

# The Council Meeting

Council Chamber, Town Hall  
17 October 2012 at 6.45pm

# Information for Members of the Public

## Access to information and meetings

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## Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

## Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off or switched to silent before the meeting begins and note that photography or audio recording is not permitted.

## Access

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## Facilities

Toilets with lift access, if required, are located on each floor of the Town Hall. A vending machine selling hot and cold drinks is located on the ground floor.

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Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

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# COLCHESTER BOROUGH COUNCIL

**TO ALL MEMBERS OF THE COUNCIL**

29 October 2012

You are hereby summoned to attend a meeting of the Council to be held at the Council Chamber, Town Hall on **17 October 2012 at 6:45pm** for the transaction of the business stated below.



**Chief Executive**

## AGENDA

The meeting will commence at 6.45 pm or at the conclusion of the Special Council meeting for the appointment of Honorary Alderman, whichever is the later

Please note that the business may be subject to short breaks at approximately 90 minute intervals.

## **Pages**

### **1. Welcome and Announcements**

- (a) The Mayor to welcome members of the public and Councillors. The Mayor to remind all speakers of the requirement for microphones to be used at all times.
- (b) At the Mayor's discretion, to announce information on:
  - action in the event of an emergency;
  - mobile phones switched to off or to silent;
  - location of toilets;
  - introduction of members of the meeting.

### **2. Have Your Say!**

- (a) The Mayor to ask members of the public to indicate if they wish to

ask a question, make a statement or present a petition on any matter relating to the business of the Council – either on an item on the agenda for this meeting or on a general matter not on this agenda (Council Procedure Rule 6(2)).

(b) The Mayor to invite contributions from members of the public who wish to address the Council on a general matter not on this agenda.

(Note: A period of up to 15 minutes is available for general statements and questions under 'Have Your Say!').

### **3. Minutes**

**1**

A... Motion that the minutes of the meetings held on 25 June 2012 and 18 July 2012 be confirmed as a correct record.

### **4. Mayor's Announcements**

Mayor's Announcements (if any) and matters arising pursuant to Council Procedure Rule 8(3).

### **5. Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgment of the public interest, the

Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.

- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

## **6. Items (if any) referred under the Call-in Procedure**

To consider any items referred by the Strategic Overview and Scrutiny Panel or the Finance and Audit Scrutiny Panel under the Call-In Procedure because they are considered to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with the budget.

## **7. Recommendations of the Cabinet, Panels and Committees**

### **i. Year End Review of Risk Management 2**

B... Motion that the recommendation contained in minute 25 of the Cabinet meeting of 5 September 2012 be approved and adopted.

### **ii. Results of Consultation on Proposal to Change the Name of Harbour Ward 3**

C... Motion that recommendation contained in minute 11 of the Accounts and Regulatory meeting of 25 September 2012 be approved and adopted.

## **8. Notices of Motion pursuant to Council Procedure Rule 11**

None received at the time of the publication of the Summons.

## **9. Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10**

To receive and answer pre-notified questions in accordance with Council Procedure Rule 10(1) followed by any oral questions (ie not submitted in advance) in accordance with Council Procedure Rule 10 (3).

(Note: A period of up to 60 minutes is available for pre-notified questions and oral questions by Members of the Council to Cabinet Members and Chairmen (or in their absence, Deputy Chairmen)).

The following pre-notified question has been received:-

Questioner: Councillor Harris

To the Portfolio Holder for Business and Resources

“Can I ask for the Council to apply to its own employees and to the employees of all contractors it uses, the "Living Wage" concept, as other Councils are in other parts of the country. The living wage will ensure that the very lowest paid are dealt a better hand, albeit a very small amount above the minimum wage.

The Living Wage is a number. An hourly rate, set independently, every year (by the GLA in London). It is calculated according to cost of living and gives the minimum pay rate required for a worker to provide their family with the essentials of life.

This would set an example to others in Essex.”

**10. Schedules of Decisions taken by Portfolio Holders**

**4 - 8**

To note schedules covering the period 4 July 2012 - 28 September 2012.

**11. Reports Referred to in Recommendations**

**9 - 40**

The reports specified below are submitted for information and are referred to in the recommendations specified in item on the agenda:

Year End Review of Risk Management: Report to Cabinet 5  
September 2012

Results of Consultation on Proposal to Change the Name of Harbour  
Ward: Report to Accounts and Regulatory Committee 25  
September 2012

**12. Urgent items**

To consider any business not specified in this summons which by reason of special circumstances the Mayor determines should be considered at the meeting as a matter of urgency.

**13. Exclusion of the Public**

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this

agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).





**COUNCIL  
25 JUNE 2012**

*Present :-* Councillor Colin Sykes (the Deputy Mayor) (Chairman)  
Councillors Nick Barlow, Lyn Barton, Kevin Bentley,  
Mary Blandon, Elizabeth Blundell, Mark Cable,  
Nigel Chapman, Peter Chillingworth, Helen Chuah,  
Barrie Cook, Nick Cope, Beverly Davies, Tina Dopson,  
John Elliott, Andrew Ellis, Margaret Fairley-Crowe,  
Annie Feltham, Stephen Ford, Bill Frame, Ray Gamble,  
Martin Goss, Glenn Granger, Scott Greenhill, Marcus  
Harrington, Jo Hayes, Pauline Hazell, Peter Higgins,  
Mike Hogg, Martin Hunt (Deputy Leader) , Brian Jarvis,  
John Jowers, Sonia Lewis, Cyril Liddy, Michael Lilley,  
Sue Lissimore, Jackie Maclean, Jon Manning,  
Richard Martin, Colin Mudie, Nigel Offen,  
Gerard Oxford, Philip Oxford, Will Quince, Lesley Scott-  
Boutell, Paul Smith, Terry Sutton, Laura Sykes,  
Dennis Willetts, Julie Young and Tim Young

**12. Adoption of a Members Code of Conduct in accordance with the Localism Act 2011**

*RESOLVED* that:-

- (a) In accordance with section 27(2) of the Localism Act 2011 the Code of Conduct for Members at Appendix 2 of the Monitoring Officer's report be approved and adopted and that it come into effect from 1 July 2012.
- (b) In accordance with section 28(6) of the Localism Act 2011 the "Arrangements" for dealing with allegations of failure to comply with the Code of Conduct for Members at Appendix 3 and paragraph 6.3 of the Monitoring Officer's report be approved and adopted and that they come into effect from 1 July 2012.
- (c) The Terms of Reference for the Standards Committee be agreed as detailed at Appendix 4 of the Monitoring Officer's report and that it come into being on 1 July 2012.
- (d) In accordance with section 28(7) of the Localism Act 2011 Mr Derek Coe be appointed to act as the Independent Person for the period from 1 July 2012 to 30 June 2013.
- (e) The revised Council Procedure Rules at Appendix 5 to the Monitoring Officer's report be approved and adopted and come into effect from 1 July 2012.
- (f) The arrangements for the granting of dispensations contained at paragraph 9.3 of the Monitoring Officer's report be approved and adopted.
- (g) The Monitoring Officer be required to make all necessary changes to the Constitution to give effect to these changes.

**Extract from the minutes of the meeting of the Cabinet of 5 September 2012**

**25. Year End Review of Risk Management**

The Head of Resource Management submitted a report a copy of which had been circulated to each Member together with minute 11 of the meeting of the Finance and Audit Scrutiny Panel meeting on 24 July 2012.

*RESOLVED* that:-

- (a) The risk management work undertaken during 2011/12 be noted.
- (b) The current strategic risk register be noted.
- (c) The proposed risk management strategy for 2012/13 be approved.

*RECOMMENDED TO COUNCIL* that the risk management strategy for 2012-13 be included in the Council's Policy Framework.

*REASONS*

- (a) Cabinet has overall ownership of the risk management process and is responsible for endorsing its strategic direction. Therefore the risk management strategy states that Cabinet should receive an annual report on progress and should formally agree any amendments to the strategy itself.
- (b) During the year quarterly progress reports are presented to the Finance and Audit Scrutiny Panel detailing work undertaken and current issues. This report was presented to FASP on 24 July 2012 where they approved it's referral to this meeting
- (c) The Risk Management Strategy is one of the key Corporate Governance documents that supports the Constitution of the Council and forms part of the Policy Framework. Accordingly any amendments have to be approved by full Council.

*ALTERNATIVE OPTIONS*

Not to approve the risk management strategy for 2012/13 nor refer it to Council for inclusion in the Council's Policy Framework.

**Extract from the minutes of the Accounts and Regulatory Committee meeting 25 September 2012**

**11. Results of consultation on proposal to change the name of Harbour Ward**

Mr. Andrew Weavers, Monitoring Officer, presented the report that provided the results of the consultation on the proposal to change the name of Harbour Ward.

Mr. Weavers confirmed to the Committee that the consultation was undertaken in a cost effective and timely fashion, with all the consultation response forms delivered by hand, thereby providing a saving in cost.

The closing date of the consultation was 27 July, with 504 respondents representing 18% of the 2,857 properties in the Harbour Ward.

Mr. Weavers said of these, 392 (77%) responses are in favour of changing the name of the ward to Old Heath.

Mr. Weavers said that if the Committee so wishes, it could recommend that the decision of the Committee is presented to full council at the meeting on 17 October 2012.

Thereafter, a change of ward name would not take effect until the first publication of the Register of Electors after this date, and this would be in March 2014.

*RESOLVED* that the Committee noted that the majority of respondents to the public consultation on the proposal to rename Harbour Ward Old Heath Ward were in favour of the name being changed.

*RECOMMENDED to COUNCIL* that:-

A special meeting of the Full Council be convened on 17 October 2012 for the purpose of passing the following resolution:-

“That in accordance with Section 59 of the Local Government and Public Involvement in Health Act 2007, Council resolves that Harbour Ward be renamed Old Heath Ward and that the appropriate authorities be notified of this change as soon as practicable”

**Agenda item 10**  
**Record of Decisions taken under Scheme of Delegation to Cabinet Members**  
**4 July – 28 September 2012**

<b>Portfolio – Business and Resources</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>
10/08/12	BUS-002-12	Irrecoverable Debts over £5,000	Debbie Greenwood	To write off debts totalling £60,830.81 as detailed in the report.	Agreed 17/8/12
20/09/12	BUS-003-12	Local Authority Mortgage Rate	Debbie Greenwood	To set the locally determined Interest Rate as 4.81% for the 6 months starting 1 October 2012	Agreed 27/9/12

<b>Portfolio – Communities and Leisure Services</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>
13/07/12	COM-002-12	Allocation of grant to Age UK 2012-13	Tamara Moreau	To approve a one year grant of £30,000 from the Welfare Rights Service budget to Age UK for benefits take-up work with older people	Agreed 20/7/12
19/09/12	COM-003-12	Proposed transfer of the Abbots building	Tamara Moreau	To re-advertise the opportunity to manage the Abbots Centre building currently used by the Council to provide an Activity Centre for older people	Call-in received 26/9/12. To be reviewed at Finance and Audit Scrutiny Panel 16 October 2012.

**Agenda item 10**  
**Record of Decisions taken under Scheme of Delegation to Cabinet Members**  
**4 July – 28 September 2012**

<b>Portfolio – Customers</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>

<b>Portfolio – Housing</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>
27/07/12	HOU-002-12	A Strategy for Houses in Multiple Occupation in Colchester	Jane Dabbs Jon Ruder	To adopt the Strategy and Action Plan for houses in multiple occupation (HMOs)	Agreed 3/8/12
9/08/12	HOU-003-12	Housing Strategy 2008-13 action plan update	Tina Hinson Joanne Webb	To approve an updated action plan 2012-13 to accompany the Housing Strategy 2008-13	Agreed 16/8/12
22/08/12	HOU-004-12	Proposed demolition of Military Court and five garages	Tina Hinson John Rock	To agree to the demolition of Military Court, Military Road, Colchester and five garages	Agreed 6/9/12

<b>Portfolio – Planning, Community Safety and Culture</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>
24/07/12	PLA-001-12	Investment in Colchester's SoS Bus 2012-13	Bridget Tighe	To approve the award of £60,000 to Open Road for the purchase and re-fit of a new SoS Bus	Agreed 31/7/12
10/08/12	PLA-002-12	Maldon District Local Development Plan Preferred Options Consultation (2012)	James Firth	To agree that the proposed response set out in annex (a) to the PH report is submitted to Maldon District	Agreed 17/8/12

**Agenda item 10**  
**Record of Decisions taken under Scheme of Delegation to Cabinet Members**  
**4 July – 28 September 2012**

31/8/12	PLA-003-12	Response to Communities and Local Government Consultation on "New opportunities for sustainable development and growth through the reuse of existing buildings"	Mark Edgerley	Council as part of the Maldon Local Development Plan (LDP) Preferred Options Consultation.	Agreed 7/9/12
3/9/12	PLA-004-12	Investment in Colchester's SoS Bus	Bridget Tighe	To agree that the office briefing paper that has been prepared is used to submit formal representations in response to the DCLG Consultation document which proposes changes to the Use Classes Order and the re-use of existing buildings To approve the award of £20,000 to Open Road for the purchase of medical and other equipment required for the new SoS Bus	Agreed 10/9/12

<b>Portfolio – Renaissance</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>
12/9/12	REN-001-12	Response to Department for Transport Circular 01/06 'Setting Local Speed Limits' revised guidance consultation	Rachel Forkin	Colchester Borough Council response to the Department for Transport Circular 01/06 'Setting Local Speed Limits' revised guidance consultation	Call-in received 21/9/12. To be reviewed at Finance and Audit Scrutiny Panel 16 October 2012.

**Agenda item 10**  
**Record of Decisions taken under Scheme of Delegation to Cabinet Members**  
**4 July – 28 September 2012**

<b>Portfolio – Strategy</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>
19/06/12	STR-001-12	Hythe Forward funding contribution	Patrick O'Sullivan	Proposal that the Council supports Colne Housing in the establishment of "Hythe Forward" with a £30,000 funding contribution.	Decision called-in 25/6/12. Reviewed at Strategic Overview and Scrutiny Panel 11 July 2012. Decision confirmed and can be implemented.
17/07/12	STR-002-12	Sergeants Mess Garden & Roman Circus Starting Gates	Beverley Jones	To agree the payment of £30,000 to the Colchester Archaeological Trust for the interpretation, maintenance & provision of public access to the Sergeants Mess Garden which contains the Roman Circus Starting Gates	Agreed 24/7/12

<b>Portfolio – Street and Waste Services</b>					
<b>Date</b>	<b>Number</b>	<b>Report Title</b>	<b>Author</b>	<b>Decision</b>	<b>Result</b>
10/08/12	STS-001-12	Weekly Collection Support Fund	Paul English	To approve the submission of a final bid to the Department for	Agreed 17/8/12

**Agenda item 10**  
**Record of Decisions taken under Scheme of Delegation to Cabinet Members**  
**4 July – 28 September 2012**

27/09/12	STW-001-12	Responsible Dog Ownership Strategy 2012-15	Karen Newman	Communities and Local Government (DCLG) for support through the Weekly Collection Support Fund (WCSF) To adopt for the Borough of Colchester the Responsible Dog Ownership Strategy 2012-15	Due 4/10/12
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**5 September 2012**

<b>Report of</b>	<b>Head of Resource Management</b>	<b>Author</b>	<b>Hayley McGrath</b>
<b>Title</b>	<b>2011/12 Year End Review of Risk Management</b>		
<b>Wards affected</b>	Not applicable		

**This report concerns the Risk Management work undertaken for the period 1 April 2011 to 31 March 2012.**

## **1. Decisions Required**

- 1.1 Note the risk management work undertaken during 2011/12.
- 1.2 Note the current strategic risk register.
- 1.3 Approve the proposed risk management strategy for 2012/13 and refer it to full Council for inclusion in the Council's Policy Framework.

## **2. Reason for Decisions**

- 2.1 Cabinet has overall ownership of the risk management process and is responsible for endorsing its strategic direction. Therefore the risk management strategy states that Cabinet should receive an annual report on progress and should formally agree any amendments to the strategy itself.
- 2.2 During the year quarterly progress reports are presented to the Finance and Audit Scrutiny Panel detailing work undertaken and current issues. This report was presented to F.A.S.P. on 24 July 2012 where they approved it's referral to this meeting (see draft minute extract at Appendix 4).
- 2.3 The Risk Management Strategy is one of the key Corporate Governance documents that supports the Constitution of the Council and forms part of the Policy Framework. Accordingly any amendments have to be approved by full Council.

## **3. Key Messages**

- The economy and cuts in public spending continue to have had a significant impact on the key risks during the year. The highest risk on the year end strategic register remains the potential impact of future central government decisions to reduce public funding, including that of the Council's partners.
- As well as having a direct effect on resources, cuts in public spending are also influencing non-financial risk areas, such as staff motivation, as a result of implementing required savings.
- The strategic risk register identifies actions to minimise risks. It is recognised that there are also external factors, such as changes in the borough economy, that the Council has less direct influence over however actions are identified to reduce the potential impact of these risks
- Risk Management principles continue to be reinforced and embedded in the organisation. The 2010/11 Annual Governance Report, issued by the Audit Commission in September 2011, stated that "Good systems, processes and controls are in place, including effective risk management systems". This is

demonstrated by the 2011/12 internal audit review which only raised one recommendation.

#### **4. Supporting Information**

- 4.1 The aim of the Council is to adopt best practices in the identification, evaluation, cost-effective control and monitoring of risks across all processes to ensure that risks are properly considered and reduced as far as practicable.
- 4.2 In broad terms risks are split into three categories:
- Strategic – those risks relating to the long term goals of the Council
  - Operational – risks related to the day-to-day operation of each individual service
  - Project – consideration of the risks relating to specific initiatives
- 4.3 Strategic risks are essentially those that threaten the long term goals of the Council and therefore are mainly based around meeting the objectives of the Strategic Plan. They may also represent developing issues that have the potential to fundamentally effect service provision, such as proposals to dramatically change the corporate assessment process. Strategic risks are owned by members of the Senior Management Team.
- 4.4 Operational risks are those that threaten the routine service delivery of the Council. Each service area has their own operational risk register that details the risks associated with providing the service. These registers are reported, in summary format, to the Senior Management Team and committee on an annual basis. High risks and the success in controlling them are reported to Senior Management Team on a quarterly basis, as these assist in the formulation of the strategic risk register.
- 4.5 Project risks are those that relate solely to the successful delivery of that specific project. They tend to be quantifiable issues, such as resource or time related, and constantly change and develop over the course of the project as each stage is completed. The lead on the project is responsible for ensuring that there is an appropriate risk register and high level issues are reported to the senior management team.

#### **5. Summary of 2011/12**

- 5.1 The requirement to raise the profile of the Council's anti-fraud and corruption processes was identified on the Annual Governance Statement for 2010/11. Therefore a significant focus for 2011/12 has been to work with the Monitoring Officer to revise the relevant policies and embed them throughout the organisation. This has included the creation of the Ethical Governance Framework, providing training sessions for all managers, developing access to information and the creation of an Ethical Governance Group. The group consists of relevant officers who have an input into the governance arrangements including the Monitoring Officer and the Audit Manager. The interim Director of Finance for CBH and the Independent chair of the Standards Committee also sit on the group. For the first time the Leader of the Council and the Chief Executive have issued an Ethical Governance Statement that sets out the Council's stance against fraud and corruption.
- 5.2 Work has been ongoing during the year to ensure that risk management processes continue to be embedded in the organisation. The Risk and Resilience Manager has attended at least one Group Management Team meeting for each service to discuss current risk issues and review their operational risk register. An information area has also been created on the Hub. This provides details of all the Council's risk management processes, including copies of the strategic risk register. It also provides templates and guidance to enable officers to review risks themselves.

- 5.3 There were no fundamental changes to the risk management function, or the processes used to identify and control risk, during 2011/12.
- 5.4 An audit of the risk management function was carried out in January 2012. Because it was a regularity audit there was no assurance rating given however there was only one level two recommendation raised. This related to the Risk and Resilience Manager checking the operational risk registers for accuracy.
- 5.5 The risk registers for the Joint Museum Service and the North Essex Parking Partnership both continue to be produced and reported to the joint committees.
- 5.6 The layout of the strategic risk register has been reformatted, from landscape to portrait, so that the action plan for each group of risks is clearly defined.

## **6. Strategic Risk Register**

- 6.1 During 2011/12 the strategic risk register was reviewed by senior management every quarter and reported to the Finance and Audit Scrutiny Panel every six months. During April 2012 PMB carried out a fundamental review of the strategic risks and have approved the quarter 1 register for 2012/13, attached at appendix 1. These risks have been mapped onto a risk chart as shown at appendix 2.
- 6.2 The review has confirmed that the issues relating to the uncertainties around the economic climate and the impact that this is having on staff morale continue to be the highest risks.

## **7. Risk Management Strategy for 2012/13**

- 7.1 The Council's current approach to managing risk was introduced in 2006/07. A requirement within the strategy, and also of the annual audit assessment, is to review the approach each year to ensure that it is still appropriate to the Council's needs.
- 7.2 Therefore a review has been undertaken and the strategy has been updated for 2012/13. The revised strategy is attached at appendix 3. There are no fundamental changes proposed to the risk process with amendments only to external review comments and the recognition of key partners and contractors in the risk management process

## **8. Proposals**

- 8.1 To note and comment upon the Councils progress and performance in managing risk during 2011/12 and the current strategic register and endorse the submission of the revised Risk Management Strategy to full Council for inclusion in the Policy Framework.

## **9. Strategic Plan References**

- 9.1 The strategic risk register reflects the objectives of the strategic plan and the actions have been set with due regard to the identified key strategic risks. Therefore the risk process supports the achievement of the strategic objectives.

## **10. Risk Management References**

- 10.1 The failure to adequately identify and manage risks may have an effect on the ability of the Council to achieve its objectives and operate effectively.

## **11. Other Standard References**

- 11.1 There are no direct Consultation, Publicity, Financial, Human Rights, Equality and Diversity, Community Safety or Health and Safety implications as a result of this report.

**Quarter1 2012/13  
Colchester Borough Council – Corporate Strategic Risk Register  
April 2012 – June 2012**

Specific Risks		1. AMBITION						Consequence
		SCORE						
		Current			Previous			
P	I	O	P	I	O			
1a	In a period of public sector resource reductions the ability to have ambition and to deliver on that ambition.	3	2	6				Major changes needed to the town of Colchester would not be delivered thus affecting the quality of life of its residents and businesses.
1b	Unrealistic internal and external expectations on the speed of delivery.	3	3	9				Major economic downturn in public sector resourcing over the next few years will hamper the speed of delivery across the services provided.
1c	The Council is unable to effectively influence changes in the Borough economy.	3	4	12	2	4	8	Poorer external assessments by independent agencies and loss of Council reputation.
1d	Over reliance on a limited number of people limits ability to deliver our ambition.	3	3	9	2	3	6	The Borough Council loses its status and influencing ability at sub-regional, regional and national levels.
1e	The resource implications of the UCC FSR are greater than anticipated.	2	4	8				The review does not achieve its full potential and anticipated improvements are not realised, resulting in Customers not receiving an improved level of service.

**ACTION PLAN – AMBITION**

Action	Owner	Review
Constantly challenge the ambition shown by the Council and look for new and innovative ways of delivering that ambition.	Chief Executive / Executive Directors / Heads of Service	July 2012
To make the most of Information and Communication Technology; continue the process of Fundamental Service Reviews	Executive Management Team	July 2012
Continue internal assessment of service effectiveness and seek external assessments as appropriate for continuous improvement purposes.	Senior Management Team	July 2012
Consider longer term impacts of staffing reductions.	Senior Managers and Human Resources function	July 2012
There should a continual process of monitoring the resource requirements both during the review and during the implementation phase, and any variances reported formally as soon as they occur. Each key stage report should include an honest challenge of assumptions .	ED Customer Excellence	July 2012

2. CUSTOMERS								
Specific Risks		SCORE						Consequence
		Current			Previous			
		P	I	O	P	I	O	
2a	The increasing expectations of our customers, set alongside the financial challenges to service delivery, may pose some challenges to customer excellence, service and delivery and the reputation of the authority.	4	3	12	3	3	9	The Authority fails to deliver the high standards of service and delivery which our customers expect, especially in relation to self service and the reliance on IT capabilities.
2b	There is increasing expectation that the Council will step in to deliver services when other providers either fail or reduce service provision	4	3	12				The Council suffers from a loss of reputation as customers expectations are not met. There is increased demand on existing services leading to a reduction in standards of delivery

### ACTION PLAN – CUSTOMERS

Action	Owner	Timing
A programme of engagement and consultation is put in place to ensure customers are able to inform service priorities and delivery	ED Customer Excellence	July 2012
Front line services need to ensure that customers are fully aware of the level of service that can be expected and details should be made available to sign post customers to other relevant organisations.	ED Customer Excellence	July 2012

3. PEOPLE									
Specific Risks		SCORE						Consequence	
		Current			Previous				
		P	I	O	P	I	O		
3a	Unable to update skills at a time when we need a changing skill set to deliver in a different economic climate	3	3	9				Decline in service performance	
3b	Failure to sustain adequate resource to support Training and Development because of the financial situation	3	3	9				Disengaged and demotivated staff	
3d	Failure to provide effective and visible political and managerial leadership.	3	3	9				Efficiency and productivity reduction	
3e	Staff motivation declines with impact of fundamental service reviews and implementation of other budget efficiencies	4	4	16				Inability to meet changing requirements and needs	
								Customer perceptions decline as we deliver less	
								Loss of key staff	

ACTION PLAN – PEOPLE		
Action	Owner	Timing
Ensure effective communications strategy around budget implications with staff	ED People & Performance	July 2012
Ensure people strategy is updated to reflect changing needs as appropriate	ED People & Performance	July 2012
Continue to recognise the importance of training and development budgets and use more innovative methods to keep skills up to date	ED People & Performance	July 2012
Ensure performance management process is effectively implemented and monitored to include development needs and plans	ED People & Performance	July 2012
Active promotion and use of Colchester Learning Managers programme and development to meet evolving needs	ED People & Performance	July 2012
Ensure outcomes of fundamental service reviews reflect training and development needs to support changes in services.	ED Customer Excellence	July 2012

#### 4. HORIZON SCANNING

Specific Risks	SCORE						Consequence	
	Current			Previous				
	P	I	O	P	I	O		
4a	To continuously assess future challenges to ensure Council is fit for future purpose	2	4	8				If not properly managed then either the Council will lose the opportunity to develop further or will have enforced changes to service delivery.
4b	Not taking or creating opportunities to maximise the efficient delivery of services through shared provision, partnerships or commercial delivery	4	3	12				Adverse impact on local residents / resources. Missed opportunities to boost local economy.
4c	Failure by the Council to spot / influence at an early stage the direction of Central Government policies / new legislation.	3	3	9	2	3	6	Conflict between Council / Government agendas. Reduction in levels of service provision and potential withdrawal of services.
4d	Potential impact of future central government decisions to reduce public funding, including that of our partners	4	5	20	3	5	15	

#### ACTION PLAN – HORIZON SCANNING

Action	Owner	Timing
Ensure organisational readiness to respond to external challenges through the Way We Work programme strands: - People - Transformation - Customer Excellence - Leadership of Place	EMT	July 2012
Supported by a robust Medium term Financial strategy and organisational development strategy.	EMT	July 2012
Continuous review of strategies and policies to reflect changing context.	EMT	July 2012
The budget situation is under constant review, including the impact of decisions from central government. Additional actions and areas for spending reviews are being identified.	EMT	July 2012



5. PARTNERSHIPS										
Specific Risks		SCORE						Consequence		
		Current			Previous					
		P	I	O	P	I	O			
5a	Failure or inappropriate performance management of one or more strategic partnerships or key contracts E.g. Haven Gateway, Growth Cities Network, CAPITA, CBH	4	3	12						<p>The cost of service delivery is increased however quality decreases.</p> <p>Failure to deliver key priorities.</p> <p>Reputational and financial loss by the Authority.</p> <p>Failure to deliver expected outcomes through partnerships</p>
5b	Change of direction / policy within key partner organisations and they revise input / withdraw from projects.	4	3	12	3	3	9			<p>Requirement to repay external funding granted to partnership – taking on the liabilities of the ‘withdrawn’ partner.</p> <p>External assessment of the Councils partnerships are critical and score poorly.</p>
5c	Potential inability to agree shared outcomes/ agendas with partners and the Council’s ability to influence partner’s performance.	3	4	12	3	3	9			

ACTION PLAN – PARTNERSHIPS		
Action	Owner	Timing
Assess proposed strategic partnerships to ensure that they will satisfy the Council’s objectives before commitment to new partnerships is made.	EMT	July 2012
Define a relationship / performance management process for partnerships	ED People & Performance	July 2012
Ensure that there is a mechanism to review partnerships and assess the value added.	ED People & Performance ED Leadership of Place	July 2012

6. ASSETS & RESOURCES								
Specific Risks		SCORE						Consequence
		Current			Previous			
		P	I	O	P	I	O	
6a	Failure to protect public funds and resources – ineffective probity / monitoring systems	3	4	12	2	4	8	Service delivery failure Financial and reputational loss by the Authority
6b	Risk that Asset Management is not fully linked to strategic priorities and not supported by appropriate resources	3	4	12				Personal liability of Officers and Members. Legal actions against the Council
6c	Inability to deliver the budget strategy in the current economic climate	3	4	12	3	5	15	Loss of stakeholder confidence in the Borough Inability to sustain costs
6d	Failure to set aside sufficient capital funds for strategic priorities	3	4	12	3	2	6	Failure to deliver a balanced budget Required to use Reserves & Resources to fund services and capital priorities Severe impact on cash-flow leading to negative effect on performance targets
6e	Increased risk to ICT resilience with migration to new supplier and ever increasing demands around information security	2	5	10				

**ACTION PLAN – ASSETS & RESOURCES**

<b>Action</b>	<b>Owner</b>	<b>Timing</b>
Ensure that there is a robust system of internal control that encompasses all assurance systems including Internal Audit, Risk Management, Budget process, Corporate Governance and performance management. This must be reported to senior officers and members on a regular basis to ensure that it is fully embedded	EMT / Head of Resource Management	There is cycle of reviewing and reporting including internal Audit, Risk management and the AGS Review July 2012
Continue to ensure that the budget monitoring process is reflective of finances across the whole Council not just individual service areas	Head of Resource Management	Regular reporting to PMB. & FASP. Review July 2012
Develop the annual budget strategy to ensure it has controls built in to be able to respond to changes in the strategic objectives and is innovative to reflect the current climate and emerging options	Head of Resource Management	Annual exercise. Council approves budget in Feb 2013
Review the medium term financial outlook and capital programme processes to ensure they are kept up to date and realistic	Head of Resource Management	MTFS is part of the budget strategy & considered during the process. Capital programme reported to FASP quarterly Review January
Regular reviews with new ICT supplier Ensure IT policies comply with information security requirements and that staff are aware of the correct procedures.	ED People & Performance	From beginning of new contract and ongoing

<b>SCORE DEFINITIONS</b>	<b>1 Very Low</b>	<b>2 Low</b>	<b>3 Medium</b>	<b>4 High</b>	<b>5 Very High</b>
<b>Impact</b>	Insignificant effect on delivery of services or achievement of Strategic Vision & Corporate Objectives.	Minor interruption to service delivery or minimal effect on Corporate Objectives.	Moderate interruption to overall service delivery/effect on Corporate Objectives or failure of an individual service.	Major interruption to overall service delivery or severe effect on Corporate Objectives.	Inability to provide services or failure to meet Corporate Objectives
<b>Probability</b>	10% May happen – unlikely	10 -25% Possible	26 – 50% Could easily happen	51 – 75% Very likely to happen	Over 75% Consider as certain

## KEY OPERATIONAL RISKS – For Information

SERVICE	RISK	CONSEQUENCE	CONTROLS	RESPONSIBILITY
<b>Corporate Management</b>	Loss of all Land Charges income	<ul style="list-style-type: none"> <li>Financial loss to the Council</li> <li>Guidance required by Govt</li> </ul>	<ul style="list-style-type: none"> <li>Ensure income streams are maximised as much as possible and action taken to re-engineer service through a mini review.</li> <li>Reduce costs where possible to mitigate impact of loss of income.</li> </ul>	Legal Services Manager and Land Charges Manager
<b>Corporate Management</b>	FSR – Capacity issues of business partners / HR Service Centre and challenges of ICT capacity.	<ul style="list-style-type: none"> <li>Inability to effectively provide strategic and HR transactional support to the FSRs.</li> <li>ICT solutions identified in FSRs cannot be achieved in the required timescales.</li> </ul>	<ul style="list-style-type: none"> <li>FR to be a core objective for Business Partners and prioritised and planned accordingly.</li> <li>Dedicated resource to support consultation and assessment processes for Rev and Bens and Street Services identified to be paid for by services.</li> <li>ICT solutions to be fully scoped and business cases to be completed.</li> </ul>	Strategic HR Manager  ICT Manager
<b>Corporate Management</b>	Lack of Project Mgt principles in procuring software in services	<ul style="list-style-type: none"> <li>Lack of joined up approach and continued purchase of systems that do not match or integrate effectively with corporate systems</li> </ul>	<ul style="list-style-type: none"> <li>ICT Strategy to include new approach to project mgt and new controls going forward.</li> <li>Business partner approach with more contact and awareness of activities in services in relation to systems and requirements.</li> </ul>	ICT Manager
<b>Enviro &amp; Protect Servs</b>	Reduction in investment in services	<ul style="list-style-type: none"> <li>Cuts in service provision, negative impact on image / reputation.</li> </ul>	<ul style="list-style-type: none"> <li>Financial planning and reporting to Members / CMT / SMT</li> <li>Ensure services meet community needs and Strategic Plan objectives</li> <li>Measure to Increase on external income</li> </ul>	Head of EPS
<b>Enviro &amp; Protect Servs</b>	Income targets not met	<ul style="list-style-type: none"> <li>EPS generates a net income to the Council, supporting other services therefore a decrease in income has a detrimental effect on all services.</li> </ul>	<ul style="list-style-type: none"> <li>Regular monitoring in use and income.</li> <li>Ensure that the business case for increasing capacity is agreed and implemented.</li> </ul>	Head of EPS
<b>Life Opportunities</b>	Inadequacy of Repairs and Renewals provision.	<ul style="list-style-type: none"> <li>Reduction or closure of services due to failure of plant, equipment or infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>Funding programmes presented during budget setting process.</li> </ul>	Head of Life Opportunities
<b>Life Opportunities</b>	Impact of national downturn in the economy and housing market (due to the 'credit crunch') on the community.	<ul style="list-style-type: none"> <li>Changes to housing benefit legislation.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that money advice and debt counselling via CAB and County Court desk for possession hearings via Shelter continues to be available. Investigate the possibility of introducing a mortgage rescue package.</li> </ul>	Head of Life Opportunities

SERVICE	RISK	CONSEQUENCE	CONTROLS	RESPONSIBILITY
<b>Resource Management</b>	Loss of key members of staff	<ul style="list-style-type: none"> <li>Lack of expertise</li> <li>Impact on service provision</li> <li>Impact on other staff</li> </ul>	<ul style="list-style-type: none"> <li>Identification of key staff and roles</li> <li>Succession planning</li> <li>Documented procedures</li> <li>Establishment of training for customer focused, vulnerable service and roles</li> </ul>	Head of Resource management & HRBP
<b>Strategic Policy &amp; Regeneration</b>	Lack of focus on governance issues	<ul style="list-style-type: none"> <li>Poorly informed business processes</li> <li>Lack of focus on critical issues</li> </ul>	<ul style="list-style-type: none"> <li>Clear information and expectations are required as part of the management process.</li> <li>SSP to allow focus on priorities</li> <li>FSR to tackle process in Housing</li> <li>Project management in regen</li> </ul>	Head of SPR
<b>Street Services</b>	Effect of implementing FSR changes, including new technology and working procedures.	<ul style="list-style-type: none"> <li>Temporary decrease in service delivery quality.</li> <li>Personal impact on staff wellbeing.</li> <li>Increased costs in short term.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that there is a detailed implementation plan</li> <li>Develop monitoring procedures</li> </ul>	Head of Street Services
<b>Street Services</b>	Car park income targets not met	<ul style="list-style-type: none"> <li>10% shortfall in takings equates to over £400k reduction in income that supports other services.</li> </ul>	<ul style="list-style-type: none"> <li>Regular monitoring in use and income.</li> </ul>	Parking Services Manager.

RISK MATRIX QTR 1 2012/13

Low Risks	Medium Risks	High Risks
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Scoring 1-5

Risk Tolerance Line

<b>Probability of Occurrence</b>	5 Very High					
	4 High			2a 2b 4b 5a 5b	3e	4d
	3 Medium		1a	1b 1d 3a 3b 3d 4c	1c 5c 6a 6b 6c 6d	
	2 Low				1e 4a	6e
	1 Very Low					
		1 Very Low	2 Low	3 Medium	4 High	5 Very high
<b>Severity of Impact</b>						

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## RISK MANAGEMENT STRATEGY

*This document outlines the Council's commitment to managing risk in an effective and appropriate manner. It is intended to be used as the framework for delivery of the Risk Management function and provides guidance on developing risk management as a routine process for all services.*

### INTRODUCTION

The Council undertakes that this strategy will ensure that:

1. The management of risk is linked to performance improvement and the achievement of the Council's strategic objectives.
2. Members and the Senior Management Team own, lead and support on risk management.
3. Ownership and accountability are clearly assigned for the management of risks throughout the Council.
4. There is a commitment to embedding risk management into the Council's culture and organisational processes at all levels including strategic, programme, project and operational
5. All members and officers acknowledge and embrace the importance of risk management as a process, by which key risks and opportunities are identified, evaluated, managed and contribute towards good corporate governance.
6. Effective monitoring and reporting mechanisms are in place to continuously review the Council's exposure to, and management of, risks and opportunities.
7. Best practice systems for managing risk are used throughout the Council, including mechanisms for monitoring and reviewing effectiveness against agreed standards and targets.
8. Accountability to stakeholders is fully demonstrated through periodic progress reports and an annual statement on the effectiveness of and the added value (benefits) from the Council's risk management strategy, framework and processes.
9. The Council's approach is regularly assessed by an external, independent body against other public sector organisations, national standards and Best Practice.
10. The Risk Management Strategy is reviewed and updated annually in line with the Council's developing needs and requirements.



**Endorsement by Adrian Pritchard, Chief Executive**

*“Colchester Borough Council is committed to ensuring that risks to the effective delivery of its services and achievement of its overall objectives are properly and adequately controlled. It is recognised that effective management of risk will enable the Council to maximise its opportunities and enhance the value of services it provides to the community. Colchester Borough Council expects all officers and members to have due regard for risk when carrying out their duties.”*

A handwritten signature in black ink that reads "A. R. Pritchard." The signature is written in a cursive style with a long, sweeping underline.**WHAT IS RISK MANAGEMENT**

Risk Management is the control of business risks in a manner consistent with the principles of economy, efficiency and effectiveness. It is an essential performance management process to ensure that both the long and short term objectives of the Council are achieved and that opportunities are fully maximised.

Risk Management is not about eliminating risk, as this would limit the ability of the organisation to develop and deliver its ambitions. Its purpose is to recognise the issues that could effect the achievement of our objectives and develop actions to control or reduce those risks. Acknowledgement of potential problems and preparing for them is an essential element to successfully delivering any service or project. Good management of risk will enable the Council to rapidly respond to change and develop innovative responses to challenges and opportunities.

‘The Good Governance Standard for Public Services’ issued by The Independent Commission on Good Governance in Public Services states that there are six core principles of good governance including ‘Taking informed, transparent decisions and managing risk’. The document goes on to state ‘Risk management is important to the successful delivery of public services. An effective risk management system identifies and assesses risks, decides on appropriate responses and then provides assurance that the chosen responses are effective’.

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## BACKGROUND

A process for managing risks was first adopted by the Council in 2003 and since then has been developed to ensure that it continues to be an effective management system. This strategy defines Colchester Borough Council's definition of risk and the processes to be followed.

In broad terms risks are split into three categories:

- Strategic – those risks relating to the long term goals of the Council
- Operational – risks related to the day-to-day operation of each individual service
- Project – consideration of the risks occurring as a result of the Council's involvement in specific initiatives

The following are some of the practical ways that risks are managed and how effectiveness is measured.:

- Creation of an overall strategic register.
- Creation of operational risk registers for all service areas.
- Consideration of risk in Committee reports.
- Development of a comprehensive risk register for the regeneration programme and consideration of risk as a project management tool.
- Successful internal and external assessment.
- Provision of advice to other authorities regarding our management of risk.

The Audit Commission, in their 2010/11 Annual Governance Report stated that the Council has "Good systems, processes and controls in place, including effective risk management systems".

This is an endorsement that we have devised a practical and workable approach to managing risk. This has resulted in the Council becoming more risk aware and actually taking more risks, as demonstrated by the comprehensive risk register for the regeneration projects. Colchester is also highly regarded for managing risk by both our insurers and other authorities.

The 2010/11 internal audit of risk management gave a substantial assurance opinion. Some recommendations were raised during this audit and these mainly related to how the information was shown on the risk registers.

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## OWNERSHIP

The responsibility to manage risk rests with every member and officer of the Council however it is essential that there is a clearly defined structure for the co-ordination and review of risk information and ownership of the process.

Appendix D is from the CIPFA/SOLACE risk management guide, Chance or Choice. It is a generic map of responsibility for each part of the risk management process.

The following defines the responsibility for the risk management process at Colchester:

**Cabinet** – Overall ownership of the risk management process and endorsement of the strategic direction of risk management.

**Portfolio Holder for Business & Resources** – Lead member for the risk management process

**Finance & Audit Scrutiny Panel (FASP)** – Responsible for reviewing the effectiveness of the risk management process and reporting critical items to cabinet as necessary.

**Performance Management Board (PMB)** – Ownership of the strategic risks and overview of the operational risks. Actively support the Risk Management Strategy and framework.

**Executive Director – People & Performance** – Lead officer for the risk management process, demonstrating commitment to manage risk

**Head Of Resource Management** – Responsible for co-ordination of the risk management process, co-ordinating and preparing reports and providing advice and support.

**Heads of Service** – Ownership, control and reporting of their service's operational risks. Contribute to the development of a risk management culture in their teams.

**All Employees** – To understand and to take ownership of the need to identify, assess, and help manage risk in their individual areas of responsibility. Bringing to the management's attention at the earliest opportunity details of any emerging risks that may adversely impact on service delivery.

**Internal Audit, External Audit and other Review Bodies** – Annual review and report on the Council's arrangements for managing risk throughout the Council, having regard to statutory requirements and best practice. Assurance on the effectiveness of risk management and the control environment.

## AIMS & OBJECTIVES

**The aim** of the Council is to adopt best practices in the identification, evaluation, cost-effective control and monitoring of risks across all processes to ensure that risks are properly considered and reduced as far as practicable.

**The risk management objectives** of Colchester Borough Council are to:

- Integrate risk management into the culture of the Council
- Ensure that there are strong and identifiable links between managing risk and all other management and performance processes.
- Manage risk in accordance with best practice
- Anticipate and respond to changing social, environmental and legislative requirements
- Prevent injury, damage and losses and reduce the cost of risk
- Raise awareness of the need for risk management by all those connected with the Council's delivery of services.
- Ensure that opportunities are properly maximised through the control of risk.
- Reduce duplication between services in managing overlapping risks and promote 'best practise'.

Risk Management forms an important part of the Council's system of Internal Control. Previously the Audit Commission assessed the function as operating at level 3 as part of their 'Use of Resources' review.. However, the Use of Resources assessment is no longer carried out but the criteria laid down for each assessment level , set out in Appendix C, still provides a robust framework for delivering an effective service.

## STRATEGIC RISK MANAGEMENT

Strategic risks are essentially those that threaten the long term goals of the Council and therefore are mainly based around meeting the objectives of the Strategic Plan. They may also represent developing issues that have the potential to fundamentally effect service provision, such as proposals to dramatically change the corporate assessment process.

Strategic risks will be controlled using a register that will detail the risks and associated controls. The register will be owned by the Senior Management Team, with ownership for risks being assigned to individual officers, and will be reviewed every quarter. The strategic risks will be reported to F.A.S.P. every quarter.

## **OPERATIONAL RISK MANAGEMENT**

Operational risks are those that threaten the routine service delivery of the Council. Each service area will have their own operational risk register that details the risks associated with providing the service. These registers will be reported, in summary format, to the Senior Management Team and committee on an annual basis. High risks and the success in controlling them will be reported to Senior Management Team on a quarterly basis, as these will help in the formulation of the strategic risk register.

## **LINKS**

It is essential that risk management does not operate in isolation to other management processes. To fully embed a risk management culture it has to be demonstrated that risk is considered and influences all decisions that the Council makes. It is essential that there is a defined link between the results of managing risk and the following:

- The Strategic Plan
- Service Plans
- Revenue and Capital Budgets
- Annual Internal Audit Plan

## **ACTION REQUIRED**

The following actions will be implemented to achieve the objectives set out above:

- Considering risk management as part of the Council's strategic planning and corporate governance arrangements.
- Ensuring that the responsibility for risk management is clearly and appropriately allocated
- Maintaining documented procedures for managing risk
- Maintaining a corporate approach to identify and prioritise key services and key risks across the Council and assess risks on key projects.
- Maintain a corporate mechanism to evaluate these key risks and determine if they are being adequately managed and financed.
- Establish a procedure for ensuring that there is a cohesive approach to linking the risks to other management processes
- Including risk management considerations in all committee reports
- Providing risk management awareness training to both members and officers.
- Developing risk management performance indicators.
- Establishing a reporting system which will provide assurance on how well the Council is managing its key risks and ensures that the appropriate Members and officers are fully briefed on risk issues.
- Preparing contingency plans in areas where there is a potential for an occurrence to have a significant effect on the Council and its business capability.
- Regularly reviewing the risk process to ensure that it complies with current national Governance Standards and Best Practice.
- Developing risk management links with key partners and contractors, to ensure that principles are adopted in all areas of service delivery.
- Creation of an annual 'Action Plan' that details particular areas of development for the coming year, including details of the value added and how they will be embedded.

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## REVIEW

To ensure that the risk management process is effective it will need to be measured and reported to P.M.B., F.A.S.P. & Cabinet. As well as a structured reporting process of risks and controls during the year there will need to be an annual review demonstrating the success of the following:

- The inclusion of risk management principles within Service Plans and budgets.
- The development of the Internal Audit plan based on the risk issues.
- Achievement against identified performance indicators.
- Members consistently ensuring managing risk is considered as part of the decision making processes within the Council.
- Service managers making recommendations that regard risk as an opportunity as well as a threat .
- Risk management principles being considered in service reviews, for example in areas such as options for change and service improvements.
- Changes in risk being independently identified and assessed by Service Managers
- Compliance with the use of resources criteria and self assessment requirements.

Suitable opportunities to benchmark the risk management service against other organisations should also be explored to ensure that it is effective and the work carried out by the Council conforms to best practise.

The four appendices attached give greater detail of key issues:

Appendix 1 – Outline of the risk management process

Appendix 2 – Details of how Risk Management will be reported.

Appendix 3 – The 2007 Use of Resources Criteria for Risk Management

Appendix 4 – CIPFA guidance on Risk Management Responsibilities

## APPENDIX A

### The Risk Management Process

Risk Management is a continual process of identifying risks, evaluating their potential consequences and determining the most effective methods of controlling them and / or responding to them. The risks faced by the Council are constantly changing and the continual process of monitoring risks should ensure that we can respond to the new challenges. This process is referred to as the risk management cycle.

#### **Stage 1 – Risk Identification**

Identifying and understanding the hazards and risks facing the council is crucial if informed decisions are to be made about policies or service delivery methods. There is detailed guidance available on how to identify risks which includes team sessions and individual knowledge. Once identified a risk should be reported to the Head of Service who will consider its inclusion on the relevant risk register. If the risk is identified in between register reviews then it is reported to the Risk & Resilience Manager for information and the Head of Service is responsible for managing the risk.

#### **Stage 2 – Risk Analysis**

Once risks have been identified they need to be systematically and accurately assessed. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to it.

#### **Stage 3 – Risk Control**

Risk control is the process of taking action to minimise the likelihood of the risk event occurring and / or reducing the severity of the consequences should it occur.

#### **Stage 4 – Risk Monitoring**

The risk management process does not finish with the risk control procedures in place. Their effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of the risk has changed over time.

## APPENDIX B

### Reporting

No matter how good the process to identify and control risks is, it will not be effective unless the information gained from it is reported and used to influence other management issues / processes. Therefore it is essential that there is a defined process and timetable for reporting the results of the risk management process to both members and officers.

#### Types of Report

- The strategic risk register needs to be reviewed on a quarterly basis by P.M.B.
- Six monthly review of the operational risk registers and a summary report of these reviews to P.M.B.
- A six monthly report needs to be provided to Committee (F.A.S.P.) detailing the current strategic and high level operational risks and the progress made in controlling them.
- An annual report reviewing Risk Management activity and an action plan for the coming year - taking into account changes in methodology and results of internal and external reviews. Going to P.M.B., FASP and Cabinet. This needs to cover all of the three areas of risk
- Ad-hoc reports need to be provided to P.M.B. when new, significant risk issues arise.

The reports can be summarised as follows:

	<b>Service's</b>	<b>P.M.B.</b>	<b>F.A.S.P.</b>	<b>Cabinet</b>
<b>Quarterly</b>		Review of strategic risk register		
<b>6 Monthly</b>	Review of operational risk register	Summary of operational review from services	Progress report of strategic & high level operational risks	
<b>Yearly</b>		Scrutiny of annual progress report to cttee on R.M. & action plan for coming year.	Endorsement of annual progress report on R.M. & action plan for coming year	Summary of past years work on R.M. and agreement of action plan for the coming year.



## Appendix C

# Audit Commission Key Line of Enquiry Criteria

<b>4. INTERNAL CONTROL</b> <b>How well does the council's internal control environment enable it to manage its significant business risks?</b>		
<b>Key line of enquiry</b> 4.1 The council manages its significant business risks		
<b>Audit Focus</b> Evidence that: the council has a risk management process in place the risk management system covers partnership working		
<b>Criteria for Judgement</b>		
<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>
<p>* The council has adopted a risk management strategy/policy that has been approved by members.</p> <p>* The risk management strategy/policy requires the council to:</p> <ul style="list-style-type: none"> <li>• identify corporate and operational risks</li> <li>• assess the risks for likelihood and impact</li> <li>• identify mitigating controls</li> <li>• allocate responsibility for the mitigating controls.</li> </ul> <p>* The council maintains and reviews a register of its corporate business risks linking them to strategic business objectives and assigns named individuals to lead on the actions identified to mitigate each risk.</p> <p>* Member responsibility for corporate risk management is identified in the terms of reference of one or more committees as appropriate.</p> <p>* Reports to support strategic policy decisions, and project initiation documents, include a risk assessment.</p>	<p style="text-align: center;">1.1.2</p> <p>* The risk management process is reviewed and updated at least annually.</p> <p>* The risk management process specifically considers risks in relation to significant partnerships and provides for assurances to be obtained about the management of those risks.</p> <p>* All appropriate staff are given relevant training and guidance to enable them to take responsibility for managing risk within their own working environment.</p> <p>* The members with specific responsibility for risk management have received risk management awareness training.</p> <p>* Members with responsibility for corporate risk management receive reports on a regular basis and take appropriate action to ensure that corporate business risks are being identified and effectively managed, including reporting to full council as appropriate.</p>	<p>* A senior officer and member jointly champion and take responsibility for embedding risk management throughout the council.</p> <p>* The council can demonstrate that it has embedded risk management in its business processes, including:</p> <ul style="list-style-type: none"> <li>• strategic planning</li> <li>• financial planning</li> <li>• policy making and review</li> <li>• performance management</li> </ul> <p>* All members receive risk management awareness training appropriate to their needs and responsibilities</p> <p>* The council considers the opportunity side of innovative and challenging projects.</p> <p>* Reports to support strategic policy decisions, and initiation documents for all major projects, require a risk assessment including sustainability impact appraisal.</p>

## Appendix D Risk Management Responsibilities – CIPFA / SOLACE Guidance

	Framework, Strategy and Process	Identifying risk	Analysing Risk	Profiling risk	Prioritising action based on risk appetite	Determining action on risk	Controlling risk	Monitoring & Reporting	Reporting to external stakeholders.
<b>Members</b>	Agreeing the Framework, Strategy and Process Determined by Officers	Identifying risk	Analysing Risk	Profiling Risk	Determining the risk appetite and prioritising risk. Agreeing the priorities determined by officers			Reviewing the effectiveness of the risk management process.	Reporting to external stakeholders on the framework, strategy, process and effectiveness .
<b>Risk Management Team</b>	Providing advice And support to the executive Management Team and Members	Providing advice and support.	Providing Advice and support	Providing advice and support	Providing advice and support			Co-ordinating the results for reporting to the corporate management team and members	
<b>Senior Management Team</b>	Determining the framework, Strategy and Process	Identifying strategic and cross-cutting issues	Analysing Strategic and cross-cutting issues.	Profiling strategic and cross-cutting issues.	Determining the risk appetite and prioritising strategic and cross-cutting issues	Determining action on strategic and cross-cutting issues. Delegating responsibility for control.		Monitoring progress on managing strategic and cross-cutting risks and reviewing the implementation of the risk management framework, strategy and process. Reporting to members.	Reporting to external stakeholders on the framework, strategy, process and effectiveness.
<b>Head of Resource Management</b>	Providing Advice and Support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Co-ordinating the results for reporting to the executive management team and members	Preparing draft reports for the corporate management team and members to issue.
<b>Service Managers / G.M.T'ss</b>		Identifying service Risks	Analysing Service risks.	Profiling service risks.	Prioritising action on service risks.	Determining action on service risks. Delegating responsibility for control.		Monitoring progress on managing service risks. Reporting to the group management team	
<b>Employees, contractors And partners</b>		Maintaining awareness of risks and feeding these into the formal process.	Maintaining awareness impact of risks and feeding information into the processes				Controlling risk in their jobs.	Monitoring progress on Managing job related risks Reporting to the service manager.	

**Extract from the minutes of the meeting of the Finance and Audit Scrutiny Panel 24 July 2012**

**11. 2011/12 Year End Review of Risk Management**

Ms. Hayley McGrath, Risk and Resilience Manager, presented the 2011/12 Year End Review of Risk Management that forms part of the Council's policy framework.

The key messages within the report was that the economy and cuts in public spending continue to have had a significant impact on the key risks during the year and the highest risk on the year end strategic register remains the potential impact of future central government decisions to reduce public funding, including that of the Council's partners. As well as having a direct effect on resources, cuts in public spending are also influencing non-financial risk areas, such as staff motivation, as a result of implementing required savings.

Ms. McGrath said that in summary for 2011/12, the requirement to raise the profile of the Council's anti-fraud and corruption processes was identified on the Annual Governance Statement for 2010/11, and therefore a significant focus for 2011/12 has been to work with the Monitoring Officer to revise the relevant policies and embed risk management processes throughout the organisation. The Risk and Resilience Manager has attended at least one Group Management Team meeting for each service to discuss current risk issues and review their operational risk register, and the risk registers for the Joint Museum Service and the North Essex Parking Partnership both continue to be produced and reported to the respective joint committees.

Ms. McGrath confirmed that during 2011/12 the Strategic Risk Register had been reviewed and changed, with one risk removed and two risks added, one of these being 6e, the increased risk to ICT resilience with migration to new supplier and ever increasing demands around information security. Mrs. Hedges said there remain actions around this and all other risks, and would not anticipate this situation changing. For the risks associated with ICT resilience, the risks may have reduced due to the new IT provider being in-place and forging a solid relationship with the Council, but it has to be recognised that this still remains a high risk due to the fundamental impact that a system closure would have on all users. It was confirmed to Councillor Greenhill that the Council was looking to the IT supplier to build risk into the resilience arrangements.

*RESOLVED* that the Panel considered and noted the risk management work undertaken during 2011/12, the current strategic risk register, and the proposed risk management strategy for 2012/13, and endorsed the submission of this report to Cabinet.

25 September 2012

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Results of consultation on proposal to change the name of Harbour Ward		
Wards affected	Harbour		

**This report informs the committee of the results of the consultation on the proposal to rename Harbour ward**

## 1. Decision(s) Required

- 1.1 To note that the majority of respondents to the public consultation on the proposal to rename Harbour ward Old Heath ward were in favour of the name being changed.
- 1.2 To recommend to full council that it determines in the light of the results of the consultation with the residents of Harbour ward that it be renamed Old Heath ward.

## 2. Background

- 2.1 The Committee as part of its delegated authority from full council has the responsibility of making recommendations to Council on certain electoral matters. A proposal to change the name of a ward comes within this delegated authority.
- 2.3 At the meeting of the full council on 21 March 2012 the following motion was approved (min 60):

“That this Council:

  - (i) agrees to carry out a consultation with local residents to rename Harbour ward as Old Heath ward;
  - (ii) believes that giving this area its historic name would be in the interests of the Borough and in line with local public opinion;
  - (iii) agrees to carry out the consultation in a cost-effective and timely fashion.”
- 2.4 Section 59 of the Local Government & Public Involvement in Health Act 2007 enables the full council by resolution, to change the name of any of the authority's electoral areas. The Act requires the Council to take reasonable steps to consult such persons as it considers appropriate on the proposed name. Any resolution to change a ward name must be passed at a meeting specially convened for the purpose of deciding the resolution and the resolution must be passed by a majority of at least two thirds of the members voting on it.
- 2.5 The Act also requires that as soon as practicable after a resolution is passed, the Council must give notice of the change of name to all of the following:
  - (a) the Electoral Commission;
  - (b) the Boundary Commission for England;

- (c) the Office of National Statistics;
- (d) the Director General of the Ordnance Survey;
- (e) Essex County Council.

The change of name does not take effect until the Electoral Commission have been given notice of the change.

### 3. Consultation results

- 3.1 Following consultations with all Group Leaders it was agreed that the public consultation would take place after the Borough elections which were due to be held on 3 May 2012. In addition, due to the Police Commissioner elections being held in November 2012 the Council was required to bring forward the canvas of the electoral register to June.
- 3.2 In order to minimise costs it was agreed that the canvassers along with delivering the canvass forms to each household as part of the annual canvas, would at the same time deliver the consultation document. A return envelope was provided for both documents or residents were able to hand the consultation response in at the office. A web based consultation was considered but it was concluded that since the consultation was to be targeted to residents of Harbour ward, a hand delivered document was the most cost effective method.
- 3.3 The Consultation document attached to this report at Appendix 1 was delivered to all properties in Harbour ward in June 2012. The closing date for the consultation was 27 July 2012.
- 3.4 There are 2857 properties in Harbour ward. All responses were verified to ensure that the person returning the consultation document lived in the ward.

There were 504 responses received which amounts to a 18% return.

In favour of changing the name to Old Heath ward	In favour of retaining the name Harbour ward
392	111

There was one spoilt response.

- 3.5 The results indicate that 77% of those residents who responded were in favour of changing the name of Harbour ward to Old Heath ward. Comments received are detailed at Appendix 2.

### 4. Proposal

- 4.1 In view of the fact that there is already a special meeting scheduled for the full council meeting on 17 October 2012, it is proposed that this matter be determined by a special council meeting convened on the same day as on the scheduled meeting on 6 December 2012.
- 4.2 If the change is agreed the change of name would be included in the next version of the electoral register. Due to the introduction of individual registration the register is not likely to be published again until 2014.

## **5. Strategic Plan References**

- 5.1 The Council's commitment to listen and respond to our communities underpins the Council's Strategic Plan vision.

## **6. Financial Considerations**

- 6.1 The cost of the consultation amounted to £536.73. This comprised £195.81 printing costs and £340.92 delivery costs. The cost has been met from the electoral registration budget.

## **7. Equality, Diversity and Human Rights Implications**

- 7.1 No particular implications.

## **8. Publicity Considerations**

- 8.1 The change of name will be published on the Council's website and the necessary bodies informed as mentioned in the report.

## **9. Consultation Implications**

- 9.1 None other than included in this report.

## **10. Community Safety Implications**

- 10.1 None

## **11. Health and Safety Implications**

- 11.1 None

## **12. Risk Management Implications**

- 12.1 None.

## Colchester Borough Council

### Public Consultation with residents of Harbour Ward

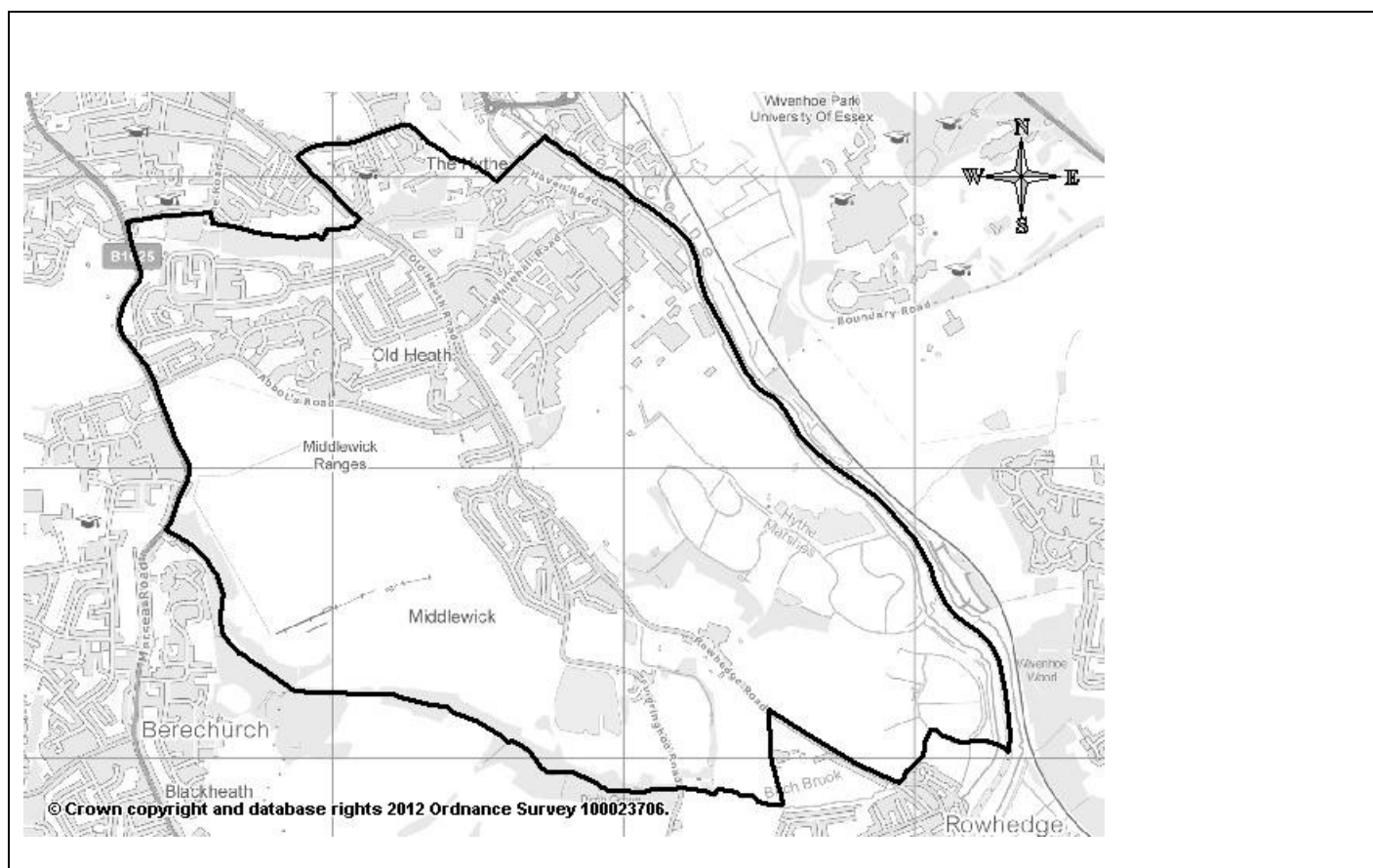
#### Background

At a meeting of the full council on 23 March 2012 the Council agreed that it would carry out a consultation with residents living in Harbour Ward to see if they were in favour of renaming the ward Old Heath Ward.

The reason for this proposed change is that the Council believes that giving this area its historic name would be in the interests of the Borough and in line with local public opinion.

The map below shows Harbour ward and as a resident, the Council would like to hear your views on this proposal.

To make your views known please complete and return this form in the either with your canvass form in the prepaid envelope provided or hand it in to the Council offices by **27 July 2012**.



#### What happens next?

The results of the consultation will be analysed and will be initially presented to the Council's Accounts and Regulatory Committee. The final decision will be taken at a full Council meeting in October 2012 where in order for the change to be agreed the proposal must be passed by a majority of at least two-thirds of councillors present and voting.



## Public Consultation with residents of Harbour Ward

Should the ward name be changed?

Current Ward Name: **HARBOUR**

Proposed Ward Name: **OLD HEATH**

Please return this form, or complete online at: [www.colchester.gov.uk/](http://www.colchester.gov.uk/)

	<b>Yes</b>	<b>No</b>
Harbour Ward <b>name should be changed</b>		
Comments/ suggestions		
Name:		
Address:		

Please return this form by 27 July 2012.

Colchester Borough Council, Rowan House 33 Sheepen Road, Colchester CO3 3WG



