

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE

Venue: Town Hall, Moorgate
Street, Rotherham. S60
2TH

Date: Wednesday, 27 April 2011

Time: 2.00 p.m.

A G E N D A

1. Apologies for Absence.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Declarations of Interest.
5. Questions from Members of the Public and the Press.

For Discussion/Decision:-

6. Corporate Risk Register (report herewith) (Pages 1 - 24)
7. Review of Overview and Scrutiny (Deborah Fellowes to report)
8. Rewriting the Script : Preparing Overview and Scrutiny for the " New Localism" - Conference Feedback (Deborah Fellowes to report)

For Information/Monitoring:-

9. Minutes of the previous meeting held on 8th April, 2011 (herewith) (Pages 25 - 30)
10. Work in Progress (Chairs of Scrutiny Panels to report)
11. Call-in Issues - to consider any issues referred for call-in.

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| ROTHERHAM BOROUGH COUNCIL – REPORT TO PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE |
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|----|---------------------|---|
| 1. | Meeting: | Performance and Scrutiny Overview Committee |
| 2. | Date: | 27 April 2011 |
| 3. | Title: | Corporate Risk Register |
| 4. | Directorate: | Financial Services |

5. Summary

Attached to this report is the current corporate risk register summary. The summary shows the risks associated with the Council's most significant priorities and projects, and actions being taken to mitigate these risks.

Included in the significant changes this period is a new risk relating to the integration of 2010 Rotherham Ltd services back into Council management. New risks have also been added relating to highways road conditions, schools collaboration (relating to procurement of services) and the establishment of Free Schools.

There are 2 red residual risks, relating to Use of Resources for Children's Services and Social Care Commissioning. This has reduced from 4 residual red risks in the previous quarter's report, as the achievement of the Cultural Quarter risk is not immediately at risk and the delivery of the Children & Young People's Plan is no longer a statutory requirement. Both have therefore been moved from the Corporate Risk Register to the EDS and CYPS Directorate Risk Registers respectively.

6. Recommendations

Performance, Scrutiny and Overview Committee is asked to:

- **note the updated corporate risk register summary attached at Appendix A**
- **indicate any further risks that the Committee feels should be added to the risk register.**

7 Proposals and Details

7.1 Format

This report contains the latest position on the Corporate Risk Register. The report has two key parts:

- An '*at a glance*' picture showing the pattern of risk assessments for corporate priorities or projects both before and after risk management actions – see 7.3 below.
- A more detailed summary of the risk register that reflects the current risk assessments for each corporate priority or project. This is attached at **Appendix A**.

There are 3 overall categories of risk (RED, AMBER, GREEN) representing varying degrees of exposure. Each category contains a range of risk scores, so there are varying degrees of risk within each category. Appendix A shows specific current risk scores and after mitigating actions, as well as the general risk category for each priority or project included in the register.

7.2 Changes since previous SLT report.

The risk relating to the ALMO Decent Homes Programme has been removed from the corporate risk register following the completion of the programme.

Other significant changes in this period include:

- A new risk has been created relating to the integration of 2010 Rotherham Ltd services back into Council management (Appendix A reference SLT0014). This replaces the previous risk relating to 2010 Rotherham Ltd service and financial performance.
- The risk formerly titled 'Response to DFE Notice to Improve' (SLT0021) has been renamed 'Sustaining improvement post intervention' to reflect the official confirmation of the removal of the notice to improve, which was received on 13 January 2011.
- A new risk has been added to reflect the position regarding Highway Maintenance in light of deteriorating road conditions and finite budgets for road maintenance. (SLT0029).
- Two new CYPS risks have been added entitled 'Schools Collaboration' (SLT0030) and 'Free Schools and Other School Arrangements' (SLT0031) in recognition of the potential negative impact on both schools commissioning and wider Local Authority services.
- The risk relating to the Cultural Quarter has been removed from the Corporate Risk Register as this does not constitute an immediate risk.
- The former risk relating to the delivery of the Children & Young People's Plan (SLT0007) is no longer a statutory requirement and has therefore been moved to the CYPS Directorate Risk Register.
- The mitigations relating to former risk Academy Schools (SLT0028) are now at 90% complete level and / or are being managed operationally; therefore the risk has been moved to the CYPS Directorate Risk Register.

7.3 Corporate Risks at a Glance

7.3.1 Risk assessments prior to mitigating actions.

The first diagram shows the pattern of risk assessments for corporate priorities or projects before risk management actions.

Probability:
Will it
Happen?

| | | | | |
|----------------|--|---|--|--|
| Almost certain | | | 04 Cost of Capital Programme(20) 14 2010 Integration (20) 27 Managing Budget Adjustments (20) 29 Highway Maintenance (20) | 13 Commissioning (25) 21 Sustaining improvement (25) 22 Resources (25) |
| Very Likely | | 01 Civic Building Accommodation (12) 05 Single Status (12) | 03 Schools Capital investment(16) 09 Implementation of Personalisation in Adult Social Services (16) 12 Local authority reform implementation Plan (16) 30 Schools Collaboration (16) 31 Free Schools (16) | |
| Likely | | 02 Waste Management Strategy (9) 17 Carbon Reduction Commitment (9) 18 EDRMS (9) 19 Relationship with RBT (9) 24 Community Stadium (9) 25 Civic Centre- Work Smart Project (9) | | |
| Possible | | | | |
| Unlikely | | | | |

Insignificant Minor Significant Major Catastrophic

Impact: Will it Hurt?

Note on the diagram entries:
E.G. “ 04 Cost of Capital Programme (20)”. The first number, in this case 04, is the reference number of the risk. Risks are listed in reference number order in the risk register summary at Appendix A. The second number in brackets, in this instance (20), shows the risk score. The higher the score, the greater the risk.

7.3.2 Risk Assessments after allowing for mitigating controls

The second diagram shows the pattern of risk assessments for corporate priorities or projects after risk management actions.

**Probability:
Will it
Happen?**

| | | | | |
|-----------------------|---|--|--|--|
| Almost certain | | | | |
| Very Likely | | 04 Cost of Capital Programme(12) 14 2010 Integration (12) 21 Sustaining improvement (12) 27 Managing Budget Adjustments (12) 30 Schools Collaboration (12) 31 Free Schools (12) | 13 Commissioning (16) 22 CYPS Resources (16) | |
| | | 03 Schools Capital Investment (9) 29 Highway Maintenance (9) | | |
| | 25 Civic Centre- Work Smart Project (4) | 02 Waste Management Strategy (6) 05 Single Status (6) 17 Carbon Reduction Commitment (6) 24 Community Stadium (6) | 09 Implementation of Personalisation in Adult Social Services (8) 12 Local authority reform implementation Plan (8) | |
| Likely | 01 Civic Building Accommodation (2) | 18 ED RMS (3) 19 Relationship with RBT (3) | | |

Insignificant Minor Significant Major Catastrophic

Impact: Will it Hurt?

It can be seen from the second chart, that risk is being reduced by management actions. The following tables provide a summary of the risk reduction achieved.

7.4 Review of risks and trends

The Risk Register report is sent to directorates for updating on a quarterly basis. The draft report is then produced based on the responses that are given by the directorates. Further quality assurance takes place to ensure that the risks are being monitored effectively and to identify any notable changes. This

may take the form of seeking clarification from directors on information contained within the mitigation actions or on the risk scores. There are 18 risks in the current report that were also reported on in the previous report. Of these:

- 8 have been updated with additional mitigation actions put in place.
- 10 have remained unchanged.

Table 1 shows the risk category that initial red and amber risks are converted to, following mitigating actions:

| Risk category | Number of Projects / Priorities in the category BEFORE mitigating actions | | Risk category | Number of Projects / Priorities in the category AFTER mitigating actions |
|---------------|---|---|---------------|--|
| Red | 12 | → | Red | 2 |
| Amber | 8 | | Amber | 10 |
| | | | Green | NIL |
| | | | Amber | 4 |
| | | | Green | 4 |

Table 2 shows the average risk score for priorities rated as red and amber prior to mitigating actions, and the average reduction in risk scores resulting from the mitigating actions:

| Risk category | Average risk score BEFORE mitigating actions | Average risk score AFTER mitigating actions | Reduction in average risk score as a result of mitigating actions |
|---------------|--|---|---|
| Red | 19.6 | 11.5 | 8.1 |
| Amber | 9.8 | 5.0 | 4.8 |

8. Finance

The risks contained in the register require ongoing management action. In some cases additional resources may be necessary to implement the relevant actions or mitigate risks. Any additional costs associated with the risks should be reported to the Strategic Leadership Team and Members for consideration on a case by case basis.

It is important to review the effectiveness of our approach to capturing, managing and reporting corporate risks on an ongoing basis, to ensure risks relating to the Council's key projects and priorities are effectively monitored and managed by the Strategic Leadership Team and Members.

10. Policy and Performance Agenda Implications

Risk Management is part of good corporate governance and is wholly related to the achievement of the objectives in the Council's Corporate Plan.

11. Background Papers and Consultation

The content of this report has been informed by consultation with Directorates.

Contact Names:

Colin Earl, Director of Audit and Governance, x22033

Rob Houghton, Governance and Risk Manager, x54424

Appendices

A Corporate Risk Register Summary

APPENDIX A: CORPORATE RISK REGISTER SUMMARY

Explanatory Note:

For the purposes of illustration, Risk Reference 12: ‘Local Government Reform Implementation Plan’ from the corporate risk register is extracted below:

| Ref | Risk Area | Current Risk | Pre - Mitigation Risk Assessment | Lead Officer | Mitigating Controls & Current Position | After Man’t Control | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------|---|--|---|----------------|--|--|----|---|---|---|---|---|---|---|---|--|----|----|----|--|--|--|--|----|----|----|--|--|--|
| Cross Cutting | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0012 | Local Government Reform Implementation Plan | Failure to implement statutory reforms provided for in national policy and new legislation | R E D <div style="border: 1px solid black; width: 30px; margin: auto; text-align: center;">16</div> | Matt Gladstone | <p>All current statutory requirements are met.</p> <p>The implementation plan has been completely refreshed to provide workstreams covering coalition government commitments that are relevant to the Council. This is broader than the previous plan, which primarily covered governance issues.</p> <p>The previous version of the plan is being retained to cover commencement issues. These now primarily relate to e-petitions and byelaws.</p> | A M B E R <div style="border: 1px solid black; width: 30px; margin: auto; text-align: center;">8</div> | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; text-align: center; font-size: small;"> <tr> <td style="background-color: yellow;">L</td> <td style="background-color: blue;">Ac</td> <td style="background-color: blue;">Al</td> <td style="background-color: green;">S</td> <td style="background-color: red;">P</td> <td style="background-color: orange;">SD</td> <td style="background-color: grey;">F</td> </tr> <tr> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </table> | L | Ac | Al | S | P | SD | F | √ | √ | √ | √ | √ | √ | √ | <p>Previous periods:</p> <table style="width: 100%; text-align: center; font-size: x-small;"> <tr> <td>-3</td> <td>-2</td> <td>-1</td> </tr> <tr> <td style="border: 1px solid red; width: 20px; height: 20px;"></td> <td style="border: 1px solid red; width: 20px; height: 20px;"></td> <td style="border: 1px solid red; width: 20px; height: 20px;"></td> </tr> </table> | -3 | -2 | -1 | | | | <p>Previous periods:</p> <table style="width: 100%; text-align: center; font-size: x-small;"> <tr> <td>-3</td> <td>-2</td> <td>-1</td> </tr> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> </table> | -3 | -2 | -1 | | | |
| L | Ac | Al | S | P | SD | F | | | | | | | | | | | | | | | | | | | | | | | |
| √ | √ | √ | √ | √ | √ | √ | | | | | | | | | | | | | | | | | | | | | | | |
| -3 | -2 | -1 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| -3 | -2 | -1 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

There are 3 overall categories of risk (RED, AMBER, GREEN), representing varying degrees of exposure. Each category contains a range of risk scores, so there are varying degrees of risk within each category. Scores have now been added to the register entries to show the specific risk assessments pre (48 in this example) and post (36) mitigating actions, in order to demonstrate the effectiveness of mitigating actions, particularly where the overall risk category for any priority or project has not changed, as is the case in the example above.

The following table gives more information:

| Risk Category | Range of risk scores | Level of Risk |
|---------------|----------------------|---|
| Red | 16 to 25 | High level of risk, requiring close and regular review and further preventive or remedial action as necessary |
| Amber | 5 to 15 | Medium level of risk, requiring regular monitoring and, in the event of any identified increase in risk, escalation for consideration of further actions. |
| Green | 1 to 4 | Low level of risk, initially requiring regular monitoring and reporting. |

The register shows the respective risk categories for the last 3 risk registers, as follows:

Previous periods:



In this case, the risk category has been amber both before and after mitigating actions in each of the last 3 periods. Where any period has no colour (i.e. is white), this indicates that the priority or project was not included in the risk register in that period.

The register also shows the corporate priorities that each project or priority included in register contributes to. This is indicated in the 'Risk Area' column for each priority / project included in the register. The corporate plan priorities are as follows:

- | | | | | | |
|---|---|----------------------------|---|---|--------------------------------|
|  | = | Rotherham Learning |  | = | Rotherham Proud |
|  | = | Rotherham Achieving |  | = | Sustainable Development |
|  | = | Rotherham Alive |  | = | Fairness |
|  | = | Rotherham Safe | | | |

CORPORATE RISK REGISTER

| Ref | Risk Area | Current Risk | Pre - Mitigation Risk Assessment | Lead Officer | Mitigating Controls & Current Position | After Man't Control | | | | | | | | | | | | |
|-----------------------|------------------------------|--|---|--------------|--|---------------------|---|---|---|----------------|--|--|----|----|----|---|---|---|
| Major Projects | | | | | | | | | | | | | | | | | | |
| 0001 | Civic Building accommodation | <p>New accommodation not fit for purpose</p> <p>Failure to maximise use of resources</p> <p>Failure to modernise services and respond to changing needs</p> <p>Failure to apply appropriate governance arrangements: procurement; risk transfer; affordability; deliverability; structures and controls.</p> | <p style="text-align: center; font-size: 2em; letter-spacing: 0.5em;">A M B E R</p> <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center; padding: 2px;">12</div> <p>Previous periods:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">-3</td> <td style="text-align: center;">-2</td> <td style="text-align: center;">-1</td> </tr> <tr> <td style="text-align: center;">□</td> <td style="text-align: center;">□</td> <td style="text-align: center;">□</td> </tr> </table> | -3 | -2 | -1 | □ | □ | □ | Karl Battersby | <p>The business case was agreed by Cabinet in September 2008.</p> <p>Planning permission granted in June 2009. Judicial Review ended 22 Dec 09. Land works commenced on site Jan 2010.</p> <p>The contract went unconditional in December. All pre-commencement conditions have been discharged.</p> <p>Building progressing on time, no issues to report; fit out contract was entered into on 15th December 2010.</p> <p>Building completion due on 16th September 2011, with first decants into building in November.</p> | <p style="text-align: center; font-size: 2em; letter-spacing: 0.5em;">G R E E N</p> <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center; padding: 2px;">2</div> <p>Previous periods:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">-3</td> <td style="text-align: center;">-2</td> <td style="text-align: center;">-1</td> </tr> <tr> <td style="text-align: center;">□</td> <td style="text-align: center;">□</td> <td style="text-align: center;">□</td> </tr> </table> | -3 | -2 | -1 | □ | □ | □ |
| -3 | -2 | -1 | | | | | | | | | | | | | | | | |
| □ | □ | □ | | | | | | | | | | | | | | | | |
| -3 | -2 | -1 | | | | | | | | | | | | | | | | |
| □ | □ | □ | | | | | | | | | | | | | | | | |

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|---|----|----|---|---|----|---|
| L | Ac | AI | S | P | SD | F |
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| Ref | Risk Area | Current Risk | Pre - Mitigation Risk Assessment | Lead Officer | Mitigating Controls & Current Position | After Man't Control | | | | | | | | | | | | | | | | | | | | |
|-----------------------|--|--------------|----------------------------------|--------------|--|---------------------|----|---|--|--|--|---|---|---|--|--|---|--|--|--|----------------|---|---|--|--|--|
| Major Projects | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0002 | <p>Delivery of the Waste Management strategy. Failure could involve significant penalties.</p> <p>Needs:</p> <p>1 Disposal facilities to be agreed with other authorities</p> <p>2 Med term contracts 2008-2014/2015</p> <p>3 Long term contract 2014 2015 onwards</p> <p>Two treatment solutions are currently being considered, "energy from waste" and "mechanical biological treatment". Both treatment solutions will assist the Council in delivering a 50% recycling rate.</p> <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td></td> <td></td> <td></td> <td>√</td> <td>√</td> <td>√</td> <td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | | | | √ | √ | √ | | <p>Potential significant financial penalties</p> <p>Adverse inspection assessment</p> <p>Failure to apply appropriate governance arrangements:</p> <ul style="list-style-type: none"> - procurement - risk transfer - affordability - deliverability - structures and controls <p>Failure to meet targets relating to the diversion of biodegradable municipal waste from landfill.</p> | <p>A M B E R</p> <p>9</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td></td> <td></td> <td></td> </tr> </table> | | | | Karl Battersby | <p>BDR Waste Partnership has secured £74.4m in PFI credits. DEFRA has confirmed continuing support.</p> <p>PFI: There is a detailed project plan in place with clear milestones; it allows for completion of the procurement by 31st March 2011, a date which is tight but achievable. Failure to hit that deadline puts the award of PFI credits at risk.</p> <p>Final Tender documents were issued to 2 bid consortia in December 2010</p> <p>Although the timetable has slipped due to closing off dialogue with bidders, the project is continuing to be supported by DEFRA to deliver a long term waste solution for the BDR Councils. Preferred bidder to be chosen on the 23rd March Cabinet with formal announcement on the 6th April 2011.</p> <p>The BDR Waste Partnership is seeking to obtain financial close on the Project in Summer 2011.</p> | <p>A M B E R</p> <p>6</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td></td> <td></td> <td></td> </tr> </table> | | | |
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| Ref | Risk Area | Current Risk | Pre - Mitigation Risk Assessment | Lead Officer | Mitigating Controls & Current Position | After Man't Control | | | | | | | | | | | | | | | | | | | | |
|-----------------------|--|--------------|----------------------------------|--------------|--|---------------------|----|---|---|---|---|---|---|---|---|---|---|--|--|--|----------------|--|--|--|--|--|
| Major Projects | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0003 | <p>Schools Capital Investment</p> <table border="1"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | √ | √ | √ | √ | √ | | <p>The Secretary of State has closed the BSF programme to those authorities “not at financial closure with their partners”.</p> <p>This does not necessarily mean the end of capital spend on schools but further details will be given following the review in the autumn.</p> | <p>R E D</p> <p>16</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: red;"></td> <td style="background-color: red;"></td> <td style="background-color: red;"></td> </tr> </table> | | | | Karl Battersby | <p>The Council will prepare for the outcome of the autumn review by prioritising schools for any future funding. This will be based on the current condition and suitability of each school.</p> <p>In addition. The DfE decision on funding for schools has ensured that we can now allocate resources appropriately.</p> | <p>A M B E R</p> <p>9</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: red;"></td> <td style="background-color: red;"></td> <td style="background-color: yellow;"></td> </tr> </table> | | | |
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| Major Projects | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0004 | <p>Costs of the capital programme.</p> <p>Significant revenue consequences (£11m per year).</p> <table border="1"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | √ | √ | √ | √ | √ | √ | <p>Significant financial impact and/or failure to deliver the capital programme.</p> | <p>R E D</p> <p>20</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: red;"></td> <td style="background-color: red;"></td> <td style="background-color: red;"></td> </tr> </table> | | | | Andrew Bedford | <p>Detailed financial calculations are included in the MTFs. These are being reviewed as part of the Council's on-going budget monitoring and financial planning processes</p> | <p>A M B E R</p> <p>12</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> </tr> </table> | | | |
| L | Ac | AI | S | P | SD | F | | | | | | | | | | | | | | | | | | | | |
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|----------------------|---|---|---|--------------|--|--|
| Cross Cutting | | | | | | |
| 0005 | Impact of single status job evaluation. | Lengthy timescales, causing uncertainty and possible unrest unless resolved quickly. <ul style="list-style-type: none"> - potential dispute - costs - possible negative impact on staff retention, depending upon the evaluation outcomes | A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">12</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Phil Howe | Phase 2 implemented successfully on 1/04/08. Through the effective implementation process RMBC has successfully avoided major industrial unrest. Barrister commissioned to help defend Equal Pay challenges. Reasonable conclusion on No Win No Fee and Trade Union solicitors' cases. There are two low value unresolved claims from the no win no fee solicitor. The memo of understanding with the trade unions has now been signed and individual offers of settlement were passed to the trade unions' solicitors. Thirty eight new claims from Trade Union Members have been received. No offers have been made to these new claimants. There will always remain some as yet 'unknown' element of risk of challenge under Equal Pay & Single Status, which could in future require resources to defend. | A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">6</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |

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| Ref | Risk Area | Current Risk | Pre - Mitigation Risk Assessment | Lead Officer | Mitigating Controls & Current Position | After Man't Control | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Neighbourhoods and Adult Services | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0009 | <p>Adult Social Services:</p> <ul style="list-style-type: none"> - Demand continues to increase and only the most vulnerable are being helped - in-house costs are higher than independent sector costs - recruitment, retention, resources <table border="1"> <thead> <tr> <th>L</th> <th>Ac</th> <th>Al</th> <th>S</th> <th>P</th> <th>SD</th> <th>F</th> </tr> </thead> <tbody> <tr> <td></td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </tbody> </table> | L | Ac | Al | S | P | SD | F | | √ | √ | √ | √ | √ | √ | <p>Significant adverse impact on council financial position</p> <p>Adverse inspection outcomes.</p> <p>Adverse press reaction and user / public satisfaction</p> | <p>R E D</p> <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">16</div> <p>Previous periods:</p> <table style="margin: 0 auto;"> <tr> <td style="text-align: center;">-3</td> <td style="text-align: center;">-2</td> <td style="text-align: center;">-1</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | -3 | -2 | -1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Chrissy Wright | <p>The 2010/11 & 11/12 budget setting process has proposals to minimise the impact of cost and demographic pressures: (1) re negotiating contracts to achieve efficiency savings, (2) transforming traditional services to provide better outcomes, (3) reviewing high cost areas (4) increasing income – bringing charges in line with other LA's, and (5) continuing shifting the balance of care to the independent sector.</p> <p>An Ageing Well Group has been established with representation from all partners. The work is progressing well, with a target April 2011 for the delivery of the Ageing Well Strategy and the implementation plan.</p> <p>An initial self assessment against the 12 criteria in DoH "Use of Resources in Adult Social Care" has resulted in actions being added into the Directorate Service Plan.</p> <p>Members have agreed to merge Re-enabling and wardens services to create a prevention/early intervention service. Merger will deliver full year savings of £1.3m and create capacity.</p> | <p>A M B E R</p> <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">8</div> <p>Previous periods:</p> <table style="margin: 0 auto;"> <tr> <td style="text-align: center;">-3</td> <td style="text-align: center;">-2</td> <td style="text-align: center;">-1</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | -3 | -2 | -1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| Cross Cutting | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0012 | Local Government Reform Implementation Plan | Failure to implement statutory reforms provided for in national policy and new legislation | R E D <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">16</div> | Matt Gladstone | <p>All current statutory requirements are met.</p> <p>The implementation plan is capturing all developments. Consultations are being responded to.</p> <p>A cross council working group has been established to take forward the cross-cutting nature of the Localism Bill and a report will be presented to SLT and Cabinet in May/June. Reports will also be made to Cabinet members' delegated powers meetings as appropriate.</p> <p>A programme of sessions has been held for members as part of the member development programme. Members have agreed that further sessions should be held as the agenda develops. Arrangements are also in place to connect with the voluntary sector and parish councils' network.</p> | A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">8</div> | | | | | | | | | | | | | | | | | | | | | | | |
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| Cross Cutting | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0013 | Commissioning | We continue to commission services in a traditional, unaffordable manner resulting in a failure to achieve better VFM and improved outcomes. | R E D 25 | Matt Gladstone | <p>The risk relating to the commissioning of some Children's Services increased due to a halt on some contracts as a result of £2.1m reduction in Area Based Grant. All contracts will be reviewed to ensure exit strategies are up to date and applied where appropriate. Position adversely affects chances of achieving commissioning objectives.</p> <p>The Council has just completed a review of policy and performance resources across the Council and this includes commissioning resources. The Director will now concentrate on ensuring that commissioning priorities are agreed by SLT and resources redeployed accordingly.</p> <p>The Commissioning VFM review which is seeking to improve outcomes and better VFM can now be quickly progressed.</p> <p>Main priorities for the coming year are achieving efficiency savings, co-ordinate across the organisation, improve external Children's placements into care and assist the School catering service</p> | R E D 16 | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Neighbourhoods and Adult Services | | | | | | | | | | | | | | | | | | | | |
| 0014 | 2010 Transition arrangements <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td></td> <td></td> <td></td> <td>√</td> <td></td> <td></td> <td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | | | | √ | | | | Adverse impact on: - services to tenants - Housing Revenue Account resources. | R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">20</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | David Richmond | Significant work is being carried out by RMBC and 2010 Rotherham Ltd senior managers to plan the transfer of services back to the Council. A comprehensive project plan is being developed to manage risks associated with the integration of all services. A strategy for absorbing the Company's residual financial position is in place and will be applied as the final position is clarified. | A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">12</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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|----------------------|-----------------------------------|--|---|----------------|---|---|
| Cross Cutting | | | | | | |
| 0017 | Carbon Reduction Commitment (CRC) | <p>Risk of non compliance with Carbon Reduction Order due to inadequate funding.</p> <p>The coalition government announced in the Comprehensive Spending Review that significant changes would be made to the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme</p> | <p style="text-align: center;">A M B E R</p> <p style="text-align: center;">9</p> <p>Previous periods:</p> <p style="text-align: center;">-3 -2 -1</p> <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin: 2px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; margin: 2px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; margin: 2px;"></div> </div> | Andrew Bedford | <p>Carbon Reduction Fund to be set up. Registration for the scheme is complete. A Carbon Reduction Officer has been appointed to assist with identifying energy reductions & engaging with staff, clients, customers and schools to encourage energy efficiency.</p> <p>Systems already in place to produce the data required for the scheme, but improvements on accuracy, property changes and reporting in process. Risk is lowering in terms of our ability to participate in the scheme and produce accurate data.</p> <p>The current estimated cost of purchasing the allowances in 2012/13 has been built into the MTFS. The risk is still amber as details of the scheme are still changing, including the cost of purchasing the allowances so the amount built into the MTFS may prove to be insufficient.</p> <p>Work continues on reducing emissions across RMBC street lighting and operational properties. Work with schools continues but RMBC can only influence.</p> | <p style="text-align: center;">A M B E R</p> <p style="text-align: center;">6</p> <p>Previous periods:</p> <p style="text-align: center;">-3 -2 -1</p> <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px; margin: 2px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; margin: 2px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; margin: 2px;"></div> </div> |

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| Cross Cutting | | | | | | | | | | | | | | | | | | | | |
| 0018 | EDRMS - Failure to implement EDRMS effectively across the Council. <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | √ | √ | √ | √ | √ | √ | Risk to Accommodation Strategy and WorkSmart Programme and unable to realise savings. | A M B E R <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; text-align: center; line-height: 30px;">9</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100%;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Andrew Bedford | <p>First phase of the project successfully completed including full information audit and production of a draft file plan.</p> <p>A Steering Group with representation from all Directorates and RBT has been established and is meeting monthly to drive the programme forwards. Project plan produced setting out the roll out plan for all Directorates in the run up to the opening of the civic office. Project management arrangements are being established.</p> | G R E E N <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; text-align: center; line-height: 30px;">3</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100%;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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| Cross Cutting | | | | | | | | | | | | | | | | | | | | |
| 0019 | Maximising the value from the renegotiated RBT contract <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | √ | √ | √ | √ | √ | √ | Failure to fully realise the benefits of the strategic partnership with BT. | A M B E R <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; text-align: center; line-height: 30px;">9</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100%;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Andrew Bedford | <p>Strong partnership governance arrangements and strengthened client arrangements in place.</p> <p>Further development of benchmarking to ensure value for money.</p> <p>Developing Joint Forward Plan.</p> <p>Exploring synergies with other BT sites.</p> | G R E E N <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto; text-align: center; line-height: 30px;">3</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100%;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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| CYPS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 0021 | Sustaining improvement post intervention. | <p>Future intervention from OFSTED/DFE.</p> <p>Children exposed to inadequately managed risk.</p> <p>Council exposed to financial and reputational risks.</p> <p>Impact on future inspection outcomes.</p> | R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">25</div> | Joyce Thacker | <p>Service improvement and school attainment improvement plan is monitored fortnightly internally and monthly by DFE. Milestones meeting confirmed that Ministers felt progress was satisfactory.</p> <p>Fostering inspection June 2010 outcome satisfactory.</p> <p>Safeguarding and Looked After Children (LAC) inspection July 2010 outcome satisfactory. Action plans in place.</p> <p>Confirmation of removal of Notice To Improve received on 13 January 2011. Action plans subsequently reviewed and updated to reflect current position and future improvement targets.</p> | A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">12</div> | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: yellow;">L</td> <td style="background-color: #cccccc;">Ac</td> <td style="background-color: #cccccc;">Al</td> <td style="background-color: #90ee90;">S</td> <td style="background-color: #cccccc;">P</td> <td style="background-color: #cccccc;">SD</td> <td style="background-color: #cccccc;">F</td> </tr> <tr> <td>√</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> | L | Ac | Al | S | P | SD | F | √ | | | | | | | <p>Previous periods:</p> <table style="width: 100%; text-align: center;"> <tr> <td>-3</td> <td>-2</td> <td>-1</td> </tr> <tr> <td style="background-color: red; width: 20px; height: 20px;"></td> <td style="background-color: red; width: 20px; height: 20px;"></td> <td style="background-color: red; width: 20px; height: 20px;"></td> </tr> </table> | -3 | -2 | -1 | | | | <p>Previous periods:</p> <table style="width: 100%; text-align: center;"> <tr> <td>-3</td> <td>-2</td> <td>-1</td> </tr> <tr> <td style="background-color: red; width: 20px; height: 20px;"></td> <td style="background-color: red; width: 20px; height: 20px;"></td> <td style="background-color: yellow; width: 20px; height: 20px;"></td> </tr> </table> | -3 | -2 | -1 | | | |
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| CYPS | | | | | | | | | | | | | | | | | | | | |
| 0022 | CYPS Resources <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | | | | | | | Insufficient and Ineffective use of resources to meet statutory and moral obligations due to focus on high priority services. | R E D <div style="border: 1px solid black; width: 40px; margin: 0 auto; padding: 5px;">25</div> Previous periods: -3 -2 -1 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | Joyce Thacker | <p>Additional funding made into the service in 2010/11 and plans are being implemented to improve the use of existing resources. Regular monitoring and reporting of risks and progress to Cabinet, Scrutiny and Directorate Leadership Team.</p> <p>A review of partnerships and contributions is being undertaken. Savings work programme being implemented in key areas. All high spend areas are under review but these are mainly volatile and related to children in care.</p> <p>Due to high proportion of at risk grant funding we are looking at all non statutory services to assess the need to continue. Risks continue as pressure to place Children in care continues.</p> <p>Following the Council's injection of additional funding in 2010/11, CYPS is projecting a balanced budget outturn. 2011/12 settlement agreed at full Council on 3 March 2011. CYPS continue to work through service reductions.</p> | R E D <div style="border: 1px solid black; width: 40px; margin: 0 auto; padding: 5px;">16</div> Previous periods: -3 -2 -1 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
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| EDS | | | | | | | | | | | | | | | | | | | | |
| 0024 | Community Stadium <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | | | | | | | <p>Failure by Rotherham UFC to secure funding to build a stadium, resulting in a lack of a crucial community facility. The site will not be purchased if the lease is not acceptable to the club.</p> <p>No provision has been made in the Council's MTFS for the payback of the bond, should the football club fail to move back into Rotherham.</p> <p>Reputation damage.</p> | A M B E R <div style="border: 1px solid black; width: 40px; height: 30px; margin: 0 auto; text-align: center; line-height: 30px;">9</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Karl Battersby | <p>Outline planning permission has been granted for the development.</p> <p>The purchase of the site from Evans of Leeds has been successfully negotiated and completed by RMBC.</p> <p>Lease agreement between RMBC and RUFC to be finalised.</p> <p>Planning application for infill and land levels to be considered by planning board on the 28th April, to enable start on site in May 2011. RUFC has selected the contractor.</p> <p>If the build subsequently falls through, the land ownership would revert to RMBC. RMBC would then be liable for the listed building and would need to identify funding for maintenance, restoration and security etc.-</p> | A M B E R <div style="border: 1px solid black; width: 40px; height: 30px; margin: 0 auto; text-align: center; line-height: 30px;">6</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"> <div style="background-color: #90EE90; border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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| EDS | | | | | | | | | | | | | | | | | | | | |
| 0025 | Civic Centre - WorkSmart Project <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | | | | | | | Parts of the new building are not taken up. The existing estate remains partly occupied. Incomplete adoption of WorkSmart practices. | A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">9</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Karl Battersby | Effective leadership and adoption by departments of WorkSmart. Effective project management- contractual and logistical tasks re: detail programmes. WorkSmart Steering Group is being disbanded; the construction project will now report to Strategic Director, EDS and WorkSmart to the Estates Manager, EDS through Directorate Champions. | G R E E N <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">4</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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| Cross Cutting | | | | | | | | | | | | | | | | | | | | |
| 0027 | Managing budget adjustments <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | | | | | | | Failure to deliver relevant services and achieve substantial budget reductions. Change management relating to the service adjustments necessary. | R E D <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">20</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Andrew Bedford | Given highest priority through the Strategic Leadership Team and Cabinet having an ongoing focus on Government announcements made and by considering future options for services. Additional actions to mitigate the impact of budget reductions are being identified and implemented. | A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">12</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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| EDS | | | | | | | | | | | | | | | | | | | | |
| 0029 | Highway Maintenance <table border="1"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td>√</td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | | | | | | | Maintenance of the highway so that it meets at least national average standards for condition is a corporate priority. Due to a 50% reduction in external funding and insufficient revenue funding for maintenance the general condition of the highway will fall to below national average condition within 3 years. | R E D <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">20</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | David Burton | Review packaging of work to include "super patching" as a replacement to major schemes Approval has been given for additional funding Review operational and working arrangements for highway teams leading to a reduction in overtime and reduced unit costs. Target is 5% increase in efficiency by May 2011 | A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">9</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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| CYPS | | | | | | | | | | | | | | | | | | | | |
| 0030 | Schools' Collaboration <table border="1"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td>√</td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table> | L | Ac | AI | S | P | SD | F | √ | | | | | | | Impact of schools commissioning (or not) services on a collaborative basis could impact on the Local Authority. Services such as finance, building management, health and safety, SEN etc could be affected. This would impact on the Council more widely than just CYPS. | R E D <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">16</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Joyce Thacker | The situation is currently being monitored and a report being prepared for Cabinet. The Strategic Director has communicated with all Head Teachers and Chairs of Governors regarding the implications of collaboration and purchasing services from outside the Council. The appetite for schools to pursue this route is still being assessed | A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">12</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |
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|------|--|--|---|---------------|--|---|
| 0031 | Free Schools and other School Arrangements | With the introduction of free schools and other arrangements - risk of LA school falling numbers, loss of revenue, reduction in attainment of C & YP in Rotherham. | R E D <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">16</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100%;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> | Joyce Thacker | <p>The situation is currently being monitored and a report will be prepared for Cabinet in due course.</p> <p>The implications for local schools in relation to pupil learning and financially is being assessed by CYPS working with schools in the areas of proposed free schools.</p> | A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">12</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100%;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div> |

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PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
Friday, 8th April, 2011

Present:- Councillor Whelbourn (in the Chair); The Mayor (Councillor McNeely); Councillors Gilding, Jack, P. A. Russell and Whysall.

Apologies for absence were received from Councillors Austen, J. Hamilton, G. A. Russell, Steele and Swift.

154. DECLARATIONS OF INTEREST.

There were no declarations of interest made at this meeting.

155. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS.

There were no questions from members of the public or the press.

156. SELF REGULATION AND IMPROVEMENT

Further to Minute No. C205 of the meeting of Cabinet held on 6th April, 2011, Deborah Fellowes, Policy Manager, presented the submitted report which indicated that, despite the abolition of national performance and inspection frameworks such as Comprehensive Area Assessment (CAA) and Local Area Agreements (LAA), there was still an expectation from Central Government that Councils would take responsibility both collectively and individually to manage their performance, ensure improved outcomes for their local areas and deliver services with increased accountability and transparency.

The Local Government Group (LG Group) paper 'Taking the Lead: Self Regulation and Improvement in Local Government' set out an approach to meeting these expectations which was summarised and recommendations made for its proposals to be adopted and taken forward as a Council wide project led by the Performance and Quality Team.

The report set out further information relating to:-

- The Role of Individual Authorities.
- The Role of the Local Government Group which was made up of several organisations including the LGA and IDEA and functioned as an integrated lobbying and improvement organisation for the local government sector. 'Taking the Lead' set out the means by which the group would support self regulation and improvement as follows:-
 - Local Accountability Tools – Development of web based, free of charge tools to enable Councils to work with local people, partners and communities to produce a shared assessment of current performance.
 - Peer Challenge – LG Group was offering all Councils one free of charge peer challenge over the three year period beginning April, 2011. This would require a level of commitment from participating local authorities to provide high quality peers. Peer reviews may be tailored to suit local needs but would focus on corporate capacity

and leadership. More subject specific peer challenge would be available, but these would not be free of charge.

- Knowledge Hub – A free of charge web based tool to be operational fully by September, 2011 that would enable sharing of information, knowledge, networking and collaboration.
 - Data and Transparency – A free of charge area within the Knowledge Hub where Councils may lodge and access data in particular to enable benchmarking. It was proposed that this was used to store data on a core of agreed metrics around cost efficiency and productivity, outcome and achievement and citizen satisfaction, but with the service offering the availability to go beyond these measures.
 - Leadership Support – Ongoing development support for political and managerial leaders e.g. through the Leadership Academy and Leeds Castle programmes. The LG Group would continue to provide leadership support for political leaders and would be making available one subsidised place for every Council for each of the next three years on one of the main programmes commissioned from the market.
 - Learning and Support Networks – Ongoing support of officers and councillor networks at national and sub-national levels. LG Group would seek to make use of these networks to inform its wider policy and lobbying role.
- Local Government Group Improvement Programme Board.
 - Role of Audit and Inspection.
 - Role of Central Government.
 - Next Steps - It was advised that all local authorities participate to some degree in the arrangements proposed by the LG Group in particular as a means of developing local improvement and accountability, but also as a collective means of providing assurance to Central Government and of avoiding the return of burdensome inspection regimes and intervention. For Rotherham Council it was recommended that the following initial priorities should be taken forward by the Performance and Quality Team:-
 - Submit this paper to a joint Cabinet and SLT meeting for further discussion.
 - Raise general officer and member awareness of the LG Group 'offer' e.g. via Departmental Management Team meetings, M3 Manager Briefings and for Councillors via the Members' Training and Development Panel.
 - Utilise the various LG Group improvement, self assessment and information tools as they became available.
 - Ensure local participation in data sharing systems such as the Knowledge Hub thereby contributing to the ongoing development of benchmarking information for the local government sector in the absence of any further Audit Commission quartile data.
 - Investigate local capacity for providing high quality peers to deliver challenge to other Councils.

- Explore the opportunity for a peer review for children's services as notified to the Minister when the Authority came out of Government intervention.

There were no financial issues related to this report.

Local authorities seen to be opting out of the scheme may be more vulnerable to poor performance and, more importantly, poor reputation.

Current budgetary and resource pressures may impact on the extent to which the Council was able to contribute staff to Peer Challenges of other local authorities.

Discussion and a question and answer session ensued and the following issues were covered:-

- need to begin sorting out local regulation in advance of any national regulation which could add value
- reconciling the continuing need for external audit of local authorities and the proposed abolition of the Audit Commission
- continued appeal process to the Secretary of State when challenging a regulatory decision
- need for a robust Members' Training and Development Panel
- potential to opt out of the self regulation process
- extent of the 'free of charge' offers and 'real' cost of self regulation
- need to review what was desired to be kept from the useful activity over the last decade

Resolved:- (1) That the information be noted.

(2) That further progress reports be submitted to this Committee on the work being done.

157. LOCALISM BILL

Steve Eling, Policy Officer, presented the submitted report indicating that the Localism Bill was introduced in the House of Commons on 13th December, 2010 and had now completed the Committee stage. A date had not been set yet for the report stage and then on to the House of Lords. It would be some months before the Bill became legislation.

The Bill was made up of:-

- 207 clauses
- 24 schedules
- 8 Parts (Part 7 only relevant to London)

The Bill took forward the Government's stated commitment to devolve power to the lowest level, enabling communities to make decisions as part of the big society. Many provisions enable this by enabling communities to challenge public service providers and for the outsourcing of public services.

It was noted that there were 142 provisions giving power to the Secretary of State.

The submitted report gave an overview of the headline provisions most relevant to the Council. Also included were the policy and performance agenda implications, an assessment of the 'community engagement' issues arising for the Council, especially where the approach taken by the Bill potentially contradicted the approach taken in Rotherham to date.

Many of the provisions provided amendments and repeals to other legislation which needed to be cross referenced to the relevant Acts to enable thorough assessment of the implications. In addition, the diverse range of issues covered by the Bill would require further in depth analysis of the various components as the Bill passed through Parliament.

The overview of provisions was as follows:-

- General power of competence
- Governance
- Predetermination
- Standards
- Pay accountability
- Repeal of duties relating to promotion of democracy
- Repeals of provisions about petitions to local authorities
- Charges for waste services
- E.U. fines
- Non-domestic rates
- Local referendums
- Council Tax
- Community right to challenge
- Assets of community value
- Plans and strategies

- Community infrastructure levy
- Neighbourhood planning
- Consultation
- Retrospective planning permission
- Nationally significant infrastructure projects
- Allocation and homelessness
- Social housing : tenure reform
- Housing finance
- Housing mobility
- Regulation and social housing
- Commencement

Discussion and a question and answer session ensued and the following issues were covered:-

- need and desire for a voluntary code of conduct
- applicability of a voluntary code of conduct for co-opted members
- duty for the Council to promote and maintain high standards of conduct
- repeal of provisions about petitions to local authorities
- repeal of charges for waste services
- conditions and procedure for requiring a Council to hold a local referendum
- clarification of assets of community value and procedure for inclusion in the Council's list of assets of community value
- clarification of issues regarding allocation and homelessness and potential need for an all member seminar or further member development sessions focusing on the implications of the Localism Bill in this area
- governance issues wider than standards considerations
- working with parish/town councils into the future bearing in mind community right to challenge, neighbourhood planning etc
- Project Steering Group

- reporting timeline

Resolved:- (1) That the information be noted.

(2) That progress reports be submitted to this Committee from the Project Steering Group.

(3) That the next report/action plan be submitted to this Committee as soon as possible.

(4) That the Sustainable Communities Scrutiny Panel be requested to consider the issues now raised relating to allocation and homelessness and the need for an all member seminar be considered further when the position was clearer.

158. P.E. AND SPORT IN SCHOOLS REVIEW - FEEDBACK FROM CABINET

Cath Saltis, Head of Scrutiny, outlined the background to the above review and reasons for the delay in its completion. It was noted that the review had been received constructively and positively by Cabinet at its meeting on 9th March, 2011 with the view that the review recommendations, where possible, be implemented.

159. MINUTES

Resolved:- That the minutes of the meeting held on 25th March, 2011 be approved as a correct record for signature by the Chairman.

160. WORK IN PROGRESS

Councillor Jack reported that next week's meeting of the Adult Services and Health Scrutiny Panel would be considering an update on the changes to the NHS.

The meeting last week with the NHS regarding keeping warm in later life received a fuel poverty action guide booklet and it was hoped to obtain copies for all members of the Council.

161. CALL-IN ISSUES

There were no formal call-in requests.

162. DATE OF NEXT MEETING

Resolved:- That the next meeting scheduled for 29th April be rearranged to Wednesday, 27th April, 2011 commencing at 2.00 p.m.