TR46	Overwiestional Waykland
	Organisational Workload
Service Area	Chief Executive
Lead Officer	David Scholes
Cabinet Member	Portfolio Leader of the Council
<b>Date Reviewed</b>	
Next Review Date	
Description	The current risks to the provision of services by the Council arising from  1) increased demands for services (such as an increase in Homelessness applications due to the current economic climate)  2) implications on services from the current range of legislative changes being proposed by Central Government and scoped on the sub risks to this overall risk namely:  - Localism Act  - Council Tax Reduction Scheme  - Open Public Services  - Changes to NNDR  - Universal credit  - Changes to health and social care, public health obligations  - Community right to Bid  3) fewer staff available to deliver projects  These risks are failure to:  - have strong managerial and political leadership to respond to required changes to service delivery  - Manage expectations  - Deliver services at the required level  - Interpret and implement requirements of the various policy changes affecting Local Government  - Deliver projects identified on Service Action Plans  - Complete projects on time and within budget  - Complete agreed actions for the Priorities for the District  - Make best use of available resources
Opportunity	Ensuring the Council is able to respond appropriately to demands for services.
Nature of Risk	At an operational level, to ensure the work programme is not overly stretched (and therefore unachievable) and is fully aligned with the Council's Priorities.

Consequences	Failing to make best use of resources. Failing to deliver against the Council's priorities. Failure to comply with new duties imposed by legislation or central government policy. Adverse impact on performance indicators. Impact on the public of not delivering projects to enhance the community. Loss of reputation.
Work Completed	Leadership development programme and strong learning and development culture.  Annual service plans produced by Heads of Service and Corporate Managers and then cascaded to individual staff action plans which ensures services can plan for the changes required.  Project management guidance launched at SMT and is available on the intranet.  SMT Policy Initiatives day held to appraise Senior Managers on proposed changes.
Ongoing Work	Active management of corporate planning, performance and financial management arrangements by the Senior Management Team.  Regular reporting to Cabinet, Overview & Scrutiny and Finance, Audit & Risk Commitee.  Prince 2 training opportunities exist via learning & development.  Encouragement of Officers and Members to make more use of Covalent "live" to track performance.  Services reviewed as part of the Corporate Business Planning Process to ensure the right level of resources are aligned to deliver the Council's priorities and any changes required as a result of legislation.  Service planning and scheduling to take account of cross cutting impacts of range of projects, especially on support services such as HR, Finance, IT and Community Development.

TR46.001	Localism Act - Reforms to Planning System	
Service Area	Development & Building Control	
Lead Officer	Ian Fullstone	
Cabinet Member	Portfolio Planning, Transport & Enterprise	
Date Reviewed	06-Feb-2013	
Next Review Date	30-Jun-2013	
Description	The risks arising from the reforms to the planning system arising from the Localism Act associated regulations:  - Failure to comply with the Act - Failure of the Act to make the planning system more democratic and effective leading - Failing to have sufficient professional staff to deal with demands arising from the charbeing given - Failing to co-operate with other neighbouring authorities breaching the duty to co-operation for the complement strengthened enforcement rules - Failure to implement strengthened enforcement rules - Failure to provide advice and assistance to community forums leads to complaints - Conflict between neighbouring community forums and NHDC as Planning Authority leads and costs and resource issues of holding referendum arising from Community Forums and Costs of referenda and examination by Inspector - Additional costs of providing advice to neighbourhood forums/parish and town council inspector) at examinations into neighbourhood plans Additional costs of advertising for the establishment of neighbourhood areas, forums	g to delays in obtaining planning permission and additional expense nges to the planning system leads to delays and/or incorrect advice erate  ads to additional delays in the planning process Right to Build and Neighbourhood Plans  Is on Neighbourhood Plans etc - and costs of examinations (including
Opportunity	Planning system becomes more democratic and effective	
Nature of Risk		
Consequences	The following consequences may occur should a risk arise: delays in getting planning proposals agreed - an increase in complaints/appeals - more bureaucracy and cost - challenges causing delays to planning consent - hostile applications - additional unbudgeted costs - housing targets fail to be high enough - other statutory planning work (local plan making) is delayed	
Work Completed	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	

	Ongoing Work	Review and implement guidance as it becomes available Ensure staff are aware of and trained on the changes to the planning system Preparation of policies, as part of the Local Plan
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TR46.002	Council Tax Reduction Scheme
Service Area	Revenues, Benefits & IT
Lead Officer	Howard Crompton
<b>Cabinet Member</b>	Portfolio Finance & IT
Date Reviewed	06-Feb-2013
Next Review Date	31-Jul-2013
Description	The proposed changes to Council Tax Benefit to become Council Tax Reduction Scheme.:- Council Tax Benefit being abolished 31/3/2013. Local defined scheme to replace it. Pensioners & vulnerable people are protected. Removal of Second Adult Rebate. Reduction of 10% of the Subsidy payable.  The risks to NHDC from these proposals are:-  Financial risk - cash limited - Scheme is not as generous, so small amounts of Council Tax to collect with increase in arrears - Scheme is over subscribed and there is not enough money available to meet demand - Increase in liability orders  Implications for staff - Increase required in recovery staff levels - Public reaction  Disaggregation from Universal Credit - failure to have one benefit system - confusion for claimants  Affect on working age claimants - failure to/ allegations of failure to distribute the CT reduction on an equitable basis - 3,500 claimants will have a £5.62 reduction and will be notified in mid March of individual implications - failure to encourage work
Opportunity	To make work pay in line with Universal Credit To ensure those who don't work must also contribute – Unlikely to be any 100% cases, other than protected groups To reduce the welfare bill To protect the vulnerable and elderly To make responsibility for the scheme local
Nature of Risk	

Consequences	The consequences arising from the introduction of the Council Tax reduction Scheme include - significant financial impact on working age claimants - increase in complaints resulting in diversion of resources to respond to them - legal challenges on process and consultation - cost and resource in defending challenges of discrimination - impact on Council Tax collection rates increased costs of administering the scheme if no administration subsidy is available leading to investment bid - population drift - differences in entitlements between neighbouring authorities
Work Completed	Regulations now provided and rules have been followed by NHDC. NHDC Council Tax Reduction Scheme has been approved by Council.
Ongoing Work	Policy on recovery being reviewed

TR46.003	Universal Credit
	Revenues, Benefits & IT
Lead Officer	Howard Crompton
Cabinet Member	Portfolio Finance & IT
Date Reviewed	06-Feb-2013
Next Review Date	01-Oct-2013
Description	The risks arising from the introduction of Universal Credit. This will bring together most of the means tested benefits and make one monthly payment into the claimant's bank account. A handful of pilot schemes will be launched in April with more to follow in October.  The risks are:- Uncertainty- very little has been provided in terms of guidance Unknown impact on delivery of face-to-face enquiries during the transitional phase Failure to have a smooth transition of case load Failure to deal with remaining fraud (e.g. housing) as Fraud Officers will be working for DWP form 1 April 2013 What will be the admin subsidy implications Loss of income from recovered overpayments How will appeals and back-dating be administered Failing to have sufficient trained staff to administer the Council Tax Reduction Scheme Potential redundancy costs Increases in rent arrears Claimants being unable to obtain bank accounts and manage finances Failure of claimants to be able to make on-line or telephone claims
Opportunity	To streamline the welfare system – easier to administer Real time income updates from HMRC To simplify the process for claimants To make work pay and get people back into work To reduce the welfare bill
Nature of Risk	
Consequences	In the event of the risks arising the following consequences may occur - claimants do not obtain the benefits they are entitled to - increase in poverty - more people become homeless - additional costs to NHDC to fund redundancy costs - loss of key skills to deliver Council Tax reduction scheme
Work Completed	
Ongoing Work	Review of guidance as and when it becomes available.

TR46.004	NNDR/Resource Review	
Service Area	Finance, Performance & Asset Management	
Lead Officer	Andy Cavanagh	
Cabinet Member	Portfolio Finance & IT	
Date Reviewed	06-Feb-2013	
Next Review Date	30-Sep-2013	
Description	The NNDR/Resource Review is intended to provide a measure of local control to councils for their own funding. A percentage of funding from business rates is returned to local government, to incentivise those who will drive economic growth. Special treatment for Green Energy Proposals. NNDR growth needs to be equivalent to RPI in order for funding to councils to stand still.  The risks arising from this are: - uncertainty in funding levels making it difficult to plan beyond 2013 (% retained can be changed for any future year by government) - £179,000 business rate exposure (-7.5%) - fluctuations between years are inevitable - errors made in NNDR1 submission are more critical than previously	
Opportunity	Create as many self-sufficient authorities as possible Can retain 50% of NNDR if growth exceeds RPI Incentivise local authorities to promote growth Allow no increases in local taxation without business agreement (NNDR multiplier still set by central government)	
Nature of Risk	Risks of non-collection fall to local councils until -7.5% safety net reached Under estimates on NNDR1 will lead to initial under funding to the Council	
Consequences	Inability to confidently plan beyond 2013 due to funding uncertainties Detrimental impact on staff morale Less funding available to deliver planned projects to achieve the Council's vision	
Work Completed	More is now known about the changes to NNDR and the impacts; therefore, the scale of the issue is better understood Included in budget setting process for 2013/14	
Ongoing Work		

TR46.005	Open Public Services	
Service Area	Finance, Performance & Asset Management	
Lead Officer	Andy Cavanagh	
Cabinet Member	Portfolio Finance & IT	
Date Reviewed	06-Feb-2013	
Next Review Date	30-Sep-2013	
Description	The risks arising from the current proposals for Open Public Services -failure to provide value for money due to loss of economies of scale -failure of Supplier due to financial problems -failure of the Council to inspect and regulate providers -failure to provide choice of service providerfailure to comply with procurement legislation -failure to have Officers and Members with the required skills to deliver new ways of working -Funding can be provided directly to the individual and the responsibility for using the funding wisely rests with the individualRisk for neighbourhood councils in ensuring accountability and financial controlRisk for potential suppliers from payment by results approach	
Opportunity	Choice - increase choice, giving people direct control over services they use Decentralisation - of power to the lowest appropriate level. Diversity - Public services should be open to a range of providers in voluntary, public and private sectors. Fairness - Fair access to public services Accountability - Public services should be accountable to users and taxpayers.	
Nature of Risk		
Consequences	The consequences of the risks from Open Public Services are - services cost more - increase in complaints about service provision - loss of supplier would have impact on customers - supplier performance is below standard - finding of maladministration if no choice of service provider is made available	
Work Completed	Government White Paper on Open Public Services has been assessed and is the prime source of risk and opportunities information referred to on this Risk entry.	
Ongoing Work	Learning and development opportunities available to staff and Members to enable them to adapt to new ways of working awaiting further information, guidance from Central Government linkages to Community Rights to Bid, Build recognised	

TR46.007	Health & Social Care Act	
Service Area	Policy & Community Services	
Lead Officer	Liz Green	
Cabinet Member	Portfolio Community Engagement & Rural Affairs; Portfolio Housing & Environmental Health; Portfolio Leader of the Council; Portfolio Leisure; Portfolio Planning, Transport & Enterprise; Portfolio Waste, Recycling & Environment	
Date Reviewed	23-Jan-2013	
Next Review Date	23-Apr-2013	
Description	The Health and Social Care Act received royal assent on 4th April 2012.  The risks are:  - failure to respond to this additional responsibility with no or insufficient additional financial resource - failure to respond to this additional responsibility with insufficient officer resource - lack of clarity of the devolvement or sustainability of budgets to local authorities/health partners - lack of clarity of roles - NHS/HCC/NHDC/Director of Public Health – both internally, and to the public - failing to respond when considering future service provision as may be required such as: - activities to increase childhood activity/reduce obesity - provision or operation of leisure centres including concessions - provision or maintenance of green spaces - licensing activities - activities to reduce alcohol/drug abuse - the emergency planning role for pandemics/immunisation - failure to ensure clarity of provision, service responsibility and resource availability during the transition of NHS personnel into the county council - the Act requires input from a very wide range of services to deliver and will require necessary co-ordination, that resource currently provided by the corporate policy team - the health and wellbeing remit crosses the majority of existing portfolios, according to different elements of 'health' and 'public health' as defined within the Act - failure to communicate initiatives and progress across a range of services and across portfolios - failure of individual services to allocate resources and agree delivery of actions required of the HWB strategy - conflicting data and priorities between partner agencies - lack of clarity about finance available to deliver actions required of us under the HWB strategy - lack of clarity about finance available to deliver actions required of us under the HWB strategy - lack of clarity about the potential conflict between local and county priorities – strategy currently without prioritisation of number of improvement activities	

Opportunity	A more integrated service to our community A more healthy community Prioritisation of joint funding to health related or health improvement projects, which may also include Olympic activity 'legacy' Greater participation by health into countywide partnership work than previously Increased awareness of the impacts existing projects in Housing, Environmental Health, Community Development etc. have on the general health of the NH population
Nature of Risk	Officer and member resource limitations Increased demand for representation on a wide range of partnerships, working groups and boards New areas of work will take time to embed Change of skills sets for some services/individuals Financial resource limitations
Consequences	Failing to mitigate the risks could lead to: - public health will decrease or fail to improve in priority areas - existing levels of expenditure rise further - the cost to the public purse is not reduced as ill health is not prevented - the public are confused over who is doing what, who to speak to etc devolved budget fails to meet cost of what is expected
Work Completed	HWB Strategy developed at County level, including input from districts and based on needs, will form the overall workplan HWB Strategy to be launched in April 2013 Representation on HWB and Public Health Board established Sharing of information from HWB and Public Health Board agreed at senior officer and member level across Herts Cascade of information to portfolio holders, elected members and officers agreed Initial meetings have taken place to determine the partnership groups which currently exist and how these can be rationalised to make officer and member input more effective and less resource intensive
Ongoing Work	Policy Officers support the Health and Wellbeing Board representatives. It has been decided that in order to effect delivery of the Health and Wellbeing Strategy, there should be an officer group which effectively sits below the Health and Wellbeing Board; that Public Health Board will meet for first time in early March 2013.  Regional and district health profiles are circulated to services by the Policy Team; a further analysis of Census 2011 and IMD 2010 figures is underway to provide a more up to date profile of the district, and in particular reflect that there has been a shift in the original areas of multiple deprivation.  The service delivery of the Housing and Public Protection Service and of the Policy Team supports public heath as currently exists, but will need to be subject to further review and necessary changes reflected as the county council and public health services integrate.  Relevant health partners, including the representatives of Clinical Commissioning Groups, become members of the LSP and relevant local partnership activity.  The Policy Team are continuing to review underpinning regulation and legislative/structural changes still to be implemented to review their impact on this risk and delivery of the work required.  Local priority areas under regular review to ensure alignment between county, neighbouring and local priorities for improvement.  Determination of what public health funding will be available, and how it will be devolved down from county level to cover local areas for improvement.

TR46.008	Localism Act 2011	
Service Area	Policy & Community Services	
Lead Officer	Liz Green	
<b>Cabinet Member</b>		
Date Reviewed	18-Feb-2013	
Next Review Date	31-Jul-2013	
Description	The Localism Act 2011 sets out a series of measures that are intended to devolve power locally.  The intention is to grant:  - new rights and powers to individuals/groups  - reform the planning and housing systems  - provide more democratic accountability  - increase transparency  - greater encouragement to engage with local communities  The risks arising from this are:  - failing to respond to new planning obligations (described in TR46.001)  - failure to develop and implement a new pay policy/publication scheme for senior officers pay  - lack of clarity of standards required of councillors and how any issues may be dealt with  - failure to develop community awareness regarding the transfer of functions or assets to encourage applications  - clarity of decision making, some elected member decisions, some under delegation to officers  - failure to have resources/skills/capacity to work with new structures mutuals/community interest companies etc. (described in TR46.005)  - insufficient officer capacity to handle additional procurement exercises required under right to challenge  - determining and setting aside sufficient budget for the payment of compensation to owners of assets  - insufficient 'lifting burdens grant' to cover cost of implementation/grant only for 3 years  - consistency in application of predetermination and similar MO advice surrounding decision making	
Opportunity	More visible engagement with our communities Transparency over salaries and pay policy New ways of managing existing assets/reducing NHDC revenue costs	
Nature of Risk	Officer, member and community resource limitations New areas of work will take time to embed Change of skills sets for some services/individuals Financial resource limitations Reputational – some parts are not 'local' although the title infers it is	
Consequences	Decision making processes and responsibility become blurred Lack of resilience in services as officer numbers reduce Community groups do not have sufficient skills/capacity	

Work Completed	Initial review and briefing on implications Briefing note and training on housing obligations delivered Briefing and training on application of Localism provided to all members Development of Draft Community Asset Transfer Policy completed for discussion New standards regime established
Ongoing Work	Review impact of NPPF Review supplementary regulations and statutory instruments Arrange additional internal training for officers/members to address latest regulations/implementation Draft Community Asset Transfer Policy to include reference to assets of community value process as appendix Some staff training completed, but more to be provided as appropriate Ongoing advice to members/community reps on application of the registration process

TR46.009	Community Right to Bid
Service Area	Finance, Performance & Asset Management
Lead Officer	Andy Cavanagh
Cabinet Member	Portfolio Finance & IT
Date Reviewed	15-Feb-2013
Next Review Date	15-Feb-2013 15-Aug-2013
Description	Recognised community groups (including Town/Parish Councils) have the right to put in a bid for assets of community value.  The risks are:  - failure to understand the tenet and application of the legislation - the community group's expectations exceed their legal rights - the community group does not have the resources to deal with the transfer of the asset - there will be a draw on officer resources, that draw unpredictable, but also time critical under the specific regulations - insufficient officer capacity to 'counsel' groups waiting to develop a bid/business plan - if an asset is transferred, the community group fails to maintain the facility / maintain equality of access for all users - assets will be returned if groups fail financially - failure to understand what owning an asset that has been listed means - the Council may have to pay compensation to a landowner (non-Council owned land), as a result of the obligation in the regulations - adverse costs will arise from an appeal to the lands tribunal - challenge of asset registration process, through judicial review only - level of challenge to decisions on registration of assets for which there cannot be a review process - failure to identify the relevant and individual risks from transferring assets - the effort invested with community groups interested in taking on assets is disproportional to the final result, or with any regard to the ability of those groups to progress to transfer - groups may fail to develop robust business plans within the six month 'moratorium' granted under the legislation - failure to maintain a community asset register (resourcing and what is/isn't a community asset) - management of transferred assets under lease arrangement with reduced workforce in relevant areas
Opportunity	The transfer of a Council owned asset to a community group, ensuring the asset continues to be available for the community to use whilst reducing ongoing financial burden to the Council. (Note – this community right applies to Council and non-Council owned assets.)
Nature of Risk	
Consequences	The consequences arising from this risk include: - due to the lack of expertise, time and funds of community groups, the Council will have to provide groups with resources to enable them to deliver their projects - other scheduled Council projects fail to be delivered due to diversion of resources to assist with Community Right to Bid - complaints made about any failed bids - asset does not transfer to a community group and remains a liability to NHDC

Work Completed	Responsible officer nominated Internal process established to review nominations Process and working group established to deal with any submissions Initial broad briefing sessions provided to officers/Members Information regarding the application of this Right has been provided to all councillors Raised awareness with town, parish and community councils, who have been provided with information sources Register for assets of community value established NHDC internet page established and live, providing information (e.g. regulations and submission forms/processes etc.) to interested groups and providing public access to the list of successful and unsuccessful nominations Asset Disposal Strategy revised to reflect changes
Ongoing Work	- Assess our internal process for sustainability - Assess interest of towns and parishes (and possibly major voluntary providers) for more involvement in taking on responsibility for community assets and their risk appetite in terms of subsequent provision from those assets - Determine how we would manage risks to NHDC associated with a successful bid/challenge (e.g. sustainability of organisation that takes over and what, if any, risk/liability we have) - Ensure we are clear in our communications with groups regarding who is responsible for what and the associated risks if an asset is transferred - Determine how we deal with lack of accountability regarding some categories of community groups (i.e. if not democratically accountable) - Additional training to be provided to area committees and community groups/individuals in attendance