

Operational Risks (Serious and Severe) - 2023/24 (Quarter 1)

Risk:	Risk Manager:	Last updated:
Failure in procurement compliance	Andrew Harper	20 July 2023
Description of risk:	Controls:	Risk Manager Commentary:
Failure to ensure that there is compliance with procurement regulations and the councils policies and procedures, could lead to leagl challenge against a contract award. Challenges may lead to service disruption, financial consequences and reptational risks.	Contract Procedure Rules Procurement Strategy Public Contracts Regulations 2015 Training and briefings Compliance checks including regular review of expenditure Procurement checklists	All relevant procurements undertaken in the last period have been managed through the procurement department where checks are made that the recommendations are in accordance with the Public Contracts Regulations 2015
Inherent Probability: 4	Inherent Impact: 5	Inherent Score: 20
Residual Probability: 2	Residual Impact: 5	Residual Score: 10
Previous Residual Probability: 2	● Previous Residual Impact: 5	● Previous Residual Score: 10

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Risk:	Risk Manager:	Last updated:
Supplier failure (Financial)	Andrew Harper	20 July 2023
Description of risk: If a supplier faces financial challenges it may lead the supplier into administration or liquidation, which in turn could lead to severe disruption to the delivery of services, along with financial and reputational consequences	Controls: Financial checks as part of supplier selection process Ongoing monitoring of suppliers on Credit Safe system Business continuity plans Use of bonds, parent company gaurentees and other securities as appropriate	Risk Manager Commentary: All our major contracts are monitored through a credit agency and a risk rating is applied. Currently 38 companies are being monitored. 27 are considered to be very low risk, 9 are low risk and 2 are moderate risk. Of the two moderate risk, one is only used occasionally and for the other one we are seeking a Parent Company Guarantee.
Inherent Probability: 4	Inherent Impact: 4	Inherent Score: 16
Residual Probability: 3	Residual Impact: 4	Residual Score: 12
Previous Residual Probability: 3	Previous Residual Impact: 4	Previous Residual Score: 12

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Risk:	Risk Manager:	Last updated:
Loss of Car park income	Eliska Robova	11 July 2023
Description of risk:	Controls:	Risk Manager Commentary:
Decrease in car parks income arising from car parks not being used due to uncompetitive commercial offer, or a change in consumer behaviour would have financial implications for the council.	Yearly benchmarking before new budgets are being set Management oversight and KPIS Budget monitoring	Probability has been increased this month as car park income is still below pre-covid levels, particularly in relation to commuter parking
Inherent Probability: 4	Inherent Impact: 3	Inherent Score: 12
Residual Probability: 4	Residual Impact: 3	Residual Score: 12
Previous Residual Probability: 2	● Previous Residual Impact: 3	● Previous Residual Score: 6

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Risk: Recruitment and Retention (Regeneration & Economic Development)	Risk Manager: Geoff Sampson	Last updated: 19 July 2023
Description of risk: Issues with recruitment and retention within the regeneration and economic development services may impact on the ability to deliver council services.	Controls: Use of agency staff Use of specialist contractors Agency Worker Framework Training and Development Recruitment and Retention Policies and Procedures	Risk Manager Commentary: Probability has been increased as agency staff are leaving due to high workloads. We are seeking to replace via the agency and if this is successful the probability will be reduced again.
Inherent Probability: 5	Inherent Impact: 4	Inherent Score: 20
Residual Probability: 4	Residual Impact: 4	Residual Score: 16
Previous Residual Probability: 4	● Previous Residual Impact: 4	● Previous Residual Score: 16

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Risk:	Risk Manager:	Last updated:
Legal Challenge to Planning decisions	Chris Carter	14 July 2023
Description of risk: Successful planning appeals and/or legal challenge against a planning decision can lead to costs awarded against the council, along with potential reputational damage.	Controls: Decision making structure requires applications to be checked before determination. Officers are encouraged to discuss more complex applications with senior managers. Officers in the planning service aim to behave reasonably in order to minimise risk of costs awards against the Council. Other measures include: Application checking processes and procedures Complex cases reviewed by managers Officers in the planning service aim to behave reasonably in order to minimise risk of costs awards against the Council. Member training Constitution and Governance Procedures In terms of DMC decisions, members are always warned of the risk attached to their decision, particularly if this goes against the advice of officers	Risk Manager Commentary: This risk continues to be monitored as more complex applications are determined. There has been a recent Judicial Review in respect of an application at Wells Farm, Cuffley. The level of challenge to the Council, both prior and post decision, continues to increase and therefore legal advice is required more frequently to try and mitigate the risk of further JR. It is anticipated that there could be a JR challenge to any decision to adopt the Local Plan later in the year.
Inherent Probability: 5	Inherent Impact: 5	Inherent Score: 25
Residual Probability: 3	Residual Impact: 5	Residual Score: 15
Previous Residual Probability: 3	● Previous Residual Impact: 5	● Previous Residual Score: 15

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Risk: Planning - Disruption to IT Systems	Risk Manager: Chris Carter	Last updated: 14 July 2023
Description of risk: Currently, there is only member within the Planning Service with the capability to support planning specific IT systems, most notably MasterGov which handles all pre-applications, planning applications and enforcement cases. Additionally, another member of the team has sole responsibility for managing the council's GIS function.	Controls: Drafting procedure notes Staff training and development	Risk Manager Commentary: Work on procedure notes continues and the risk is being managed. Once procedure notes have been prepared and shared with the team, there is the potential for the risk to be further mitigated. The Planning Systems Manager is also working with a member of her team to upskill them in the shorter term, in order to provide improved resilience.
Inherent Probability: 4	Inherent Impact: 5	Inherent Score: 20
Residual Probability: 4	Residual Impact: 3	Residual Score: 12
Previous Residual Probability: 4	Previous Residual Impact: 3	Previous Residual Score: 12

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Risk: Staff safety (Planning)	Risk Manager: Chris Carter	Last updated: 14 July 2023
Description of risk: Injury to planning officers whilst carrying out site visits, lone working, public consultation events, etc	Controls: An updated procedure has been put in place where case officers making site visits will put details of the visits in their diary including estimated duration and whether they are meeting anyone. There is also a team WhatsApp group where site visit activity is monitored. The team has access to the necessary health and safety equipment, which is stored in the office.	Risk Manager Commentary: This risk continues to be managed. Specific processes have now been established to ensure the safety of officers making site visits and to ensure that managers know when and where they are going and when they will return. The appointment of the Council's new Health and Safety Manager will mean that the use of Orbis devices for site visits can be reviewed and then improved. It is also anticipated that the corporate health and safety training will be refreshed.
Inherent Probability: 4	Inherent Impact: 5	Inherent Score: 20
Residual Probability: 3	Residual Impact: 4	Residual Score: 12
Previous Residual Probability: 3	● Previous Residual Impact: 4	● Previous Residual Score: 12

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Risk:	Risk Manager:	Last updated:
Planning - Building Control	Chris Carter	19 July 2023
Description of risk: The identified risk is that HBC is unable to provide the statutory building control service to the Council at any point in time.	Controls: The Council's statutory building control functions are now delivered by appropriately qualified members of the Herts Building Control team, who are seconded to the Council when undertaking this type of work. HBC has a pool of officers who provide this service, providing resilience to that service.	Risk Manager Commentary: Following the creation of a jointly owned company to provide building control services, the Council's statutory building control functions and responsibilities are delivered by Hertfordshire Building Control Ltd. The company, and the council's contract with it, are managed via shareholder & director joint meetings and secondment of staff from Herts Building Control. The seconded staff, by way of formal agreement, are considered to be working for the Council at the time they are undertaking statutory functions. The remainder of the time they work for the commercial business.
Inherent Probability: 3	Inherent Impact: 5	Inherent Score: 15
Residual Probability: 2	Residual Impact: 5	Residual Score: 10
Previous Residual Probability: 2	Previous Residual Impact: 5	Previous Residual Score: 10

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Risk: Planning - Local Plan failure to agree at point of adoption	Risk Manager: Matthew Wilson	Last updated: 14 July 2023
Description of risk: Non-adoption of the Local Plan following receipt of Inspector's Report could result in a failure to meet the Council's statutory duty to have an up-to-date Local Plan	Controls: Regular briefing sessions Leader and Executive Member to identify key issues	Risk Manager Commentary: The Council has a statutory duty to prepare a Local Plan. The examination of the Welwyn Hatfield Local Plan has been taking place since 2016 and is now near to a conclusion. It is expected that the Council will make a decision on whether or not to adopt the plan in September 2023. If the plan is adopted, then the Council will need to complete and submit a review within 3 years. If the plan is not adopted, the Council will not have an up to date Local Plan and will be at risk of speculative planning applications. The Council will also have to start work immediately on a new plan.
Inherent Probability: 4	Inherent Impact: 4	Inherent Score: 16
Residual Probability: 4	Residual Impact: 3	Residual Score: 12
Previous Residual Probability: 4	<input type="radio"/> Previous Residual Impact: 3	<input type="radio"/> Previous Residual Score: 12

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Risk: Local Plan adoption delays resulting from a Legal Challenge	Risk Manager: Matthew Wilson	Last updated: 14 July 2023
Description of risk: A Legal challenge to our Local Plan and the process for its development is a possibility given the possibility of significant public and/or developer opposition. The impact of this on the timetable could be significant if the challenge has substance	Controls: Ensure compliance with the legal form for Local Plan development. Ensure resources are in place to seek legal advice as and when required	Risk Manager Commentary: Should the Council resolve to adopt the new Local Plan it is anticipated that the decision could be subject to Judicial Review. This would likely be against the Secretary of State for Levelling Up, Communities and Housing, on the basis of the Inspector's decision to find the plan sound. The Council would be a party to any such challenge.
Inherent Probability: 4	Inherent Impact: 5	Inherent Score: 20
Residual Probability: 3	Residual Impact: 4	Residual Score: 12
Previous Residual Probability: 3	<input type="radio"/> Previous Residual Impact: 4	Previous Residual Score: 12

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Risk:		Risk Manager:		Last updated:	
Garages		Mark Croft		19 July 2023	
Description of risk:		Controls:		Risk Manager Commentary:	
Failure to let garages leads to an increase in empty garages leading to a budget deficit and reputational consequences		Garage review Performance Indicators Marketing strategy		Marketing Strategy to be implemented following recent Overview and Scrutiny Committee. This is planned to be in place by October 2023.	
Inherent Probability: 4		Inherent Impact: 4		Inherent Score: 16	
Residual Probability: 3		Residual Impact: 4		Residual Score: 12	
Previous Residual Probability: 3		●	Previous Residual Impact: 4	●	Previous Residual Score: 12

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Risk:	Risk Manager:	Last updated:
Responsive repairs (Housing)	Elliott Manzie	19 July 2023
Description of risk: The Council fails to meet its responsive repairs obligations leading to disrepair, non adherence to regulations and expectation set out by the RSH and Housing Ombudsman, leading to financial, legal, health and safety and reputational implications.	Controls: Use of partnering contractor to complete responsive repairs Contractual SLAs Contract Monitoring and KPIS Disrepair Group and Operational damp and mould group in place Councils policy and procedures in relation to responsive repairs Identifying trends through complaints and lessons learned	Risk Manager Commentary: Morgan Sindall has been performing well. 90% of the repairs have been completed right for the first time. customer satisfaction was around 85% for the first quarter and improvements continue to be made with the contractor.
Inherent Probability: 5	Inherent Impact: 5	Inherent Score: 25
Residual Probability: 2	Residual Impact: 5	Residual Score: 10
Previous Residual Probability: 2	● Previous Residual Impact: 5	● Previous Residual Score: 10

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Risk:	Risk Manager:	Last updated:
Asset Data	Mark Croft	19 July 2023
Description of risk: Failure to maintain building stock data leads to inaccurate forecasting and poor investment decisions leading to Regulatory, Financial and Reputational consequences	Controls: Savills appointed to complete 100% stock condition survey, Ark competed desk top exercise to develop programmes which are funded in the business plan, new structure includes an Asset Data team	Risk Manager Commentary: Recruitment is under way to fill the vacancies in the team. Savills have been appointed to carry out stock conditions survey later this year.
Inherent Probability: 5	Inherent Impact: 5	Inherent Score: 25
Residual Probability: 3	Residual Impact: 5	Residual Score: 15
Previous Residual Probability: 3	● Previous Residual Impact: 5	● Previous Residual Score: 15

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Risk:	Risk Manager:	Last updated:
Fire Safety	Elliott Manzie	19 July 2023
Description of risk:	Controls:	Risk Manager Commentary:
Failure to comply with the Fire Safety Regulations and Building Safety Act leads to harm to the public and/or colleagues resulting in Regulatory, legal and Reputational consequences	Policy's and processes in place and regularly reviewed Regular reporting of compliance to ensure visibility Contractors met on a regular basis to ensure issues are identified Programmes are regularly reviewed and updated to ensure compliance.	Operational Health and Safety board continues to meet on a regular basis to monitor the actions required to meet the Building Safety Act.
Inherent Probability: 5	Inherent Impact: 5	Inherent Score: 25
Residual Probability: 2	Residual Impact: 5	Residual Score: 10
Previous Residual Probability: 2	Previous Residual Impact: 5	Previous Residual Score: 10

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Risk:	Risk Manager:	Last updated:
Damp, Mould and Condensation	Elliott Manzie	07 July 2023
Description of risk: Failure to manage damp and mould cases effectively leads to customer harm resulting in Financial, Legal, Regulatory and Reputational consequences.	Controls: Procedures and monitoring in place to manage all cases Damp and Mould Group in place Regular reporting to Cross Party Group Operational damp and mould group in place Self assessment against the Housing Ombudsman's report underway Inherent defect house types identified Budget created for damp and mould	Risk Manager Commentary: Stock survey to identify all damp and mould, draft policy to be approved, process in place to ensure all damp reports are followed up and tracked, problematic stock and inherent defects have been assessed and our being costed and implemented
Inherent Probability: 4	Inherent Impact: 5	Inherent Score: 20
Residual Probability: 3	Residual Impact: 5	Residual Score: 15
Previous Residual Probability: 3	Previous Residual Impact: 5	Previous Residual Score: 15

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Risk:		Risk Manager:	Last updated:
Complaints		Elliott Manzie	19 July 2023
Description of risk:		Controls:	Risk Manager Commentary:
Failure to manage complaints effectively leads to Housing Ombudsman investigations, resulting in Financial, Regulatory and Reputational consequences.		Complaints System Management reporting Complaints policy and processes Weekly meeting to review complaints	Patch Surveyors have now been implemented and weekly meetings take place to ensure complaints are being answered correctly. Work continues in the background to take a proactive approach to address the outstanding complaint cases.
Inherent Probability: 4		Inherent Impact: 5	Inherent Score: 20
Residual Probability: 3		Residual Impact: 5	Residual Score: 15
Previous Residual Probability: 3		● Previous Residual Impact: 5	● Previous Residual Score: 15 ●

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Risk:	Risk Manager:	Last updated:
Staffing	Ka Ng	19 July 2023
Description of risk: Failure to attract and retain competent staff leads to service failure resulting in Regulatory, Legal and Reputational consequences	Controls: Temporary staff being utilised to fill some gaps in the structure Point 13 appointed to help with targeted marketing campaign All posts re-evaluated Fortnightly staff briefings in place Weekly recruitment meetings with HR	Risk Manager Commentary: Since a restructure of the Property Maintenance and Climate Change directorate earlier this year, the team has been busy to fill the posts in the team. Surveyors are now working in five patches, and also matched with dedicated Neighbourhood officers to deal with specific repair, void cases better.
Inherent Probability: 5	Inherent Impact: 5	Inherent Score: 25
Residual Probability: 4	Residual Impact: 4	Residual Score: 16
Previous Residual Probability: 4	Previous Residual Impact: 4	Previous Residual Score: 16

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Risk:	Risk Manager:	Last updated:
Safeguarding and Modern Day Slavery	Sue McDaid	09 July 2023
Description of risk:	Controls:	Risk Manager Commentary:
Failure to ensure safeguarding is embedded at operational levels could have reputational, legal and financial implications to the council. It could also lead to risk to life should safeguarding measures fail.	Safeguarding policies in place Safeguarding referral pathways in place Safeguarding register maintained Mandatory training Safeguarding champions in place	Sue McDaid taken over Strategic Safeguarding Lead and Sally Steedman taken over operational lead from 1 June 2023. Modern day slavery statement is being prepared and review of training to roll out for this and safeguarding
Inherent Probability: 4	Inherent Impact: 5	Inherent Score: 20
Residual Probability: 3	Residual Impact: 4	Residual Score: 12
Previous Residual Probability: 3	Previous Residual Impact: 4	Previous Residual Score: 12

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Risk:	Risk Manager:	Last updated:
Recycling market volatility	Paul Harris	20 July 2023
Description of risk:	Controls:	Risk Manager Commentary:
The Council receives income from the sale of recyclates. The market is international and volatile and largely outside of the councils control– price fluctuations can be sudden and result in a negative impact on the Council’s budget.	Secure more advantageous terms through joint contracts with other local authorities	Recycling income tracks national markets and is used towards offsetting gate fee costs (costs to process recycling) . Although income has remained relatively constant throughout Q1, it is not covering the full gate fee costs and the council is currently incurring costs of approximately 20k per month to process recycling.
Inherent Probability: 4	Inherent Impact: 3	Inherent Score: 12
Residual Probability: 4	Residual Impact: 3	Residual Score: 12
Previous Residual Probability: 4	● Previous Residual Impact: 3	● Previous Residual Score: 12

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Risk:	Risk Manager:	Last updated:
Tree Failure	Oliver Waring	20 July 2023
Description of risk:	Controls:	Risk Manager Commentary:
Tree Risk of failure of a tree with resultant risk to property or life.	Trees managed by WHBC are inspected on regular scheduled programmed basis by qualified staff. Any trees requiring any safety works will be given a priority and actioned within budget constraints.	The cyclical programme of tree inspections is on schedule which identifies any works to be carried out to reduce tree failure.
Inherent Probability: 4	Inherent Impact: 5	Inherent Score: 20
Residual Probability: 2	Residual Impact: 5	Residual Score: 10
Previous Residual Probability: 2	Previous Residual Impact: 5	Previous Residual Score: 10

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Risk:	Risk Manager:	Last updated:
Control Centre (Lifeline Service)	Jan Woods	20 July 2023
Description of risk:	Controls:	Risk Manager Commentary:
Failure of the new monitoring service for the control centre could lead to service failures, reputational damage and risk to life.	Continued monitoring of contract Ensure adherence to KPI's Contractor has business continuity measures if needed	The contract performance is being regularly monitored. There were some initial operational and IT issues that the Contractor needed to address, and the contract is now operating more smoothly.
Inherent Probability: 5	Inherent Impact: 3	Inherent Score: 15
Residual Probability: 2	Residual Impact: 5	Residual Score: 10
Previous Residual Probability: 2	● Previous Residual Impact: 5	● Previous Residual Score: 10 ●