
REVISED CORPORATE RISK REGISTER - 2010/11

1 SUMMARY

- 1.1 This report provides details of a revision of the Council's Corporate Risk Register for 2010/11 for Members' consideration and approval.

2 INTRODUCTION

- 2.1 The Corporate Risk Register (CRR) provides an overview of the key risks that may affect delivery of the Council's corporate objectives and service delivery.
- 2.2 A review of the risks faced by the Council following the change of Government earlier this year was undertaken in September 2010 by the Council's Senior Management Team (SMT) and the officers of the Corporate Risk Group (CRG).

3 THE CORPORATE RISK REGISTER FOR 2010/11

- 3.1 The SMT/CRG review identified 9 key risks facing the Council as shown in the Corporate Risk Register (CRR) at appendix A. In addition, there are 7 other operational risks which are best controlled and monitored on a Council-wide basis and these are also shown at appendix A.
- 3.2 Each of the strategic risks contained in the CRR has been reviewed using a detailed risk analysis, which also includes a summary action plan for the mitigation of each risk. An example of a risk analysis is included at appendix B and other risk analyses are available for Members' inspection, if required. A regular review of these risks and the mitigating controls and actions is undertaken by the officer Corporate Risk Group and is minuted accordingly.
- 3.3 A mapping from the old to the new Risk Registers is provided at appendix C to ensure all previously identified risks are addressed.
- 3.4 The revision of the Corporate Risk Register has also resolved the apparently contradictory notes on the old Corporate Risks 1 and 7, which Members asked to be revisited at the June Audit Committee (Minute 159 refers).
- 3.5 The CRR is underpinned by Divisional Risk Registers that identify the risk management arrangements that mitigate the operational risks faced by each of the Council's service areas.
- 3.6 As part of the 2010/11 assurance programme, testing will be carried out to confirm that controls detailed in Divisional Risk Registers to mitigate risk are actually in place.

4 RISK IMPLICATIONS

- 4.1 Management of risk is fundamental to the sound operation of the Council. Failure to manage risk could have a significant impact on the Council's ability to correctly define its policies and strategies or deliver against its objectives.
- 4.2 The implementation and operation of the Risk Management Framework will minimise risks and thus mitigate any potential strategic, operational, reputational or regulatory consequences.
- 4.3 Failure to manage risk would also mean that the Council might face censure by its external auditors.

5 LEGAL IMPLICATIONS

- 5.1 The Council's Risk Management Policy and Framework will assist in meeting any specific and general legislative requirements to monitor and manage its risks.

6 RECOMMENDATION

- 6.1 It is proposed that the Committee **RESOLVES**

That the revised Corporate Risk Register for 2010/11 be approved.

Yvonne Woodward

Head of Finance Audit & Performance Management

Background Papers: -

None.

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If you would like this report in large print, Braille or another language please contact 01702 546366.

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Notes:

*** Quality of controls:**

- Poor indicates no controls in place or the few that are do not mitigate the risk.
- Fair indicates that some controls in place and some reduction in risk but still not adequate.
- Good indicates that controls in place are considered adequate and reduce the risk.
- Excellent indicates that effective controls are in place which reduce the risk considerably.

Next Review Date(s):

(Risks are reviewed regularly by the Corporate Risk Group and relevant service managers. The risk analyses are updated accordingly, but the Corporate Risk Register will be revised annually.)

Part 1 – Strategic Risks.

Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
SR1. The Council fails to respond appropriately to the outcomes of the Government 2010 Comprehensive Spending Review.	3	3	Med	<ul style="list-style-type: none"> • Business Planning and Target setting processes • Corporate and Divisional / Services Area plans identify key priorities for service delivery • Communication of savings and consequences to Members, staff, residents and service users • Risk review of major contracts • Equality and diversity impact assessments 	Good	Monthly from October 2010	The Council has limited flexibility for making savings and decisions will need to be based on an understanding of service delivery priorities.

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Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
SR2. The Council could fail to understand and respond to changes in demand for its services resulting from the challenging economic environment (e.g. increasing homelessness and increasing demand on benefits).	3	2	Low	<ul style="list-style-type: none"> • Regular reviews of capacity against demand • Redeployment of staff as appropriate • Regular monitoring of complaints levels and other feedback • Continual monitoring of all income streams and realistic estimates for future income • Prudent estimates of investment income • Communication with Members, staff, residents and service users 	Good	Oct 2010 Jan 2011 April 2011	
SR3. Risk that the lack of clear national direction could lead to a lack of understanding as to where the Council needs to focus its resources.	3	3	Med	<ul style="list-style-type: none"> • Corporate and Divisional / Services Area plans identify key priorities • Consultation with service users and staff informs decision making • Shared Services and other efficiency projects explore new ways of working • Workforce Development Plan (WDP) aims to maintain and develop staff skill sets • Key proposals put to Members ensure correct governance 	Good	Oct. 2010 Jan 2011 April 2011	There is significant uncertainty in terms of central government decision making / policy making including uncertainty as to what constitutes a standard service supplied by a local authority and therefore how free the Council is to set its own standards.

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Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
SR4a. In awarding contracts, the Council may be challenged by unsuccessful bidders on the grounds that correct procedures (including meeting EU or other legal requirements) were not followed.	3	3	Med.	<ul style="list-style-type: none"> • Council Financial Regulations and Contract Procedure Rules • EU compliant tendering procedures • Clear specification of requirements and tender award criteria 	Good	Oct. 2010	In order to effectively manage the tender process the Council needs to ensure that it has the appropriate internal expertise and ensures that the right procedures are followed.
SR4b. Risk of contract arrangements failing whether due to failure of contractor, or because the Council fails to manage its contracts effectively.	4	3	Med.	<ul style="list-style-type: none"> • Best value analysis • Internal Audit assurance testing to determine correctness of tendering • Intention to invite tender or place a contract is made visible to the Finance team. • Contractor selection systems • Opt out / service change clauses in contracts • Performance bonds and guarantees • Contract procedure notes are available to appropriate officers in event of contract manager or other experienced officers' absence / non- availability • Contract Monitoring • Business Continuity Planning 		May 2011 Sept. 2011	

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Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
<p>SR5. The Council could fail to implement shared services effectively. This could include :</p> <ul style="list-style-type: none"> • failure to clearly define the outcomes required • failure to deliver the defined outcomes • failure to programme manage the shared service projects • pressure on capacity whilst implementing shared services arrangements leads to deterioration of existing services. 	3	3	Med.	<ul style="list-style-type: none"> • Project Plans, business cases and risk registers for each shard services project • Clear partnership agreements • Reports to Council / Executive or project Steering groups and the Improvement Management Team • Service monitoring via Council Performance Management System 	Good	Oct. 2010 April 2011 Sept. 2011	
<p>SR6. The Council is at risk of employing unsuitable staff if it does not ensure robust recruitment procedures including screening staff adequately e.g. CRB checks, health checks, requirement for references, proof of eligibility to work in the UK etc.</p>	3	2	Low	<ul style="list-style-type: none"> • Job offers are not formally made until pre-employment checks are fully completed • Probationary Period of 6 months • Induction training • Ongoing Performance Review process as applied to all staff to highlight development needs and competencies • HR advice, training and guidance to staff and managers 	Good	Nov 2010 Oct. 2010	

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Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
SR7a. The Council could fail to take correct decisions because of poor quality data or a failure to interpret data effectively.	2	2	Low	<ul style="list-style-type: none"> Data Quality Strategy and Action Plan Performance management systems (including CorVu software) and data capture process Quarterly Performance Reports to Members and other regular reports In year and annual Performance Indicator Audit checks. Corporate and Divisional Planning and target setting processes Data protection policies and procedures 	Good	Sep. 2011	<p>The Council needs to have the right systems to capture the right data but is having to do more for less and there is a risk that mistakes will be made / risk of human error..</p> <p>The rules have been tightened on managing the security of data and this is at a time when there is an increasing demand on the Council to share data.</p>
SR7b. The Council may fail to adequately protect data resulting in key operational, commercial, or personal data being lost or made public.	3	2	Low	<ul style="list-style-type: none"> Records Management Policies Government Code of Connection Standards IT Security Policies and Personal Commitment Statements Verification of information enquirers identity where appropriate 	Good	Sep. 2011	<p>We aim to ensure that Personal data is fully protected in accordance with Data Protection Acts and with an excellent standard of controls</p> <p>Commercial or operational data is only released after appropriate authorisation, and recipients should not be able to obtain such information by deception.</p>

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Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
SR8. The Council fails to respond effectively to an incident.	2	3	Med.	<ul style="list-style-type: none"> • Business Continuity and Emergency Plans in place with an exercise and review programme. • Data Quality and Records Management Policy • Out of hours (OOH) response arrangements. • IT restoration contract 	Good	<p>March 2011</p> <p>Sep. 2011</p>	
SR9. The Council may enter into, or continue with, statutory, or non-statutory, partnerships which fail to deliver the required services within agreed budgets.	2	2	Low	<ul style="list-style-type: none"> • Senior Management Team (SMT) Partnership monitoring activity • Partnership guidance document • Risk assessments undertaken as part of the agreed governance of each Partnership and linked to relevant Council plans • Partnership Governance documents • Bond and guarantees • Partnership Reviews reported to the Review or Audit Committees 	Good	Sep. 2010	

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Part 2 – Corporate Operational Risks.

Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
OR1 Ineffective internal or external communication.	3	2	Low	<ul style="list-style-type: none"> • Communications Strategy • Access to Services Initiatives • Management / Team meetings • Staff consultation • Investors in People monitoring • Staff training • My Performance Reviews • Intranet/website • Management oversight of internal and external communications • Core Briefing system • Press Release system • Media Protocol 	Good	July 2011	Internal and external communication processes are developed and continue to evolve.
OR2 Unexpected major financial liability or uninsured loss	1	3	Low	<ul style="list-style-type: none"> • Insurance reviews • Whistle Blowing policy • Insurance reserve • Budget Strategy • Collection Fund reserve • Review of Financial Reserves & Balances • Prudent investment strategy 	Good	Sept. 2011	Reviewed at commencement of each Business Planning Cycle.

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Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
OR3 High volumes of staff, client or contractor fraud	1	3	Low	<ul style="list-style-type: none"> • Verification framework • Whistle blowing, Prosecution and Fraud policies • National Fraud Initiative • Internal Audit activity • Register of interests • Segregation of duties 	Excellent	Jun. 2011	Review is linked to and covered by the Annual Governance Statement presented in June each year
OR4 Failure to be aware of/comply with, existing or new legislation	1	3	Low	<ul style="list-style-type: none"> • Legal monitoring of new legislation • Member Training • Professional Membership notifications and email alerts • Training and subscriptions • Website checks for compliance • Local Government Association updates • Internal Communications 	Good	May 2011	
OR5 Failure to adapt to climate change (Monitored by Planning to adapt to climate change and CO ₂ reduction Indicators)	4	2	Med	<ul style="list-style-type: none"> • Data collection matrix • ClimatCO₂de controls implementation • Climate based risk assessments in key documents • Identification of climate risks for each service • Implementation of adaptive responses and actions to achieve level 3 of the NI188 indicator in 2010/11. 	Good	Nov 2010 April 2011	Risk under review at present

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Risk	Likelihood	Impact	Risk Rating	Principal Controls & Actions	Quality of controls*	Next Review Date(s) #	Notes
OR6 Failure to safeguard children	2	3	Med	<ul style="list-style-type: none"> Child Protection Policy and Procedures Criminal Records Bureau checks Recruitment processes Section 11 Audit (self assessment to ensure compliance with Section 11 of the Children's Act). Attendance at Children's Trust Board Attendance at South Essex Local Safeguarding Board Designated person(s) for children protection issues – Head of Community Services and Corporate Policy and Partnership Manager 	Fair/Good	<p>March 2011</p> <p>Sep 2011</p>	<p>Procedures are developed to cover the action to take if there are concerns over the wellbeing of a child, or there are accusations against a member of staff.</p> <p>Procedures are being cascaded to all relevant staff.</p>
OR7 Failure to safeguard vulnerable adults	2	3	Med	<ul style="list-style-type: none"> Criminal Records Bureau checks New Vetting and Barring scheme Recruitment processes Attendance at South Essex Local Safeguarding Adult Board Designated person(s) for adults and vulnerable people protection issues– Head of Community Services and Corporate Policy and Partnership Manager 	Fair/Good	<p>March 2011</p> <p>Sep 2011</p>	<p>Procedures are developed to cover the action to take if there are concerns over the wellbeing of a child, or there are accusations against a member of staff.</p> <p>Procedures are being cascaded to all relevant staff.</p>

Corporate Risk Map

Impact	4 Catastrophic						
	3 Critical	OR 2,3,4	SR 8 & OR 6,7	SR 1,3,4a,5	SR 4b		
	2 Marginal		SR 7a,9	SR 2,6,7b & OR 1	OR 5		
	1 Negligible						
		1 Negligible	2 Very Low	3 Low	4 Significant	5 High	6 Very High
		Likelihood					

Key	Risk level	Action required
	High	Urgent/imperative to manage down risk – transfer or terminate
	Medium	Seek to influence risk over medium term or transfer out risk e.g. by insuring
	Low	Tolerate and monitor – manage down if possible

Risk Scoring

LIKELIHOOD of event occurring					
Negligible – 1	Very Low – 2	Low – 3	Significant – 4	High – 5	Very High – 6
0% to 5%	6% to 15%	16% to 30%	31% to 60%	61% to 85%	86%to100%

IMPACT of event occurring				
	Negligible – 1	Marginal – 2	Critical – 3	Catastrophic – 4
Financial	£0K - £10K	£10K - £200K	£200K - £1M	£1M- £10M
Service Provision	Minor service delay	Short term service delay	Service suspended/ Medium term delay	Service suspended long term/ Statutory duties not delivered
Project	Minor delay	A few milestones missed	A major milestone missed	Project does not achieve objectives and misses majority of milestones
Health & Safety	Sticking Plaster/first-aider	Broken bones/Illness	Loss of Life/Major illness	Major loss of life/Large scale major illness
Objectives	Minor impact on objectives	Objectives of one section not met	Directorate Objectives not met	Corporate objectives not met
Morale	Mild impact on morale	Some hostile relationships and minor non cooperation	Industrial action	Mass staff leaving/Unable to attract staff
Reputation	No media attention/minor letters	Adverse Local media	Adverse National publicity	Remembered for years!
Government relations	Minor local service issues	Poor Assessment(s)	Service taken over temporarily	Service taken over permanently
Political	No interest / Minor attention	Adverse local media or individual public reaction	Adverse national publicity or organised public reaction	Major political reaction - remembered for years!

Report to Audit Committee – 1 December 2010 – Appendix B – Example Corporate Risk Analysis

Risk No. SR 1	Risk Descriptor (s): The Council fails to respond appropriately to the outcomes of the Government 2010 Comprehensive Spending Review. (In doing so it has limited flexibility for making savings and decisions will need to be based on an understanding of service delivery priorities.) Risk includes the following: <ul style="list-style-type: none"> • Assumptions made about savings required are incorrect • Cuts are made in the wrong areas of service • Changes in service delivery are ineffective or fail to realise required savings, or result in challenges on equality/diversity grounds, • Heads of Service fail to identify required savings, • A lack of understanding of contractual requirements in terms what has to be paid, or could be changed 	Risk Owner: Chief Executive
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Risk prior to controls	Likelihood: 5	Impact: 3	Risk Rating: High
Residual Risk	Likelihood: 3	Impact: 3	Risk Rating: Medium
Review Frequency: Monthly		Key dates for Review: October 2010 and monthly thereafter	

Risk Consequences:	<ul style="list-style-type: none"> • Impact on services delivered • Impact on savings required • Financial inefficiencies • Short term decision making • Disillusioned staff • Members frustrated • Reputational damage • Contractual commitments not met.
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CONTROLS AND ACTION PLAN(S)

Action/controls	Adequacy of controls*	Evidence of controls	Action required by SMT	Monitoring/success measures
Business Planning and Target challenge process includes a variety of savings scenarios	Good	Business Plans Medium Term Financial Strategy (MTFS)	Identification of potential savings for each scenario	Correct level of savings identified and delivered
Corporate and Divisional / Services Area plans identify key priorities for service delivery	Good	Corporate Plan 2011-12 Divisional /Service Area Plans	Identification of service priorities including consultation with users	Priority services identified and delivered
Communication of savings and consequences to staff	Good	Core brief & team meeting notes Chief Executive's blog	Ensure communication is maintained	Staff understand what is being done and why.
Communication with Members	Good	Member awaydays and briefings Reports to Members	Ensure communication is maintained	Members are informed to make good decisions
Communication with residents and service users	TBA	Rochford District Matters Council Website Budget Consultation	Ensure communication is maintained and equality / diversity impacts are considered	Residents and service users understand what is being done and why.
Risk review of major contracts	Good	Contract Risk Analysis Documents Contract documents and specification	Identify the contracts to be reviewed. Review and approve or modify analyses undertaken	Contracts amended as required and savings achieved where possible

Risk review completed by:	Name: T. Harper	Signed: TH	Date: 26/10/10
Risk review approved by:	Name:	Signed:	Date:

Adequacy of Controls:

- * Poor indicates no controls in place or the few that are do not mitigate the risk.
- * Fair indicates that some controls in place and some reduction in risk but still not adequate.
- * Good indicates that controls in place are considered adequate and reduce the risk.
- * Excellent indicates that effective controls in place which reduce the risk considerably.

Report to Audit Committee – 1 December 2010 – Appendix B – Example Corporate Risk Analysis

LIKELIHOOD of event occurring					
Negligible – 1	Very Low – 2	Low – 3	Significant – 4	High – 5	Very High – 6
0% to 5%	6% to 15%	16% to 30%	31% to 60%	61% to 85%	86%to100%

IMPACT of event occurring				
	Negligible – 1	Marginal – 2	Critical – 3	Catastrophic – 4
Financial	£0K - £10K	£10K - £200K	£200K - £1M	£1M- £10M
Service Provision	Minor service delay	Short term service delay	Service suspended/ medium term delay	Service suspended long term/ Statutory duties not delivered
Project	Minor delay	A few milestones missed	A major milestone missed	Project does not achieve objectives and misses majority of milestones
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Report to Audit Committee – 1 December 2010 – Appendix B – Example Corporate Risk Analysis

Risk Map

Impact	4 Catastrophic						
	3 Critical			Residual Risk		Risk Prior to controls	
	2 Marginal						
	1 Negligible						
		1 Negligible	2 Very Low	3 Low	4 Significant	5 High	6 Very High
		Likelihood					

Key	Risk level	Action required
	High	Urgent/imperative to manage down risk – transfer or terminate
	Medium	Seek to influence risk over medium term or transfer out risk e.g. by insuring
	Low	Tolerate and monitor – manage down if possible

**Report to Audit Committee - 1 December 2010 - Appendix C
Corporate Risks - mapping between old and revised Risk Registers**

Old Risk Description	Linkage to New Risk Description including: Merging with risks on updated Corporate Risk Register, restating as a Corporate Operational Risk, or removal from Risk Register
<p>1 Council's vision and objectives fail to meet public expectation and community needs. (NB: Key dependency on accurate, complete and relevant data and information)</p>	<p>Covered by: Strategic Risk 1 - The Council fails to respond appropriately to the outcomes of the Government 2010 Comprehensive Spending Review and Strategic Risk 2 - Risk of a failure to understand and respond to demand resulting from challenging economic circumstances.</p>
<p>2 Mismatch between Council Plans and available funding</p>	<p>Covered by: Strategic Risk 1 - The Council fails to respond appropriately to the outcomes of the Government 2010 Comprehensive Spending Review</p>
<p>2a Failure of the Council to respond appropriately to the economic downturn (The principal risks are a downturn in income, an increase in demand for services such as Benefits and Housing, and a potential increase in fraud and/or criminal activity.)</p>	<p>Covered by: Strategic Risk 1 - The Council fails to respond appropriately to the outcomes of the Government 2010 Comprehensive Spending Review and Strategic Risk 2 - Risk of a failure to understand and respond to demand resulting from challenging economic circumstances.</p>
<p>3 Council fails to recruit and retain the right people and skills</p>	<p>Covered by: Strategic Risk 3 - Risk that the lack of clear national direction leads to a lack of understanding as to where the Council needs to focus its resources. and Strategic Risk 6 - The Council is at risk of employing unsuitable staff if it does not ensure robust recruitment procedures including screening staff adequately</p>

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Old Risk Description	Linkage to New Risk Description including: Merging with risks on updated Corporate Risk Register, restating as a Corporate Operational Risk, or removal from Risk Register
4 Lack of a robust performance management process and poor data quality	Covered by: Strategic Risk 7a - The Council could fail to take correct decisions because of poor quality data or a failure to interpret data effectively.
5a Failure to apply a robust process for entering into partnerships	Covered by: Strategic Risk 9 - The Council may enter into statutory, or non-statutory, partnerships which fail to deliver the required services within agreed budgets.
5b Council fails to monitor and review its partnerships effectively to ensure anticipated outcomes are achieved	Covered by: Strategic Risk 9 - The Council may enter into statutory, or non-statutory, partnerships which fail to deliver the required services within agreed budgets.
6 Incident occurs and Council fails to respond effectively	Covered by: Strategic Risk 8 - The Council fails to respond effectively to an incident.
7 Failure to respond to political change at a national or local level leading to a change of Council priorities	Covered by: Strategic Risk 1 - - The Council fails to respond appropriately to the outcomes of the Government 2010 Comprehensive Spending Review
8 Lack of clear understanding of what Value For Money (VFM) means	No longer a risk – removed from Corporate Risk Register
9 Ineffective internal or external communication.	Carried forward as Corporate Operational Risk 1

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Old Risk Description	Linkage to New Risk Description including: Merging with risks on updated Corporate Risk Register, restating as a Corporate Operational Risk, or removal from Risk Register
10 Failing to achieve a better grade within CPA.	Removed from risk register after CPA grade improved to Good
11 Unexpected major financial liability or uninsured loss	Carried forward as Corporate Operational Risk 2
12 High volumes of staff, client or contractor fraud	Carried forward as Corporate Operational Risk 3
13 Risk of contract arrangements failing	Covered by: Strategic Risk 4b - Risk of contract arrangements failing whether due to failure of contractor, or because the Council fails to manage its contracts effectively
14 Failure to be aware of/comply with, existing or new legislation	Carried forward as Corporate Operational Risk 4
15 Failure to meet additional cost of revised concessionary fare schemes	Removed from risk register after risk transferred to Essex County Council
16 Failure to protect data such that personal data is lost/made public	Covered by: Strategic Risk 7b - The Council may fail to adequately protect data resulting in key operational, commercial, or personal data being lost or made public.
16a Failure to protect data such that commercial or operational data is lost / or released to those not entitled to receive it	Covered by: Strategic Risk 7b - The Council may fail to adequately protect data resulting in key operational, commercial, or personal data being lost or made public.

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Corporate Risks - mapping between old and revised Risk Registers**

Old Risk Description	Linkage to New Risk Description including: Merging with risks on updated Corporate Risk Register, restating as a Corporate Operational Risk, or removal from Risk Register
17 Failure to adapt to climate change (Monitored by National Indicator 188 - Planning to adapt to climate change and CO ₂ reduction National Indicators)	Carried forward as Corporate Operational Risk 5
18 Failure to safeguard children	Carried forward as Corporate Operational Risk 6
19 Failure to safeguard vulnerable adults	Carried forward as Corporate Operational Risk 7
20 Unsuccessful bidders for Council contracts are able to use the EU Remedies Directive to hold up or set aside the award of contracts	Covered by: Strategic Risk 4a - In awarding contracts, the Council may be challenged by unsuccessful bidders on the grounds that correct procedures (including meeting EU or other legal requirements) were not followed.
21 Shared services projects give rise to unidentified risks.	Covered by: Strategic Risk 5 - The Council could fail to implement shared services effectively.