tolerate, Treat, Transfer, Terminate							
6. Neighbourhood and Environmental Services - Reduction in Income Generation Programmes With reductions in public demand in Building Control and Pest Control income generated by the Council may be significantly reduced and income generation/revenue targets may not be met. Also, 'one off' income programmes are set as recurring within the budgets/accounts; impacting further on future financial targets. Competition from competitors e.g., Crematorium.	- Budgets are not adhered to. - Income streams continue to reduce (e.g. Building Regs) due to the economic climate. - Targets remain the same or increase, against income sources and staff reductions. - One off income is disclosed as recurring, increasing the savings gap. - Internal recharges, e.g. for community space, will reduce as services reorganise.	- Budgets are in place and alternative savings option appraisals are performed and saving plans are implemented. - Policies and procedures are in place. - Ashco business development arrangements are in place. - An agreement is in place for withdrawal of internal services from community settings under the TNS programme. - Draw on external funding	3	5	15	Treat	- Introducing new ways of working to encourage entrepreneurial opportunities - External funding opportunities further explored	2	4	8	N/A	John Leach	31.05.2020 Ongoing
7. Tourism, Culture & Investment - Markets Risk relating to trader attrition. Inability to attract new traders particularly during the market improvement works and due to poor and deteriorating condition of the market.	- Trader occupancy rates currently sit at 51% average. This is due, it is felt, to the ongoing improvement works taking place in the area and the general malaise in city centre retail. - Ongoing regeneration in the Market will, it is hoped, halt the reduction in traders	- The public square will be used to attract footfall and the new screen will complete in spring 2019. An investment programme for the outdoor market had been agreed by the City Mayor but that has no changed and there is no agreed programme of work.	4	4	16	Treat	- Need review and reprioritise works with CM. High risk remains but seems likely some investment will be delivered via the new capital programme	3	4	12		Mike Dalzell	31.05.2020 Ongoing

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8. Tourism, Culture & Investment - De Montfort Hall Loss of operational ability, falling below customer expectation, loss of reputation, knock on effect to touring promoters if facilities not up to industry expectation. Root problem: The stage lift has recently suffered some failures and if this lift were to cease operation, we would not be able to change format of the hall to enable DMH to hold the variety of performances we currently have booked	- Loss of income - Loss of reputation - Negative PR.	- Stage lift works delayed until summer 2020. Increased risk of breakdown even with upweighted inspection programme - Mitigation in place for 2hr callout until works can be undertaken.	5	3	15	Treat	- Works procured but cannot be carried out until summer 2020.	5	2	10	- Mitigation in place for 2hr callout until works can be undertaken - Tender in process	Mike Dalzell	31.05.2020 Ongoing
9. Tourism, Culture & Investment - De Montfort Hall Loss of operational ability, falling below customer expectation, loss of reputation, knock on effect to touring promoters if facilities not up to industry expectation. Root problem: The flying bars recently suffered some failures and if the flying bars were to cease operation, we would not be able to continue with our programme of shows.	- Loss of income - Loss of reputation - Negative PR.	- Responsibility for maintenance of the flying bars has rested with DMH until recently. The recent condition report commissioned by Theatre Plan, suggest that the flying bars will fail in 12-18 months. Approximate cost of replacement would be £200k. - Further investigation is required. - EBS will struggle to fund from maintenance budgets.	5	3	15	Treat	- Replacement took place during summer,2018. - Now operational and appears reliable, although some minor adjustments still required to software,	5	2	10	- Circa £100k. Funded via EBS capital. - All fully operational, need to find ongoing way to fund renewal / replacement given DMH revenue budget reduction.	Mike Dalzell	31.05.2020 Ongoing

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STRATEGIC AREA - Corporate Resources and Support													
10. Delivery, Communications and Political Governance - City Catering Service losing business Further loss of schools / decline in school meal uptake make the service unviable	- If the current rate of decline continues then the service will soon begin to make a loss. Impact on other services due to the difference being picked up by the General Fund affecting delivery of those other services.	Review undertaken by APSE Consultant. Service improvement Plan in place and being worked on.	4	4	16	Treat	Detailed routemap to be prepared and discussed with Executive to identify clear priorities for the next 12 months and longer-term	3	4	12		Miranda Cannon	31.05.2020 Ongoing
11. Finance - Information and Customer Access - Cyber Security Increasing profile and expertise to circumvent established defences increase vulnerability of LCC data.	- Data hacked and released into public domain - Reputational damage - seek alternative more expensive solutions - Fines from ICO - Staff stress increases - Damage to identified individuals - Denial of service - Technology defences - Awareness campaign - Targeted follow up's - Built into new system standards from 3rd party applications (secure passwords, TLS) - Daily back-up of systems - Maintain clear Major incident Management processes - Understand RPO and RTO capability for recovering critical systems	- Technology defences - Awareness campaign - Targeted follow up's - Built into new system standards from 3rd party applications (secure passwords, TLS) - Daily back-up of systems - Maintain clear Major incident Management processes - Understand RPO and RTO capability for recovering critical systems	4	5	20	Treat	- Technology solutions, requires cost effective considerations; - Continued awareness training etc.. - Appoint Security Operations Centre Lead to review and respond to threat intelligence - Maintain Cyber Essentials Compliance	4	4	16		Alison Greenhill	31.05.2020 Ongoing
12. Finance - Financial Challenges The Council fails to respond adequately to the cuts in public sector funding over the coming year or years.	- Council is placed in severe financial crisis. Reputational damage to the Council and substantial crisis job losses. If the process is not properly managed, the Council will have little money for anything but statutory 'demand led services'	- Budget balanced in 20/21 and will not overspend in 19/20. - Spending review 4 programme underway. - Review again after Chancellor's March '20 budget	5	4	20	Treat	- Heavy involvement of City Mayor and COO in ensuring spending review programme delivers. - Appropriate change management/ project management arrangements to be put in place for major review areas. - Delivery of spending review 4 and completion of 20/21 budget preparation	5	3	15		Alison Greenhill	Weekly and Ongoing

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13. Legal - Workloads & Pressure - Client Care													
Services within the Council are stretched with increased demands and pressures. Unrealistic deadlines at times can be set for major projects, procurement and contracts. There is a concern that whilst corporate policy is correct and general awareness of correct procedures/rules exists, it may not be implemented effectively within services.	<ul style="list-style-type: none"> - Timely legal advice from clients not sought. - Failure to comply with laid down guidelines. - Breach of regulations or law e.g. data protection. - Council found to act unlawfully. - Challenges to procurement processes. - Cost implications from requirements not being followed/deadlines being missed/ not delivering value for money for Council. - Award made against council etc. - Staff demotivated - Negative Press/Reputation of Council 	<ul style="list-style-type: none"> - Reviewing practices to be improve flexibility of approach. - Channel Shift. - Raising awareness - corporate messages. - Early engagement - feeding into deadlines. - Attending project boards. - Projects to look at new ways of working. 	4	4	16	Treat	<ul style="list-style-type: none"> - Completion of review of practices by September 2019. - Improved use of technology e.g. Electronic Signatures/Virtual Hearings/Channel Shifts (Corporate Channel shift program - March 2019). - Need to increase comms program/training and awareness of current practices (deadlines with project plan). 	4	3	12		Kamal Adatia	31.05.2020 Ongoing
STRATEGIC AREA - Education and Children's Services													
14. Children's Social Care and Early Help - Budget													
Loss and / or reduction of services to achieve budget savings	<ul style="list-style-type: none"> - Reduction in preventative services impacting on ability to deliver Statutory services - Inability to deliver Placement Sufficiency - Decrease Capacity / Increase demand - Potential reduction of staffing levels - Limited ability to deliver some front line services - Potential for future claims against authority 	<ul style="list-style-type: none"> - Strategic Oversight and clear governance arrangements in place; - SCE Programme Board oversees all budget reduction projects. 	5	4	20	Treat	<ul style="list-style-type: none"> - Star Chamber oversight regarding saving reductions and undeliverable savings. 	5	3	15		Caroline Tote	31.05.2020 Ongoing
15. Children's Social Care and Early Help - GDPR													
Change in Data Protection regulation (GDPR) which came into force May 2018.	<ul style="list-style-type: none"> - Historic breaches of information due to human error continue - Under new regulations the size of potential fines significantly greater - Inaccurate data within systems - Inaccurate decisions made for service user - Could lead to data breaches and significant fines and incorrect service provision for service user. ICO involvement 	<ul style="list-style-type: none"> - Training cascaded across services - Compliance monitored - Lessons learnt have been cascaded - Actions taken where necessary 	4	4	16	Treat	<ul style="list-style-type: none"> - Developing clear and consistent HR response. - Staff have completed GPDR training session. - GDPR understood across services. 	4	3	12		Caroline Tote	31.05.2020 Ongoing
STRATEGIC AREA - Public Health													
16. Public Health - Budget - External Influences													
External national imperatives without associated budget introduced which will impact on local delivery.	<ul style="list-style-type: none"> - Call on finances from NHS pay award - Changes in financial call due to changes in clinical requirements/fluctuations in drug/treatment market prices - Prioritisation / decommissioning / reduction of existing service delivery model 	<ul style="list-style-type: none"> - Internal decision making process - Expertise within team to assess choices and inform management briefings / options appraisal - Advocacy by Director Public Health (DPH) with national bodies 	4	4	16	Treat	<ul style="list-style-type: none"> - Political escalation - Corporate responsibility - Service & budget planning - Utilise partnership approach - Explore alternative treatment/therapy options 	3	4	12		Ivan Browne	31.05.2020 Ongoing

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<p>17. Public Health - Budget Restrictions - Commissioning Reduced budget for services impacts on financial viability to potential 3rd party contractors who may deem may package to be unsustainable.</p>	<ul style="list-style-type: none"> - Loss of existing contractors unable to fulfil contracts within reducing financial envelope - May not be attractive to new providers during tenders; risk of failed procurement - Loss of service provision - Impact on community who require service - Impact on NHS as demand increases for other services - Decreased morale - Reputational damage to LCC 	<ul style="list-style-type: none"> - Bespoke procurement methods - Briefing of lead members to highlight potential risks and consequences - Internal decision making process - Expertise within team to assess choices and inform management briefings / options appraisal - Advocacy by Director Public Health (DPH) with national bodies - Provider negotiations - Working with internal departments (legal / procurement / contract management/ finance) 	4	4	16	Treat	<ul style="list-style-type: none"> - Continue with existing controls - Explore joint commissioning (internal with LCC, and external with county and regionally) - Implement management of change processes - Accept new and novel approaches to commissioning including encouraging consortium applications and use of section 75 	4	3	12		Ivan Browne	31.05.2020 Ongoing
<p>18. Public Health - Technology Systems / technology not fit for purpose to support services and commercial objectives, lack of IT knowledge.</p>	<ul style="list-style-type: none"> - Inability to achieve savings targets; - Service delivery remains static or not effective - Reduced morale of staff seeking organisational development and progress - Reputational damage - Lack of system integration - Customer dissatisfaction - Loss of income - Legal challenges - impact on customers and loss of income 	<ul style="list-style-type: none"> - Realistic business plans and objectives set based on current technology capabilities - Project team involvement in new system deployment which impacts on service delivery - Communications with service users to manage expectations - Discussions with IT to understand potential development opportunities for systems in future - Working with IT to ensure sufficient testing of new system takes place; - Scrutiny of current systems to review concerns - SS Data Project Officer in place/ new tender for software provider undertaken 	4	4	16	Treat	<ul style="list-style-type: none"> - Project group with IT to establish problems / limitations of current systems and review options on market as solutions - Ensure adequate engagement of CCG/ HIS to ensure systems run as effectively as possible 	3	3	9		Ivan Browne	31.05.2020 Ongoing

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<p>19. Budget Restrictions - Funding Ongoing austerity for Public Sector requires changes to service delivery to comply with available budget, continued reductions could force termination of services to ensure priority services remain available. Capital Costs increase beyond the approved budget creates service budget problems</p>	<ul style="list-style-type: none"> - Change in service provision; - Decreased / ceased service /user contact; - Decreased / ceased service effectiveness; - Reputational damage; - Increased demand on other public services (primary / secondary health care / Social Care / Leisure Centres); - Risk of missing safeguarding issues; - Impact on council statutory duties - Judicial review - Central government intervention - continued decline in condition of leisure centres/negative impact on customers and income - unable to deliver leisure centre capital programme due to unaffordability 	<ul style="list-style-type: none"> - PH Return to Central Government (Return On Investment (ROI)) - Staffing restructure - Employing new commissioning and delivery model for key services - Invest to save opportunities explored - Internal briefings / decision making process - Political oversight - Articulating associated risks; through spending review process - Scrutiny - Clinical Governance Process in place - Monitoring to identify adverse effects - Maintenance Plans with EBS - Leisure Centre Capital Programme Revised Business Case - Alliance Leisure appointed via National Leisure Framework 	3	5	15	Treat	<ul style="list-style-type: none"> - Continue with existing controls - Secure additional revenue e.g. income generation through commercial opportunities - Continue to explore a variety of potential local and national funding opportunities including commercial, government, academic, grant funding - Utilise in kind support/asset sharing where possible - Cross organisational opportunity review of priorities and resources - Further ROI Business Cases to fund capital improvement/improve income and customer experience 	2	5	10		Ivan Browne	31.05.2020 Ongoing
<p>20. Public Health - Public Health - Contract Management Dilution of resources within Contract Management Service appear to impact on Public Health specific support for all elements of contract management</p>	<ul style="list-style-type: none"> - Delay in process leads to delay delivering identified actions - Current assurance practices are not sufficiently robust - Service delivery impact - Negative impact on service user - Reputational damage - Impact on PH team capacity 	<ul style="list-style-type: none"> - Management through performance review group and Quality and Governance Board; - Concern escalations; - Service ownership / involvement in contract meetings; 	3	5	15	Treat	<ul style="list-style-type: none"> - Ongoing provider/client satisfaction feedback - liaising with new contract managers to fully understand PH services - Plans in place to transfer contract management function from ASC to PH 	2	2	4		Ivan Browne	31.05.2020 Ongoing