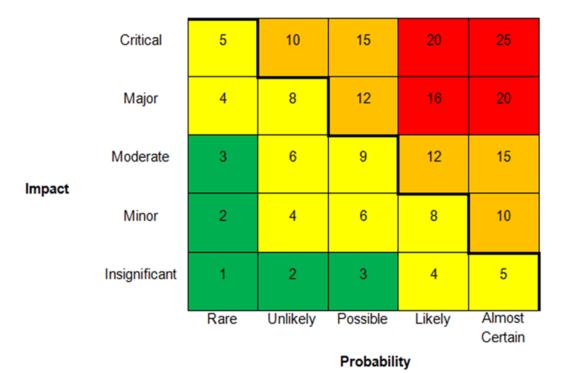
TORBAY COUNCIL

Corporate Risk Register Quarter 4 2020/21

KEY TO RISK REGISTER

The below Risk Matrix has been used to score the risks and only those that register as High (16 and above) and Medium/High (10 to 15) are included.

2.2 Risk Matrix



Community and Corporate Plan Priority: Thriving People and Communities

Code	Title	Probability Score	Impact Score	Score and RAYG	Description	Mitigation	Score and RAYG After Mitigation	Risk Owner
RTPC 01	Increased demand for Children's Services	3 - Possible	4 - Major	12	The number of children that are cared for by the local authority increases and puts pressure on sufficiency of placement and the budget.	We have robust oversight of our cared for population and those children who enter care. The Numbers of children cared for are safely reducing but we remain vigilant particularly in response to escalating need due to COVID-19. A number of panels have been put in place to monitor and track children's progression. These include a pre-birth tracker, permanence panel and the placement panel that reviews children in independent care settings. There is now an Edge of Care offer which supports children who have the potential to become cared for but can safely remain at home with support. There is more effective use of the PARIS system with the use of daily alerts specifically related to COVID-19 to support us in identifying the most vulnerable children in this challenging time.	12	Nancy Meehan
RTPC 02	Impact upon the council's ability to meet statutory timescales	5 – Almost certain	4 - Major	20	Increased demand could impact on our ability to meet statutory timescales for the completion of assessments and meetings such as child protection case conferences.	There is weekly monitoring of the numbers of contacts and referrals into the Multi Agency Safeguarding Hub that require a statutory response. This has risen significantly during the COVID period. Quality assurance activity is	16	Nancy Meehan

						being undertaken to ensure that the thresholds remain robustly applied. Each service area has a performance meeting to ensure we are compliant with statutory requirements. There is an exception report in relation to Children's Services improvement which is reviewed at the Children's Services Improvement Board, SLT and Overview and Scrutiny. We have also established a Children's Services operational board to drive the operational activity identified in the Children's Services Improvement Plan.		
RTPC 03	Failure to deliver the Children's Services Improvement Plan	3 - Possible	5 - Critical	15	The last Ofsted Inspection judgement was that Children's Services are inadequate. If the next inspection judges us as inadequate it is highly likely that the delivery of Children's Services will be removed from Council control.	A Children's Commissioner is in place as part of a DfE statutory direction. The Commissioner chairs the improvement board and the board has been reviewed to further strengthen its function. There is also stronger quality assurance and a better understanding of performance. There have been two reports to the secretary of State since the commissioner was appointed which evidence improvement in the delivery of children's services in Torbay.	12	Nancy Meehan
RTPC 04	Delivery of Liquid Logic	3 - Possible	4 – Major	12	If timescales are not met for the delivery of Liquid Logic (February 2021) this will have significant budget implications with Liquid Logic and will leave the Council with a data deficiency.	There is a governance structure around the implementation of the system and progress is being reported to SLT. Due to data migration there is delay to the implementation of Liquid Logic which is now scheduled for June2021	8	Nancy Meehan

RTPC 05	Local Area SEND Inspection	4 - Likely	4 – Major	16	The Local Area Special Educational Needs and/or Disabilities (SEND) inspection conducted by Ofsted and the Care Quality Commission (CQC) will take place before July 2020. The local area preparations and self- evaluation currently demonstrates an inability to be compliant with the legislative code, due to the capacity within the system. If inspectors confirm this self-analysis, it is anticipated that the Local Area will receive a 'statement of action' and inspectors will evaluate progress with programme of monitoring visits.	The Ofsted Inspection Process is currently on hold due to COVID-19 and there is no definitive information about when 'normal' inspection activity will commence. The preparation processes are continuing and the inspection self-evaluation document is being updated. The impact of COVID-19 on SEND delivery is being documented and the changes to SEND legislation are being addressed. However, there is a realistic risk that the authority and partners will not be able to meet the expectations to review all plans as frequently as being requested. The SEND staff posts are being filled but delayed by COVID-19.	16	Rachael Williams
RTPC 06	Achievement of £6m of Adult Social Care savings by March 2023	3 - Possible	4 – Major	12	The Adult Social Care (ASC) Improvement Plan has been created to deliver the £6m saving through operational redesign and further strengthening the Community Led Support Approach and Strength Based Approach to social care. The projects within the plan have been designed in year one to realise savings from critical projects whilst allowing corresponding projects to be set up to realise savings in years two and three.	Adult Social Care Improvement Board will review risks and mitigate using the integrated Project Management Office as a function of the plan. Project risks will be mitigated at project level and escalated where there is likely to be a broader ASC Improvement Plan negative strategic or operational impact.	12	Jo Williams

RTPC 09	Increased demand in homelessness	4 - Likely	4 – Major	16	The level of homelessness experienced as a result of COVID-19 is expected to increase. Increased demand could impact on the Councils ability to meet statutory requirements and provide appropriate safeguarding.	Demand on the service remains high and ability to access move on accommodation is challenging. Additional resources have been implemented into the service to provide stability and facilitate movement on for clients. A sufficient strategy is currently being developed for the end of February to pull together partnership activity and Temporary Accommodation Strategy.	16	Tara Harris
RTPC 10	Ability to deliver Youth Homelessness Prevention Pathway	3 - Possible	4 – Major	12	Effective pathway needs to be implemented across services to ensure Torbay is legally compliant and that the service is at its full complement of staff to enable this to be delivered.	Ofsted identified in both the last inspection (2018) and the previous one (2015) that the response to 16 to 17 youth homelessness was not legally compliant. The children's redesign considered how to respond to the criticism and subsequent repeat recommendation from Ofsted. This is being progressed. There has been a review of the homeless pathway following a recent audit of service responses to the vulnerable young people. We have recently appointed new youth homeless prevention workers. There is a scheduled QA deep dive into this area of the service.	12	Nancy Meehan
RTPC 11	Insufficient capacity to response to increase in COVID-19 pandemic infection rates or	4 - Likely	4 – Major	16	Local outbreak Management Plans require all local authorities to oversee the response to the COVID-19 pandemic at local level and to work in partnership with Public Health England, NHS, Care, Education, voluntary	Robust measures are in place and include: • 24/7 multi-disciplinary rota to coordinate response to cases & outbreaks	12	Lincoln Sargeant

	community outbreak numbers 20/21				and business partners to prevent and respond to outbreaks.	 Dedicated intensive support team to provide proactive and reactive infection control guidance & testing Comprehensive intelligence systems mapping cases, outbreaks and risk settings, identifying patterns of spread, & helping to guide the response Strong, effective communications & engagement plans with communities and partners promoting behaviours which will prevent the spread of infection and compliance with isolation guidance Training of existing staff & introduction of standard operating procedures to enable 24/7 response over the long term Recruitment of additional skilled staff to build resilience in delivering response & intensive support. Development of community testing capacity to deliver workplace asymptomatic testing and scope to deploy targeted community testing if required. 		
RTPC 12	Insufficient capacity to prevent & respond to high flu levels Winter 2020/21	4 - Likely	4 - Major	16	Flu is anticipated to present a higher than usual risk in 20/21 due to the continuation of COVID-19 infection in the population. Vaccines will be available for eligible groups and high uptake will be needed to reduce the incidence and the impact of disease.	 A combined COVID-19 and flu response provided the highest chance of success. Measures included: Dedicated, flexible, mobile vaccination teams targeting all risk settings and high risk groups (care sector, education, hostels, carers, people with health risk conditions, shielded population, pregnant women, young children) in parallel with the primary 	6	Lincoln Sargeant

						care vaccine delivery programme to people 60 and over. • Dedicated intensive support teams delivering swabbing and infection control support for settings with cases or outbreaks to prevent spread. • Flu incidence low 2020/21.		
RTPC 13	Inadequate measures to prevent suicide & self-harm, promote good mental health & wellbeing, and support bereavement & loss	4 - Likely	3 - Moderate	12	The impact of COVID-19 is modelled to produce an increase in mental distress, bereavement trauma and suicide risk. Torbay already has one of the high rates in the country for both suicide and self-harm. Comprehensive & effective prevention and postvention pathways need to be in place across our three communities to identify people in need & to ensure they receive appropriate information, signposting, support and intervention.	Capacity in place to work with partners across Torbay, the Integrated Care System & regionally to: Introduce a new suicide surveillance & postvention system & expand this to include suicide attempts as well as completed suicides Commission (NHS England funded) research with people with lived experience into high incidence of female suicides & self-harm Work with three communities to implement new (NHS England funded) community grant fund for 'safer suicide community' initiatives Carry out a training needs analysis to inform allocation of the (NHS England funded) training programmes Develop new Torbay mental wellbeing alliance spanning community & statutory providers developing improved pathways for mental distress & matching needs with supply for mental health and wellbeing, suicide prevention, and bereavement support. Use of COVID-19 impact funding short term to expand team capacity in Public	9	Lincoln Sargeant

						Health to deliver strategic response and community capacity to deliver frontline support (helpline, supervision, support and training, safe spaces, online resource)		
RTPC 14	Inability to deliver the Housing Strategy	3 - Possible	4 - Major	12	National policies have served to reduce affordable housing development, increase affordability pressure in the private rented sector and make it increasingly difficult to access decent housing, for people who are on low incomes or benefits increasing deprivation and related health concerns for residents.	Officer resource has been increased. The new housing company, TorVista Homes, has established its own Board and will be regulated by Homes England. TorVista has submitted its application and are already working to bring forward a number of affordable housing schemes. The Housing Strategy Action Plan is in development. There has been increased partnership working with providers such as landlords and health services.	8	David Edmond son

Community and Corporate Plan Priority: Thriving Economy

Code	Title	Probability Score	Impact Score	Score and RAYG	Description	Mitigation	Score and RAYG After Mitigation	Risk Owner
RTE0	Ability to meet land supply requirements	4 - Likely	4 - Major	16	If we do not have a five year land supply then our Local Plan Policies and those of the Neighbourhood Plans cannot be considered up to date and put us under greater pressure of development. Failure to have a 5 year land supply therefore risks inappropriate development outside of the Local and Neighbourhood Plans. Ability to meet land supply requirements could impact income generation from new homes bonus and Section 106 monies.	Whilst we have published a statement last year that we had achieved a three year housing land supply and with three made neighbourhood plans, one for each town, formally adopted in 2019, we could defend against inappropriately sited development. However, last year's considerable under delivery and backlog of previous years under delivery means we have fallen below that 3 year figure.	16	David Edmond son
RTE0 2	A weak local economy due to COVID-19	4 - Likely	4 - Major	16	As a result of the COVID-19 pandemic the local economy is weakened resulting in an impact on our residents and visitors.	There is an Incident Management Team work stream specifically set up to review this matter and support recovery of Torbay's economy. Following consultation with stakeholders and the business community, the Economic Reposition Plan has been produced. The plan seeks commitment from stakeholders and businesses to support Torbay's recovery and repositioning as a result of COVID-19, and focusses on 6 themes: • Town centres • Visitor economy	16	Alan Denby

						 Cultural development Community wealth building Growth Employment and skills Since the plan has been agreed significant funding has been allocated to Torbay for Torquay's Town Deal, Paignton's Future High Street Fund and Getting Building Fund projects at Edginswell and Lymington Road. The Council has also proposed increased resource for delivery of the plan in 2021/22. 		
RTE0 3	Riviera International Conference Centre could close permanently	2 – Unlikely	3 - Moderate	6	It is essential to ensure that Riviera International Conference Centre remains a viable entity to ensure its contribution to the local economy and Torbay as the Premier UK resort.	 Agreement for Lease now signed with Parkwood Leisure and the support budget approved. Progress being made to complete the essential backlog works 	6	Kevin Mowat
RTE0 4	Princess Theatre reopening	4 – Likely	4 – Major	16	Currently run by Ambassador Theatre Group (ATG) on behalf of Torbay Council. ATG have been significantly affected by COVID-19 pandemic and lockdown issues. The business model relies on touring shows. All shows are cancelled until at least 17th May. The reopening will depend not only on the government's roadmap achieving its milestones but the willingness of producers to tour their shows. Given it takes several months to successful re/mount a production, the	 Applications for (Govt) grant funding to support ATG through COVID-19 crisis. Investment in the theatre from Torbay Council to improve facilities to make it more commercially viable when it does reopen. ATG continue to work with all their producer partners to make the best endeavours to reopen as soon as possible, with the best programme available to audiences. 	8	Kevin Mowat

					current lack of certainty around a reopening date presents a challenge in this respect.			
RTE0 5	Financially unsustainable future for Torre Abbey	4 – Likely	4 – Major	16	Torre Abbey is currently a loss making asset. The focus must be switched to a commercial approach to ensure income generated meets or exceeds spend. Income is also currently impacted by reduced opening hours due to COVID-19. The building is subject to significant water ingress and has structural concerns.	 Operations are being reviewed to develop a more commercial model. Including staff restructure currently in transit. Agreed to develop the café as a quality "in-house" offer to drive up commercial income and help support the long-term sustainability of Torre Abbey. Grant applications e.g. to National Lottery Heritage Fund, are being made to secure funding to help resolve some of the issues and challenges. The Abbey will open on 18 May and continue to implement measures to make it more commercially viable. 	8	Kevin Mowat

	Community and Corporate Plan Priority: Tackling Climate Change											
Code	Title	Probability Score	Impact Score	Score and RAYG	Description	Mitigation	Score and RAYG After Mitigation	Risk Owner				
RTCC 01	Inadequate response to the climate change emergency.	4 – Likely	5 - Critical	20	A single council is unlikely to ever be able to provide an adequate response on its own that will fully achieve carbon neutrality for an area. However, if the Council is not doing all it can to mitigate as much as possible, it will have reputational repercussions for the organisation and adverse, wide ranging implications for the wider area of Torbay. If our response is inadequate there is a risk that: - Infrastructure and other assets will be damaged or lost through flooding or wave action; - Business continuity will be impacted at a cost to Council and to 3rd parties i.e. Fish Market; - Beach huts and other waterfront properties will become unattractive or unviable as a business model; - Road links will be disrupted, causing severe indirect	In March 2021 Cabinet approved a new Initial Carbon Neutral Action Plan for 2021 which includes delivery of 10 immediate actions. Cabinet also agreed plans to develop a new Council Carbon Neutral Programme and a new community led Torbay Carbon Neutral Action Plan by April 2022. Torbay continues to work with Devon Climate Emergency Response Group and recently formally responded to the draft Devon Carbon Plan.	15	Kevin Mowat				

					interruptions to livelihoods and living; - Torbay's reputation as a premier beach resort will be impacted			
RTCC 02	Climate change impact on Tor Bay.	5 – Almost certain	5 - Critical	25	Expectation of more frequent extreme rainfall events. Sea level forecast to rise by 70cm by 2050 which will significantly increase the risk of coastal flooding of low-lying areas (particularly Paignton Green), increase in the frequency and power of storm events, increase rate of coastal erosion/damage to quays, slipways and other hard infrastructure on the shoreline. Increased disruption to maritime activities e.g. commercial fishing and marine leisure. Coastal, pluvial and fluvial flooding will also present significant risks to residential and business properties, as well as critical infrastructure.	There are a number of contingency measures being considered to respond to coastal and pluvial flooding e.g. enhanced coastal sea defences. The Port Master Plan also contains climate change countermeasures e.g. further rock armouring of Victoria Breakwater, but no funding routes have been identified yet. Work continues on the Flood Risk Management Plan and actions to address sustainable urban drainage systems (SUDS) and close collaboration with the Environment Agency is critical. The Devon Climate Emergency's Climate Impacts Group is also in the process of carrying out a new risk assessment and developing a new adaptation plan for Devon, Cornwall and Isles of Sicily. Local action where required will be led by the Local Resilience Forum and fed into the new Torbay Carbon Neutral Action Plan once developed.	20	Kevin Mowat
RTCC 03	Failing coastal infrastructure	5 – Almost certain	4 - Major	20	A number of coastal assets are at a tipping point of deterioration and require significant investment to ensure longevity and fitness for purpose.	Periodic inspection regime to monitor degradation. Need to identify funding solutions to invest in hard infrastructure to 'hold the line' or agree a process of managed retreat with appropriate investment in soft infrastructure.	16	Kevin Mowat

Community and Corporate Plan Priority: Council Fit for the Future Score and Score **Probability RAYG** Risk **Impact** Code **Title Description Mitigation** and Score After Owner Score RAYG **Mitigation RCFF** Difficulties in 4 – Likely 3 -12 There have been recent Changes are being made to the structure 12 Nancy 01 social work difficulties in recruiting social of the Children's Service in line with our Moderate Meehan work staff both on a permanent recruitment to service redesign to make them fit for frontline and agency basis. The situation purpose. The new restorative social work safeguarding in the last year has been model is currently being implemented compounded due to potential (and all staff are being trained). There is teams recruits not wishing to relocate now a social work offer in place for new during the COVID-19 pandemic. staff which is having some positive impact on the recruitment process which is supported by a dedicated microsite and increased funding to expand the establishment. A learning academy went live on 07 September 2020 and this is already proving to be a positive attribute in our campaign to recruit and retain staff. **RCFF** School High 4 – Likely 4 - Major The School Forum currently The School Forum is working with the Rachael 16 16 have a deficit budget position of **Education Skills and Funding Agency** 02 Needs Block Williams circa 2.5 million for 2020/21 and (EFSA) to consider the actions that are spending cumulative deficit from previous needed to mitigate spend. The National pressures years of 3.8 million. system of funding pupils with higher need is under review. This could in part lead to additional funds being made available to the local area. The School Forum has established a Higher Needs

Recovery Group to work through mitigating actions. These are being

						delivered and are anticipated to generate savings. Additional funds have been announced for 2021 – 2022 this will have an impact on the budget position but will not lead to a balanced in year budget.		
RCFF 03	SWISCo commissioning resource	3 - Possible	4 – Major	12	Insufficient commissioning resource for SWISCo.	Delivery expectations have been reduced. TUPE transfer key service areas into SWISCo and operate a 'thin' client model. Broaden the commissioning resource at Assistant Director level within Place.	8	Kevin Mowat
RCFF 04	Failure to comply with GDPR	5 – Almost certain	3 - Moderate	15	The General Data Protection Regulation (GDPR) tightens existing data protection requirements on organisations. The Council needs to be able to demonstrate compliance to the regulation in all of its processing activities. Failure to do so could result in enforcement action from the Information Commissioner's Office, damage to reputation and potential increase in complaints and claims.	A GDPR compliance project has been undertaken and regular staff awareness campaigns are also undertaken to ensure staff keep data protection at the forefront of their minds, with the aim of reducing breaches.	12	Matt Fairclou gh-Kay
RCFF 06	Balancing 2021/2022 budget in light of COVID-19 financial pressures	1 - Rare	4 – Major	4	The financial impact of COVID- 19 in future years is still being assessed. A number of the spending pressures seen in 2020/21 could reoccur in 2021/22. In addition, if the economy is impacted as predicted, a number of income	Budget 2021/22 approved by Council in February 2021.	4	Martin Phillips

					sources will continue to be affected. In addition, the Government announced the deferral to 2021/22 of the Fair Funding Formula and the changes to the National Non Domestic Rates (Business Rates) retention scheme. The timing and impact of any Spending Review and/or Emergency Budget are also unknown.			
RCFF 07	Achieving a balanced budget over the period of the medium term financial plan	4 - Likely	4 – Major	16	The projected budget gap over the life of the Medium Term Resource Plan (MRTP) is an estimated position and is subject to change and is based upon a series of assumptions and projections which will be regularly reviewed for future years to ensure they continue to be realistic. There is therefore a risk that the projections for the budget deficit may prove to be either under or over estimates.	The MTRP will be updated as appropriate to take account of changing circumstances and new intelligence. An influencing and lobbying campaign is in development to raise the profile of Torbay Council, and Torbay as a whole.	12	Martin Phillips
RCFF 08	Proportionality of borrowing and commercial risk – a measure of income risk on assets funded from borrowing.	4 - Likely	4 – Major	16	The risk that council will be unable to meet its fixed borrowing liabilities if income streams associated with that borrowing are not maintained or fluctuate. The more the council borrows and the more it relies on that commercial income to support services, the greater the risk. The Ministry of Housing	Regarding our investment properties; As part of the IMT recovery a sub group has been put in place for this key area and the TDA are in frequent contact with tenants. Investment management meetings have become more frequent.	16	Martin Phillips / Kevin Mowat

					Communities and Local Government refers to this as "proportionality". This risk is compounded by the economic impact of COVID-19 and lockdown, impacting on investment property rental income.	The risk had been maintained at 16 as despite the mitigation it is uncertain how long the financial impact of pandemic on council rental income will last.		
RCFF 09	Corporate Fraud & Error.	4 - Likely	3 – Moderate	12	Risk that council is exposed to fraud and error in its operations in particular collection fund fraud and error.	Fraud and Error team established and focused on key areas of risk, such as in 20/21 the payment of over £50m of business grants.	12	Martin Phillips
RCFF 10	Corporate Health and Safety	3 - Possible	4 – Major	12	Non-compliance to health and safety requirements across the local authority increases the risk to public and staff safety, this includes gaining appropriate certifications for some of our assets.	Replacement staff are now operational along with additional contractor's capacity to mitigate the additional pressure associated with COVID-19. An additional post will also be recruited to in February working in Harbours to provide specialist support in this area.	12	Tara Harris
RCFF 11	Capacity of legal services to deal with care proceedings before the court	3 - Possible	4 – Major	12	As the numbers of children looked after increases, as does the requirement for legal services to support care proceedings which will go before the court. This increase could lead to lack of capacity to deal with cases in a timely and effective manner.	Required resources are kept under close review, and the teams are currently supplemented by agency workers, to give capacity and ensure that vacant posts are filled. This does however lead to a significant budgetary pressure.	8	Matt Fairclou gh-Kay
RCFF 12	Change management capability	3 - Possible	4 – Major	12	The Council is undertaking an ambitious programme of transformation, together with delivering changes required as a	Council Redesign Programme Board is reviewing the prioritisation of projects, and workstreams therein so as to ensure that the workforce can deliver, or that	12	Anne- Marie Bond

	across the Council				result of budgetary decisions. The risk is the workforce in unable to deliver the amount of Council-wide and service change service needed, whilst ensuring the continued delivery of services, and achieving required budgetary savings.	additional resources are identified in order to deliver within required timeframes.		
RCFF 13	Staff resilience	5 – Almost certain	4 – Major	20	Staff resilience on an on-going basis has been incredibly challenged given the 40% reduction in staff numbers during austerity. With the pressures that COVID-19 brings, there are some teams in the Council where the risks around resilience are now critical.	All Directors are keeping under constant review the pressures and resilience issues in their teams (especially those who are undertaking specific COVID-19 response/recovery activities), to identify those where additional resources are required,	16	All Directors
RCFF 14	Reputation and engagement	3 - Possible	4 – Major	12	The risk is that the Council's reputation deteriorates with its communities, when it needs to improve, and this has a detrimental impact on our ability to gain public support for the actions that will realise the Council's priorities.	The Council's Community and Corporate Plan sets a clear ambition for the Council to become an enabling Council, and one which has a very different and improved relationship with residents. This is supported by the Council Redesign programme, which aims to put residents at the centre of everything we do and which seeks to engage and empower them.	12	Anne- Marie Bond
RCFF 15	Response times in respect of Subject Access Requests, Complaints, Freedom of Information requests and	5 – Almost certain	3 - Moderate	15	The Information Compliance Team is managing year on year increases in the volume of requests, and delays and non- compliance with timescales is common. There is a risk of a detrimental impact on the Council's reputation, and of	In respect of complaints, a one stage process is now embedded, and the permanent appointment of two Complaints Officers who independently investigate/oversee complaints, has improved the Council's performance significantly.	15	Matt Fairclou gh-Kay

	Environmental Impact Assessments				investigation by the Information Commissioners Office.	Subject Access Requests remain at record levels. An individual request can take hundreds of hours to complete and significant delays are common place. As well as using support from other Councils to undertake a small number on our behalf, we have recruited a dedicated post on a 12 month FTC to deal with the backlog.		
RCFF 16	Government Devolution White Paper	3 - Possible	4 – Major	12	The UK Government have pledged to bring forward a White Paper to set out their proposals for English Devolution. This could include proposals for local government reorganisation where existing Local Authorities are combined into single Councils.	The White Paper was anticipated to be published for responses in the autumn of 2020. However, the Ministry of Housing, Communities & Local Government's press office now say it will come out "in due course".	12	Anne- Marie Bond