



**ADUR & WORTHING
COUNCILS**

Joint Governance Committee
22 January 2019
Agenda Item 11

Ward(s) Affected:N/A

Risk & Opportunities Update

Report by the Director for Digital & Resources

Executive Summary

1. Purpose

1.1 This report provides the regular updates on the management of the Councils' risks and opportunities.

2. Recommendations

- 2.1 That the progress in managing risks and opportunities be noted;**
- 2.2 That the Committee consider if it would like any further information on any of the Risk/Opportunities; and**
- 2.3 That the Committee agree to receive a further progress report in March 2019.**

3. Context

- 3.1 The Committee has previously requested that progress update reports on the management of the Councils' risks and opportunities should be reported to the Committee to assist it in its role monitoring the effective development and operation of risk management and corporate governance in the Councils. The Committee has also requested that more detailed information be provided on the 'High/Red' Service Risks for each Directorate. A further update report will also be presented to the Committee in March.

4. Issues for consideration

- 4.1 Progress continues to be made to monitor and review the full Risk and Opportunity registers. Corporate Risks and Opportunities, which reflect the aims set out in Platforms for our Places are reported quarterly to the Councils Leadership Team. The Joint Strategic Committee will also receive an annual summary report on the management of the Corporate Risks and Opportunities. Service Risk registers are regularly updated in consultation with Directors, Heads of Service and Departmental Management Team meetings.
- 4.2 Risk and Opportunity management continues to be integrated into the culture and working practices of the organisation and has been embedded in the new Business Planning approach.

5.0 A Summary of the Risk and Opportunities Management updates

- 5.1 A summary of the main changes to the Risks and Opportunities since the last update report in September 2018 is included in the table attached as Appendix A to this report. At the request of the Committee, this report also includes details of the mitigation measures in place for all 'High/Red' Risks (Corporate and Service) and these are attached at Appendix B to the report.
- 5.2 The number of 'High' Risks now reported is 5 Corporate and 8 Service (4 for Housing and 4 for Financial Services) - This is the same number as in September 2018 but one Risk that was 'High' has since been reduced to 'Medium' (Major Projects and Investment) and one Risk has since increased to 'High' (Financial Services), the details of which are set out in Appendix A to this report. Some new Risks and Opportunities have been added, several removed (This includes 4 in Environmental Services, 2 in Wellbeing Services and 2 in the Culture Service) and the details of these are also attached at Appendix A to this report. This highlights the good practice being followed across the organisation in the management of Risks and Opportunities and the importance of risk and opportunity management.

6. Engagement and Communication

6.1 The Councils Leadership Team and Heads of Service have been consulted on the production of this report.

7. Financial Implications

7.1 There are no direct financial implications as a result of this report but there are some financial implications if the Risks/Opportunities occur.

8. Legal Implications

8.1 There are no legal matters arising as a result of this report. The Joint Governance Committee does have responsibility for receiving risk reports and also for monitoring the effective development and operation of risk and opportunity management.

8.2 Risk and Opportunity management is an important element in ensuring that service delivery objectives are achieved.

Background Papers

Adur and Worthing Councils Risk and Opportunity Management Strategy - 2018 - 2020

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Sustainability & Risk Assessment

1. Economic

Matter considered. The Risks and Opportunities are directly linked to the projects and work streams that are in place to help deliver the commitments and activities contained in the Councils' strategic vision 'Platforms for our Places'. Some of these will impact on the economic development of the areas if they occur.

2. Social

2.1 Social Value

Matter considered. Some of the Risks and Opportunities do impact on communities.

2.2 Equality Issues

Matter considered. Some of the Risks and Opportunities refer to equalities issues.

2.3 Community Safety Issues (Section 17)

Matter considered. Some of the Risks and Opportunities may relate to crime and disorder issues.

2.4 Human Rights Issues

Matter considered and no direct issues identified.

3. Environmental

Matter considered and no direct issues identified.

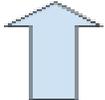
4. Governance

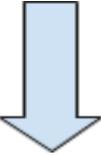
Matter considered. As part of good governance the Council's need to manage Risks and Opportunities. The Council's Risk and Opportunity Management Strategy sets out clear governance controls for the management of Risks and Opportunities and part of these include provision for the Service Risks and Opportunities to be considered three times a year by the Joint Governance Committee.

Updates on Risk and Opportunity Management

Risk & Opportunity Management Dashboard	November 2017 update	March 2018 update	September 2018 update	January 2019 update
Number of Corporate Risks & Opportunities	Risks - 7 Opportunities - 5	Risks - 8 Opportunities - 5	Risks 9 Opportunities 5	Risks - 9 Opportunities - 5
Number of Service Risks & Opportunities	Environment - 4 Risks Housing - 11 Risks/ 2 Opportunities Wellbeing - 5 Risks AWCS - 5 Risks Business & Technical Services - 5 Risks Customer Contact & Engagement - 6 Risks Digital & Design - 6 Risks Financial Services - 8 Risks/ 1 Opportunity Human Resources - 6 Risks/ 1 Opportunity Legal Services - 2 Risks/ 1 Opportunity Revenues & Benefits - 5 Risks Building Control & Land Charges - 6 Risks/1 Opportunity Culture - 12 Risks/ 5 Opportunities Place & Investment - 6	Environmental Services (AWCS and Environment) - 9 Risks Housing - 8 Risks/2 Opportunities Wellbeing - 6 Risks Business & Technical Services - 5 Risks Customer & Digital - 11 Risks Financial Services - 7 Risks/1 Opportunity Human Resources 6 Risks Legal Services - 2 Risks/1 Opportunity Revenues & Benefits - 5 Risks	Environmental Services - 8 Risks Housing - 8 Risks/2 Opportunities Wellbeing - 7 Risks Business & Technical Services - 5 Risks Customer & Digital - 9 Risks Financial Services - 7 Risks/1 Opportunity Human Resources - 5 Risks Legal Services - 2 Risks/1 Opportunity Revenues & Benefits - 5 Risks	Environmental Services - 4 Risks Housing - 8 Risks/2 Opportunities Wellbeing - 5 Risks Business & Technical Services - 5 Risks Customer & Digital - 8 Risks Financial Services - 7 Risks/1 Opportunity Human Resources - 5 Risks Legal Services - 2 Risks/1 Opportunity Revenues & Benefits - 5 Risks

	Risks Planning & Development - 16 Risks	Culture - 11 Risks/5 Opportunities New service/n/a New service/n/a Planning & Development (Incl Building Control & Land Charges) - 23 Risks/1 Opportunities	Culture - 12 Risks/5 Opportunities Major Projects & Investment - 9 Risks Place & Economy - 3 Risks Planning & Development - 17 Risks/1 Opportunity	Culture - 12 Risks/4 Opportunities Major Projects & Investment - 10 Risks Place & Economy - 5 Risks Planning & Development - 17 Risks/1 Opportunity
Number of High Risks on Service Registers	Environment - 1 Housing - 7 AWCS - 1 Customer Contact & Engagement - 2 Digital & Design - 2 Financial Services - 3 Revenues & Benefits - 1 Culture - 4 Place & Investment - 1	Environmental Services - 1 Housing - 6 Customer & Digital - 3 Financial Services - 3	Housing - 4 Financial Services - 3 Major Projects & Investment - 1	Housing - 4 Financial Services - 4

 Risks where assessment score has increased since the last report	Financial Services - Future spending requirements are under-estimated - Budgets are insufficient to fund core costs leading to an overspend - Risk increased from Medium to High because of the uncertainty over WSCC spending plans and implications for Adur & Worthing which could mean that the Councils have under budgeted.
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 <p>Risks where assessment score has reduced since the previous report.</p>	<p>Major Projects and Investment - Shoreham Airport - Risk reduced to Medium because of internal controls in place.</p>
<p>New Risks/Opportunities added since last report</p>	<p>Environmental Services - Implementation of new refuse and recycling collection arrangements.</p> <p>Place and Economy - Risk of not achieving commercial income connected with commercial activities.</p> <p>Place and Economy - Seafront Planning.</p> <p>Planning and Development - Fire Safety - Failure to bring in additional fee income to cover the costs of the service.</p>
<p>Risks/Opportunities removed since last report.</p>	<p>Environmental Services - Future management arrangements for Brooklands lake and purpose as a balancing pond - (Matter has now been resolved.)</p> <p>Environmental Services - Vibration equipment (Matter has now been resolved).</p> <p>Environmental Services - Waste Management Admin - new legislation regarding agency staff (No longer reliant on agency staff as part of wider review of service).</p> <p>Wellbeing - The management and provision of service at the Shoreham Centre - Issues with the management of the Centre. (Risk treated - No longer a Risk)</p> <p>Wellbeing - Northbrook Project - Structural condition of portakabin (Risk treated - No longer a Risk)</p>

	<p>Customer and Digital - Northgate Contract renewal - Information at Work - Risk removed from the Risk register on the basis that the matter has been resolved.</p> <p>Culture - Theatres venues - securing of doors - Risk removed from the Risk Register on the basis that works have now been undertaken to the doors.</p> <p>Culture - Worthing Costume trail for Worthing Museum and Art Gallery - Opportunity removed from the Register because Phase 2 of the Costume Trail ended September 2018.</p> <p>Planning and Development - Car park and Ferry Road development at the south of the Shoreham Bridge - Risk removed from the Risk register on the basis that the works have been completed.</p>
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APPENDIX B

Corporate 'High' Risks

<u>Risk</u>	<u>Internal Controls</u>	<u>Risk Impact</u>	<u>Risk Likelihood</u>
<p><u>Council Finances</u></p> <p>Council finances continue to be under pressure after several years of reducing income from central government. The councils have set balanced budgets every year, and not rely on reserves to do so. A recent LGA Peer Review also found that a series of plans and strategies are in place to address challenges going forward, although there remains a projected shortfall currently for 2020/21. The councils' reserves position is in the lower quartile of SE Districts and the position needs improvement.</p>	<p>A five year financial strategy is in place and is regularly refreshed. All strands of property investment, commercial income, digital, and temporary accommodation acquisition are progressing well, evidenced in various reports to committee. However there are uncertain additional pressures ahead, for example from budget cuts expected at West Sussex, and the outcome to the 4 year fairer funding settlement in 2019.</p> <p>Following the recent LGA Finance Peer Review, an action plan is being developed to:</p> <ol style="list-style-type: none"> 1. Release strategic finance capacity by modernising financial management processes and systems 2. Apply suggested technical accounting measures to release capacity in the budget to commit to reserves and use cash flow to reduce the borrowing requirement 3. Review the existing plan for strategic initiatives, and make the case for additional resources on an invest to save basis to bring delivery of some projects forward 	Major	Likely
<p><u>Welfare Reform</u></p> <p>'Welfare Reform' is used to cover a range of issues in particular:</p> <ul style="list-style-type: none"> • Changes to how benefits paid to those who are working to incentivise work. • Changes to the maximum level of benefits paid to families and individuals who are not working • Changes to how working age benefits are paid and a shift to one benefit package 'Universal Credit' (UC) • Benefits being administered largely by central government as opposed to local government - UC administered by DWP vs Housing Benefit 	<p>December 2018</p> <p>Adur and Worthing Councils have been working very closely with DWP and other partner agencies to mitigate the risks associated with the move to Universal Credit.</p> <p>A multi-agency welfare reform group has met regularly for the last 18+ months in preparation, seeking to understand the policy and implementation as it has evolved and been rolled out elsewhere in order to plan effectively for roll out across Adur and Worthing.</p> <p>As a consequence agencies have been able to respond individually and collectively in order to identify and work with those most at risk, provide digital skills training and support through wellbeing hubs and IT Junctions, and improve information, advice and guidance to professionals and our residents. We have digital and housing support now co-located</p>	Major	Very Likely

<p>by local authorities.</p> <ul style="list-style-type: none"> • UC being paid monthly, to an individual person or family member, into a bank account. • Benefits for young people and single people reduced • Benefits for larger families reduced <p>The impact of these changes are still working through the system but in areas where Universal credit has been rolled out fully the following effects have been reported.</p> <ul style="list-style-type: none"> • 5-6 weeks gap before UC is paid (in some cases longer) Note: DWP are trialing a system in Brighton of offering advance payments to all new UC claimants. This is new and claimants can access up to 100% of their claim immediately, repayable over 12 months. This is a huge improvement on the previous rules. More than 95% of claimants had accepted the advance when offered. • Local systems unable to track individuals in need, as the system is centralised and data is no longer available • Housing costs not being met by the level of out of work benefits <p>The impact for the Councils of this is potentially on two fronts, increased homelessness presentations and/or reduced rental income for Adur Homes. This is compounded by the year on year reduction in social rents by 1% which also reduces the financial income for Adur Homes.</p>	<p>with JCP colleagues and recently commenced a Design Council supported project to support some of those receiving UC to move closer to the employment market.</p> <p>The Government has announced that from April 2019 the digital and budgeting support that's provided to residents will be provided nationally by Citizens' Advice and funded directly by the Government.</p> <p>Work has been undertaken with landlords to enable them to access alternative payment arrangements, and members have received awareness training. A video is available on the Councils web pages to help local communities better understand the new benefit.</p> <p>At present information is that the impact is slow and although there are clearly individuals who have found the new process challenging and one of the biggest ongoing risks is related to housing costs and homelessness.</p>		
<p><u>Housing Supply</u></p> <p>Limited housing supply in all areas and all tenures is a key risk for the Councils in terms of both discharging its statutory duty to prevent homelessness and support those at risk, as well as placing critical budgetary pressures on the Councils. Managing this demand is challenging and places additional capacity pressures on the operational teams.</p>	<p>Funds have been allocated to purchase/develop temporary accommodation solutions that reduce the need for costly nightly paid placements. The first purchase was completed in November 2018 and others are in the pipeline. Several long term lease arrangements have been agreed and more are being explored.</p> <p>The Councils have also invested in the refurbishment of the Lyndhurst Road project, which has significantly increased the number of placements available for vulnerable single people with support needs and has been successful in obtaining significant MHCLG funding to support and reduce rough sleeping this year and next.</p> <p>The Councils are leading a multi-agency preventing homelessness project, and an officer</p>	Major	Very Likely

<p>Emergency/Temporary Accommodation - the lack of EA/TA supply at LHA rates means that the Councils are paying for costly B&B accommodation whilst assessing customers for statutory obligations.</p> <p>The lack of move on accommodation at LHA rates means there are blockages in TA</p> <p>The lack of suitable/affordable private sector rented accommodation is placing more pressure on the Councils in terms of demand and budgets.</p> <p>Planning applications are subject to an increasing level of scrutiny, including both the level of affordable housing and the tenure mix.-</p>	<p>led strategic review is underway on the impact of the rise in homelessness applications, and the recently implemented Homelessness Reduction Act. A digital tool for making a housing application has been live for almost a year, and an end to end management system is in the process of being implemented.</p> <p>The Adur and Worthing Local Plans highlight the constraints placed upon further outward growth, although we continue to work with registered providers and developers to bring forward new homes as quickly as possible. A programme of development is also underway to bring forward new homes on Adur District Council owned land as part of the HRA.</p> <p>Further strategic work is required to decide how longer term this work will be supported.</p>		
<p><u>IT Disaster recovery</u></p> <p>Hosting applications locally carries increasing risks given the pace of technological change. We have limited resilience in the team, and too much dependence on key personnel. Our data centre cannot be sufficiently protected from physical threats.</p>	<p>Business Continuity plans are in place for every service detailing what actions will be taken in the event of IT failure.</p> <p>Power outage DR test successfully completed in June 2018. Recommendations implemented. Results of DR test and future Risk Management plans reported to JGC in July 2018 and report in September 2018. Annual Network security test carried out successfully and being implemented.</p> <p>IaaS Cloud migration project underway to reduce risks associated with on premise service. Project involves moving servers out of the Town Hall data centre into cloud hosted environments, mainly Amazon Web Services. The first applications have been migrated and the project is due for completion in 2019.</p> <p>Work is also underway to migrate document storage to Google Team Drive, taking the opportunity to review files and address GDPR compliance.</p>	Extreme	Moderate
<p><u>Major Project delivery</u></p> <p>Major projects remain undelivered and strategically important sites such as Teville Gate and Union Place remain vacant. Considerable potential for reputational damage given the high priority attached to these programmes by local communities.</p>	<p>A solution based approach working with key partners in the development sector to unlock challenging sites.</p> <p>The councils have embarked on an ambitious programme of development that makes the best use of their existing assets. This is exemplified by Adur District Council's 'design and build' scheme to provide a new office development, pre-let to an expanding local company.</p> <p>An innovative approach to partnership will help to 'de-risk' projects and create the right conditions for development to take place. For example, Worthing Borough Council has</p>	Major	Likely

	<p>entered into a Land Pooling Agreement to help de-risk the development of Union Place and secure access to the agencies and skills necessary to deliver.</p> <p>Both councils have used Local Growth Fund monies to deliver the necessary infrastructure to support development . The councils have also played a pro-active role in supporting Coast to Capital in the development of a Strategic Economic Plan to ensure that their priorities for the development of major projects are represented and therefore, more likely to benefit from future public funding in the future.</p> <p>The councils have provided clear and unambiguous signals to the development sector about their intentions and commitment to deliver. A dedicated team has been established to manage the major projects and capital budgets adjusted to reflect the priority attached to this work. Regular monitoring of progress provides oversight and formal reporting to the relevant executive councillors; internal project groups and formal Committee meetings takes place to oversee progress.</p>		
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Communities Directorate High Service

Risks and Projects

Housing

<u>Risk</u>	<u>Potential Effect</u>	<u>Internal Controls</u>	<u>Risk Impact</u>	<u>Risk Likelihood</u>
1. Compliance - Fire, Gas, electrical and water quality (Adur Homes)	<p>1. Death/injury/illness. - Fire/safety related; - water borne disease (legionella)</p> <p>2. Potential legal action and-or claims. - Legal action against accountable staff (up to Head of paid Service) - compensation and or other claims for injury etcl</p> <p>3. Financial risk -Of managing service failure and loss of accommodation</p> <p>4. Reputational risk -see above</p>	<p>Key mitigations</p> <ul style="list-style-type: none"> • Compliance Manager appointed 2nd October 2017 and weekly compliance reviews underway • Fire safety action plan agreed. • Ongoing work by Potter raper to update fire risk assessments completed by Keegans • Works required will be assessed and prioritised according to risk. • Adur Homes and Council Business & Technical Services Teams working together to deliver a range of compliance projects eg. Fire doors/landlord electrical - Smoke detection and emergency lighting. 	Extreme	Moderate

	5. Loss of use of premises and personal impact to tenants as well as operational and financial risk to councils - see above	<ul style="list-style-type: none"> Water tanks now inspected and plan in place to replace them when necessary. Gas safety monitoring and compliance at 99% new contract about to be tendered 		
2. Rising costs of emergency and temporary accommodation	<p>Increased pressure on general funds</p> <p>Councils have to spend money on expensive B&B type accommodation.</p>	<p>Key mitigations</p> <ul style="list-style-type: none"> Funds agreed by JSC to purchase properties as opportunities arise - see JSC report 4/12/18 for update Programme of work to identify and lease properties ongoing Actively working with landlords to increase supply of temporary and affordable accommodation Change in approach to homeless prevention Community homelessness strategy (Aim to make homelessness everyone's responsibility). 	Major	Very Likely
3. Overall Risk of increasing demand for housing advice and homelessness applications	<p>Impact on front line service delivery for customer services in terms of Contact Centre and front line services from Portland House.</p> <p>Increased waiting time for housing advice and casework.</p> <p>Increased costs of temporary and emergency accommodation.</p> <p>Increased competition for limited affordable housing supply.</p> <p>Risk of not meeting legal obligations of the new Homelessness Reduction Act 2017</p>	<p>Key mitigations</p> <ul style="list-style-type: none"> Triage system implemented to provide advice and guidance at the earliest opportunity to reduce presentations as homeless. Increase work with private sector landlords and dedicated officer resource Multi-agency preventing homelessness project has created new pathways to identify and prevent vulnerable individuals and families from losing tenancies Improving Communication and digital offer to increase self service Implement Home Connections System Service redesign underway to support a whole system approach 	Major	Very Likely
4. Housing Revenue Account - Financial sustainability as a result of Rent Reduction Policy and Rent collection levels	<p>1. Financial</p> <p>-Reduced ability to Invest in capital expenditure to maintain buildings and properties and new homes</p> <p>2. Operational</p>	<p>Key mitigations</p> <ul style="list-style-type: none"> 30 year business plan shows the potential to outlive the issues highlighted if the service is able to raise rents post 2020 Regular review of the service offer and prudent budget management 	Major	Very Likely

<p>- Impact on budget and service provision</p>	<p>- Limited ability to deliver good quality services and meet customer need</p> <p>-Ability to cover day to day repairs and maintenance</p> <p>3. Business Sustainability/failure</p> <p>-deficit budgets set for forthcoming years, any further uncertainty could result in business failure</p> <p>Background - Until 2020 the Government requires all social housing providers to reduce their rents by 1% each year.</p> <p>This creates a financial pressure over the next 3 years.(£0.68m in 2018/19 and by 2020/21 this will have increased to £1,944,000)</p> <p>Arrears level is running at 3.19% (£452,202). Good practice benchmark is 1%.</p> <p>Loss of income to the HRA.</p>	<ul style="list-style-type: none"> Weekly review of arrears New operations manager appointed and further review of processes to commence in 2019 		
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Digital & Resources Directorate High Service Risks and Projects

Financial Services

<u>Risk</u>	<u>Potential Effect</u>	<u>Internal Controls</u>	<u>Impact</u>	<u>Likelihood</u>
<p>Risk to overall financial position - Known areas of risk within the budget eg Income from demand led services, outcomes of job evaluation, Pay award higher than assumed.</p>	<ol style="list-style-type: none"> Go over budget Do not have resources to meet priorities. 	<p>Council holds reserves to manage the risk of lost income.</p> <p>Where a service has been identified as being at risk, a close monitoring regime is put in place.</p> <p>The enhanced monitoring for CLT for areas of commercial risk is continuing.</p> <p>Proactive control of discretionary spend implemented to</p>	<p>Major</p>	<p>Likely</p>

		help resolve areas of overspend within the budget.		
Future spending requirements are under-estimated - Budgets are insufficient to fund core costs leading to an overspend	Budgets are insufficient to fund core costs leading to an overspend.	<p>Closely monitor progress through Budget/ Performance Monitoring. • Where issues are identified build into budget for the following year.</p> <p>Proactive management of discretionary budgets to manage in year pressures.</p> <p>Annual savings and budget exercise undertaken to reset budget and deal with areas of high pressure.</p> <p>Staffing budgets very carefully controlled.</p> <p>Rigorous process for establishing new posts. Other staffing controls – recruitment and selection. Controlling vacancy filling and monitoring against targets</p>	Major	Likely
Future resources from Government are less than assumed	Budget shortfall is understated leading to a greater level of savings. Particular issue in 20/21 Financial Year is likely due to fairer funding review.	<ul style="list-style-type: none"> • Lobby Government for an appropriate resource distribution. • Take action to reduce the overall cost of services or increase income where possible. • Government has moved to a 4 year settlement which gives the Councils greater certainty about grant levels. • Councils have signed up to the 4 year 	Major	Likely

		<p>settlement to secure funding levels up until 2020/21</p> <p>Councils have responded to new Business Rate retention scheme proposals.</p> <p>Councils have responded to the fairer funding review consultation.</p> <p>Councils have responded to the Local Government settlement consultation</p>		
<p>General risk of not finding significant budget savings from both Councils.</p>	<p>Impact on ability to balance the budget to deliver the Corporate Priorities and priority services.</p>	<p>Sufficient savings have been identified to balance the 19/20 budget.</p> <p>Balanced budget for 19/20 is on track to be set in February 2019. Sufficient savings have been identified to meet current budget pressures.</p>	<p>Major</p>	<p>Likely</p>