Title of Report:

Statement Of Internal Control 2006-2007 **Reviews Of Standards And Procedures** Of Internal Control By The Monitoring **And Section 151 Officers**

Report to be considered by: Governance & Audit Committee: 26th June 2007

Forward Plan Ref:

Council Plan Outcomes:

The proposals contained in this report will help to achieve all the Council Plan outcomes by reviewing and providing assurance on the effectiveness and efficiency of the Council's governance and other arrangements which may impact upon the internal control framework.

Purpose of Report:

To provide evidence and independent verification of governance matters which may impact on the internal control regime from the viewpoints of the Monitoring Officer and Section 151 Officer as two of the three Statutory Officers of the Council.

Recommended Action:

To note the report [and adopt any recommendations]

Reason for decision to be taken:

In accordance with CIPFA Guidance and current policy of the Council

List of other options considered:

Key background documentation:

- Reports to Standards Committee on the review of ethics and probity during 2006/2007.
- Action plans relating to risk
- Various changes to the Council governance arrangements

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Item 6

Implications

Policy:

Established as part of CIPFA guidance and reporting arrangements adopted by

Council in connection with the Statement of Internal Control.

Financial:

No financial implication associated with this report

Personnel:

N/a

Legal:

In accordance with the provisions of the Local Government Acts 1972 and

2000, Local Government and Housing Act 1985, Local Government Finance Act

1998 and amendments thereto.

Risk Management:

In accordance with Risk Strategy

Supporting Information

1. Background

- 1.1 As part of the Statement of Internal Control, CIPFA guidance recommends that the Monitoring Officer and Section 151 Officer provide "a key source of assurance that the Council's systems and procedures of internal control which are in operation are effective, efficient and being complied with". In essence this requires the Monitoring Officer, as the Officer charged with ensuring that the Council, and every part of it, acts legally and is not acting in a manner thought to constitute maladministration or injustice, to review certain aspects of the Statement of Internal Control. Also that the Chief Financial Officer / S151 Officer similarly ensures that all parts of the Council act in accordance with the budgetary and policy framework laid down at each annual budget setting Council and that all financial administration standards are complied with.
- 1.2 This report reviews the requirements of the Statement of Internal Control, the issue or otherwise of Section 5/Section 114 reports, ethical and probity matters, together with changes to the Constitution which have occurred to ensure that the Council operates in accordance with statute, regulation and guidance, and looks at the implementation of action plans in connection with strategic risks identified by Officers.

2. The Role of the Monitoring Officer

- 2.1 Section 5 of the Local Government and Housing Act 1989 requires the Monitoring Officer to prepare a formal report to full Council where it appears that the Council, a committee or an Officer has acted or is likely to act illegally, or in a manner such as to constitute maladministration or injustice. The Monitoring Officer's role in essence is to ensure the legality of local governance arrangements based upon statutory requirements and guidance from Government and other outside bodies. As mentioned above, this role complements that of the Section 151 Officer and the Head of Paid Service (the Chief Executive) whose roles are also established by statute. The Monitoring Officer is part of Corporate Board and during 2006/07 attended meetings with the Audit Commission.
- 2.2 The formal report process under Section 5 is one which should be approached with extreme caution and should not be undertaken lightly. If such action is proposed it is generally the view that outside advice from Counsel should be sought by the Monitoring Officer. During 2006/07 there have been no reports or investigations necessary which fall within the requirements of Section 5 of the 1989 Act.
- 2.3 The Monitoring Officer's advice has been sought in connection with a number of day-to-day administrative matters and in particular the attendance at meetings by Members in connection with the Code of Conduct and since April 2007 the need to put in place arrangements to adopt the Revised Code of Conduct. This is covered in paragraph 5 of this report.

3. Role of the Section 151 Officer

- 3.1 The definitive Statement on the Role of the Finance Director in Local Government is set out in a CIPFA publication of 2003. This identifies 5 key roles
 - Maintaining strong financial management underpinned by effective financial controls
 - Contributing to corporate management and leadership
 - Supporting and advising democratically elected representatives
 - Supporting and advising officers in their operational roles
 - Leading and managing an effective and responsive financial service.

- The Section 151 Officer is required to report to all the local authority's Members, in consultation with the Head of Paid Service and the Monitoring Officer if there is, or there is likely to be, unlawful expenditure or an unbalanced budget. Such a report known as a Section 114 report derives from the Local Government Finance Act 1998 as updated by the 2000 Act and Members of the Council are required to have regard to the S151 Officer's advice. Not to do so would be a breach of the Code of Conduct for Members which is enforceable by the Standards Board for England. Specified and explicit provision is now included in the Revised Code.
- 3.3 Each year the S151 Officer reports as part of the budget decision making process his opinion on the adequacy of reserves and robustness of the budget estimates.
- 3.4 The S151 Officer is consulted about a wide range of discretions under the Council's constitution, in particular exemptions to standing orders and contract rules of procedures. The S151 Officer maintains a file of all such exemptions given and discretions sought and granted. From a legal perspective the Monitoring Officer is also involved in certain decisions and records such involvement.
- 3.5 Throughout the year expenditure monitoring ensures that any budget overspends or income shortfalls are identified and corrective measures can be put in place to ensure that the overall council revenue budget keeps within the policy and budgetary framework agreed at the annual budget setting process. In 2006/07 as in each of the last three years the out-turn is expected to deliver a surplus against the budget.
- 3.6 All Executive or other decision making body reports have clearly set out financial recommendations. It is the responsibility of the S151 Officer to ensure that the financial implications of all such decisions are adequately considered and that recommendations are based upon prudent financial advice. The S151 Officer is a member of Corporate Board and involved in all significant resource decisions of the authority.
- 3.7 There has been no necessity to implement the Section 114 process during 2006/07 and the S151 Officer confirms the robustness of the financial and budgetary frameworks.

4. Robustness of corporate governance arrangements

- 4.1 As Members will be aware, throughout the year reports have been considered by this Committee and forwarded to Council regarding certain amendments which have been necessary to the Constitution. These include:
 - A further review of the Contract Rules of Procedure was carried out to reflect the impact of changes to the EU Procurement regime and its effect on the Council's contracting arrangements.
 - Minor changes to delegations to Officers were agreed in the light of new legislation.
- The above matters were referred in accordance with the Constitution and considered by full Council at meetings during the year. The changes ensured that the Council's administration remained efficient and effective and these changes were reflected in updated versions of the Constitution, provided to all Members following the May 2007 Election and the Council's website.

5. Ethics & Probity

- During 2006/07 ethics and probity matters were considered by the Council's Standards Committee and as a result training sessions were carried out for Members of both this Council to refresh advice on the Code of Conduct and proposed changes to it. Sessions were also held for parish and town councils prior to the parish conference.
- 5.2 Whilst there have been complaints and references to the Standards Board none required full investigation either by an Ethical Standards Officer or an Adjudication Panel.
- 5.3 There was one reference for local determination to the Standards Committee in 2006/07 of a district councillor. In addition a formal Direction under the 2000 Act was issued in connection with a Parish Council and the Monitoring Officer has recently provided a final report to the Standards Board for England. The Direction enabled the Parish to work with officers to improve its administration and transparency of meetings. Further determination by the Board is awaited.
- 5.4. In April the Government issued the long awaited revised Code of Conduct and this has been considered by the Standards Committee which has made recommendations to full Council for adoption of the Code at its meeting on 21st June. Additional advice and training will also be given to Town and Parish Councils during July.

6. Implementation of Action Plans from Strategic Risk Register

All strategic risks were placed on a strategic risk register and reviewed by Corporate Board and Management Board on a quarterly basis throughout the year and then by the Governance & Audit Committee. During the year, reports on all red risks on service risk registers were received and considered by Corporate Board. Actions arising from such reviews have ensured that the council's risks are considered at the highest level.

7. Conclusions

7.1 Overall the Council's governance arrangements are robust, efficient and effective and because of the regular review with the changes proposed by Government, the Audit Commission or other outside bodies. This was particularly seen with the revisions to the Contract Rules of Procedure and the fact that no formal reports to full Council have been necessary by the Monitoring Officer or Section 151 Officer. Ethical and probity matters have been managed effectively by the Monitoring Officer, the S151 Officer and Standards Committee. The Strategic Risk Register does not highlight matters of particular concern with regard to the formal requirements of Section 5 of the Local Government & Housing Act 1989. No occasion has arisen which has required the S151 Officer to issue a S114 report.

Consultation Responses

Local Stakeholders:

N/a

Officers Consulted:

Andy Day, Ian Priestley

Trade Union:

N/a

Title of Report:

Statement of Internal Control Strategic Risk Register 2007-2008

Item 10

Report to be considered by: Gove

Governance and Audit Committee

Council Plan:

The proposals contained in this report will help to achieve the above Corporate Plan priority by: Strengthening the internal control framework of the Council.

Purpose of Report:

To support the Statement of Internal Control by identifying the

Strategic Risks and associated action plan

Recommended Action:

To consider and comment on the Strategic Risks and action

plan.

Reason for decision to be taken:

To ensure that the Council's strategic objectives are met and that

any associated risks with achieving them are identified and

appropriately managed.

List of other options considered:

None

Key background documentation:

Risk Management Strategy

Strategic risk Register / Action Plan

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Supporting Information

1. Background

- 1.1 As part of the Statement of Internal Control the Council is required to identify and set out how it intends to deal with, significant control issues. A key part of the evidence that supports this process is Strategic Risks and associated action plan.
- 1.2 The Council adopted a Risk Management Strategy in December 2004. This is revised annually. The strategy for 2007-08 is included in the agenda for approval at this Committee. This report is an annual review of the Strategic Risk Register building on the work of previous years.
- 1.3 Risk management is an integral part of the corporate governance framework and is embedded into the fabric and decision making process of the Council. Risk management is a central part of any organisation's management. It is the process by which organisations methodically address the risks associated with the delivery of their objectives. The focus of good risk management is the identification and handling of those risks. The risk management process is fully supported by Members and the senior management team.
- 1.4 Corporate / Management Boards have reviewed the risk register and the amendments are reflected in the SRR.
- 1.5 The risk manager has contacted responsible officers with red risks on the Strategic Action Plan and their comments are included. Responsible Officers are aware that this information is required to be updated on a quarterly basis and that it is reported to this Committee.

Appendices

Appendix A - Strategic Risk Register

Appendix B - Strategic Action Plan

Appendix C - 4*4 Matrix - Attached

Consultation Responses

Local Stakeholders:

Not Consulted

Officers Consulted:

Corporate Board

Trade Union:

None

Strategic Risk Register 2007 / 2008

Owner	Corporate Board
Date	26-Jun-07

(Updated from CB on 15 may 07)

100000000000000000000000000000000000000				Gross Rating					Net Rating		
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Scare	Controls	Likely- hood	Impact	Score	Owner
1 taxem	al Influences										
1.1	Economic Increased unemployment & Benefit Claims	Services	Increased unemployment Increased Nos on benefit Reduced income to the Council Financial	2	3		Economic Development Strategy Sustainable Community Strategy Social Inclusion Strategy Corporate Plan	2	3		Head of Policy & Comm + Cllr Anthony Stansfeld
1.2	Inability to Recruit	Overheating Economy High Inflation	House price inflation Skills shortages Wage inflation Inward Commuting	2	3	1	Community Strategy Housing Strategy Various regional strategies Local transport plan Lobbying regionally / nationally	2	3	G	Head of HR + Cllr Anthony Stansfeld
1.3	Social Civil Unrest	Unfavourable perceptions of Crime & Disorder issues	Civil unrest Perceptions / High fear of crime	1	3	3	Effective Community Safety Strategy Effective interagency working Appropriate funding	1	2	2	Chief Executive + Safer Communities Partnership+ Cllr Emma Webster
1.4	Terrorist Action	local groups	Significant disruption Fatalities / Injuries Reputation > No Insurance against Terrorist Action	2	3		Emergency Plan / Plan tested Interagency working	2	2	4	Head of Countryside & Env + Cllr Geoff Findlay
1.5a	Environmental Major environmental incident	Major disaster Contamination Severe weather Outbreaks of disease Flooding	Significant disruption Fatalities / Injuries Reputation	3	4		Major Incident Plan Effective Communication & Inter- agency working	3	3	9	Head of Countryside & Env + Cllr Geoff Findlay

					iross Rati	ng			Net Rating	
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score	Controls	Likely- hood	Impact	Score Owner
1.5b	Severe water Shortages	Drought	Disruption to Council services & the community (Businesses and residential)	1	3	3	Major incident Plan Working with Thames Water Working with Environment Agency	1	. 3	Head of Countryside & Env + Cllr Geoff Findlay
1.6	Flu Pandemic	Spread of flu Lack of NHS Vaccines	Significant disruption Fatalities / Injuries Reputation	2	4	8	Immunisation BCP Working Parties Major Incident Plan	. 2	4	Corp Dir (CYP) 8 Cllr Geoff Findlay
	Political Intervention by Central Government or Other Regulatory Body	Statutory obligations not met Change of CPA Methodology	Legal challenge Government Intervention Compensation Poor CPA Scores Poor Audit Commission Reports	2	3	- 10	Community Plan Corporate Plan Effective Performance Management MTFS District Profile Consultation Strategy	1	2	Chief Executive 2 + Cllr Graham Jones
1.8	Failure to deliver good Corporate Assessment / JAR	Statutory obligations not met Change of CPA Methodology	Legal challenge Government Intervention Compensation Poor CPA Scores	2	2		Statement of Internal Control Reports from Ext regulatory bodies Stronger Gov Project Plan	1	2	Chief Executive 2 + Cllr Graham Jones
1.9	Administrative Area changed / WBC absorbed into another authority		Possibility of merger with another authority	1	3	3	None, But Lobbying where appropriate	1	3	Chief Executive 3 + Cllr Graham Jones
1.10	Demand Management / Demography Failure to predict changes in service demand	Poor information planning & forecasting	Increased or reduced service demand Budget over or under spent	3	4	12	Demographic modelling MTFS Service & Financial controls	3	3	Corp Dir (Env) + 9 Cllrs Graham Pask / Joe Mooney
2 General 2.1	Strategy Failure to set clear visions / objectives for Authority	Failure to see demographic and other external changes Failure to understand organisational context Poor / weak leadership	Ineffective forward planning Inappropriate service delivery Intervention Budget difficulties Poor CPA Scores Poor Audit Commission Reports	3	4	12	Sustainable Community Plan Corporate Plan Effective Performance Management MTFS District Profile Consultation Strategy	1	3	Chief Executive 3 + Cllr Graham Jones

					ìross Rati	ng			Net Ratin	g	
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score	Controls	Likely- hood	Impact	Score	Owner
2.2	Inappropriate change management	Inappropriate pace of change Expectations not realised	Failure to realise opportunities CPA Intervention Inefficiency Poor reputation Capacity issues	3	3	9	Effective Programme & project management Corporate Plan Effective performance & risk management	1	2	2	Chief Executive + Cllr Graham Jones
2.4	Finance										
2.4a	Financial Risk controls not applied Failure to complete audit / financial returns	Failure to undertake appropriate Financial Planning Failure to account for unaccepted items	Qualification on the accounts Failure to set standards Reputation CPA Unacceptable under / Overspends Section 151 officer / DA Reports	2	4	8	MTFS including allowance for contingencies Budget monitoring Financial rules of procedure Stronger Governance Project Action Plan	1	3	3	Head of Finance + Cllr Laszlo Zverko
2.4b	Budget pressures emerge in year / Ineffective budget monitoring (Revenue)	Overspending Income targets not met	Lack of resources impacting on service delivery	2	3	10	MTFS including allowance for contingencies Budget monitoring Financial rules of procedure Stronger Governance Project Action Plan	2	2		Head of Finance + Cllr Laszlo Zverko
2.4c	Tax Base	The tax base is significantly different to forecast	This has a knock on effect on grant calculation and changes the Council tax yield. However the impact is relatively small as the formula grant calculation compensates	3	2		Ensure the budget process is flexible enough to deal with changes when actual figures are known. Set a prudent but realistic projection Undertake sensitivity analysis	2	2		Head of Finance + Cllr Laszlo Zverko
2.4d	Capital Programme Implementation	Overspend Slippage	Service Delivery	2	3		Capital Budget Financial procurement Governance PMM	2	2		Head of Finance + Clir Laszlo Zverko
2.4e	Grant Settlement	The settlement is lower than anticipated due to changes in the methodology: / data / control totals	Lower RSG resulting in budget pressures	3	4	12	Ensure the budget process is flexible enough to deal with changes when actual figures are known. Set a prudent but realistic projection Undertake sensitivity analysis	3	2		Head of Finance + Clir Laszlo Zverko

Strategic Risk Register 2007 / 2008

Postal					iross Rati	ng	,		Net Rating		
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score	Controls	Likely- hood	Impact	Score	Owner
2.4f	Council Tax	Council tax than assumed is set. Or the level of increase is capped by Government		3	3	9	The level of Council Tax is a member decision. The implications of various levels of Council Tax are demonstrated to Members. Multi year settlements mean that capping levels are notified in advance. Undertaking sensitivity analysis.	1	2	2	Head of Finance + Cllr Laszlo Zverko
2.4g	Specific Grants	The value of Specific grants may vary from the assumptions made. Decisions are often made by government late in the day.	Transfer from Specific formula grant can have a significant impact.	3	2	-0	Flexible budget process Lobbying in support of grant changes that benefit WBC	3	1	3	Head of Finance + Cllr Laszlo Zverko
2.4h	Inflation / Interest rates	Inflation may rise beyond anticipated rates Interest rates and borrowing may be higher than planned.	Actual pay rises may exceed estimate and cause a budget pressure Debt change budget pressure	3	2		Multi year pay settlements help reduce the uncertainty Prudent rate increase is used in forecasting Sensitivity analysis used MPC	2	2		Head of Finance + Cllr Laszlo Zverko
2.4i	Reduced income from S106 PGS	New legislation	Reduced level of capital funding	3	3	9	Capital Programme CB / MB / Executive	3	2		Head of Finance + Clir Laszlo Zverko
2.5	HR										
	Inability to recruit & retain to key posts	Ineffective recruitment	Increased costs Lack of service continuity Inefficiency Service delivery problems	3	3	9	HR Policies / Management Service Continuity Performance Management Effective HR Adequate Job descriptions Service Continuity Plans Budget provision 2006/07	2	2		Head of HR + Clir Anthony Stansfeld
2.5b	Death Injury to staff	Lack of appropriate risk assessments / supervision	Fatality / Injury Financial / Insurance claims Theft / Damage Reputation	3	3	9	Lone working policy Risk Assessment Protection of Buildings RSG (Risk)	2	2		Head of HR + Cllr Anthony Stansfeld
2.5c	Significant Strike Action taken by members of staff	Union Action	Service Delivery Reputation	3	· 3	9	Good HR relations	3	2		Head of HR + Cllr Anthony Stansfeld

				•	ross Rati	ng			Net Ratino		ľ
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score	Controls	Likely- hood	Impact	Score	Owner
2.5d	High level of grievances	Policy changes Changes to terms & Conditions Organisational review	Service Delivery Reputation	3	2			2	2		Chief Exc + Cllr Graham Jones
2.6	Failure to Manage PR										
2.6a	Failure to manage bad difficult news	Poor Service or outcomes resulting in bad reports in the press / media etc	Poor Reputation CPA Low satisfaction	2	3		Effective Public / Media relations Communication Resourcing Effective Performance management framework to ensure that we get it right first time	2	2		Head Policy & Comm + Cllr Anthony Stansfeld
2.6b	Failure to promote the Council effectively to the local community	Ineffective PR Poor Planning	Lower levels of satisfaction Reputation	1	3	3	Communication Strategy Pro-active management of PR	1	2	2	Head Policy & Comm + Clir Anthony Stansfeld
S Carpor	ate Governance										
3.1	Inappropriate conduct by Staff / Members	Lack of Code of Conduct CRB Check failures	Reputation Legal Action Fatality / Injury	3	3	9	Code of conduct Sound Recruitment & Retention CRB Checks	1	3	3	Chief Executive + Cllr Graham Jones
3.2	Poor / Inappropriate Decisions	Lack of full information for decision making	Legal Challenge Compensation Reputation	3	3	9	Effective Governance arrangements Including sound constitution Finance & Governance Group	2	2		Head of Legal & Electoral + Cllr Graham Jones
3.3	Poor performance management	Inadequate PM systems Inaccurate data	Poor decisions	2	2		Performance management reporting arrangements	1	2	2	Head of Policy & Comm+ Cllr Anthony Stansfeld
3.4	Poor Scrutiny	Lack of resources Lack of Member engagement	Inferior decisions Regulations Poor reputation	3	3	9	Training Work programme Alignment with the Executive work programme Proper regulation Overview Scrutiny Commission	2	2		Head of Policy & Comms

				(iross Rati	ng	`		Net Rating		
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score		Likely- hood	Impact	Score	Owner
3.5	Ineffective Risk Management	t Lack of engagement by managers Lack of resources	Reduced CPA scores Reputation	2	3		Audit Trails Corporate Board Governance & Audit Committee	2	2	4	Chief Executive + Cllr Barbara Alexander
3.6	Inadequate Business Continuity Planning	Poor service planning Lack of BCP	Service delivery fails Impact on performance	2	4	8	BCP process underway	2	3	- 6	Head of Finance + Cllr Barbara Alexander
3.7a	Health & Safety	Poor controls in health & safety Lack of Project Management process	Legal / Insurance Insurance / Financial Reputation Corporate manslaughter Team reactively problem solving rather than proactive planning	3	3 .	9	Effective School Service - needs analysis / risk register Safety Management System	2	3		Head of Finance + Cllr Anthony Stansfeld
3.7b	Legionella	Outbreak of Legionella / failure to control situation	Legal / Insurance / Financial Reputation Corporate manslaughter	3	3	9	Contract set up for risk assessments Compliance Officer in H&S Team	3	3	9	Head of Property + Anthony Stansfeld
3.7c	Fire Safety	Failure to manage fire safety	Loss of Life Enforced action by Fire Authority Legal / Insurance Reputation Corp Manslaughter	3	3	9	Contract set up for fire risk assessments Compliance Officer in H&S Team	3	3	9	Head of Property + Anthony Stansfeld
a decimi											
4.1a	Major Failure of technology	Power failure	Service delivery / failures	2	3		Some BCP in place - further assurance required ICT Strategy Effective performance management Investment Resources	1	2	2	Head of ICT + Cllr Emma Webster
4.1b		Hardware / software failure	Service delivery / failures	2	3	G.	Some BCP in place - further assurance required ICT Strategy Effective performance management Investment Resources	1	2	2	Head of ICT + Cllr Emma Webster

				(iross Rati	ng			Net Rating	
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score	Controls	Likely- hood	Impact	Score Owner
4.1c		Failure to achieve financial / service benefits from technology	Service delivery / failures	3	2		Effective Performance Management Post Implementation Agreement	3	2	ICT Strategy : Board + Cllr Emma Webster
4.1d	Failing to invest in technology	Investing in wrong Technology Failing to invest	Lost Resources Ineffective service delivery Service failure Lack of computability	2	3		Service Investment Programme ICT Strategy ICT Strategy Board	1	1	Head of ICT 1 + Clir Emma Webster
4.1f	Virus / Hacking Other IT security issues	Attack on Council's computer systems	Service Delivery / Failure Data Protection Reputation	3	3	9	Firewall / Anti Virus ITC Policy	2	3	Head of ICT + Cllr Emma Webster
5 Poor Pi	Failure to deliver outcomes	Walterfa								
5.1	on Council Plan	Weak performance management	Reputation Potential Intervention Poor CPA Scores Ineffective Service Delivery	3	3	ø	Service Planning Performance management Systems Effective Resource Planning	2	2	Head of Policy & Comm + Cllr Graham Jones
5.2	Failure to Identify potential weak service delivery areas	Lack of Skills	Waste / Inefficiency	3	3	9	Procurement Strategy Efficient Processes	3	2	Corp Dir (Env) + Cllr Anthony Stansfeld
6 Fallure	to Daliver/Manage Major P									
6.1	Shaw House Phases 1, 2, &3	Economic	Delay / Overspend Reputation Project collapse Insurance	3	3	9	Effective project Plan Regular Resource Monitoring	2	2	Corp Dir (Comm Serv) + Cllr Marcus Franks
6.2	Park Way	Economic viability	Delay / Overspend Reputation Project collapse	3	2	6	Effective project Plan Regular Resource Monitoring	2	2	Chief Exc + Cllr Emma Webster
6.3	Market St	Economic viability	Delay / Overspend Reputation Project collapse	3	2		Effective project Plan Regular Resource Monitoring	3	2	Chief Exc + Cllr Emma Webster
6.4	Phoenix Centre		Delay / Overspend Reputation Project collapse Impact on Service	3	3	σ	Effective project Plan Regular Resource Monitoring	2	2	Corp Dir (Comm Serv) + Cllr Joe Mooney

					iross Rati	ng			Net Rating	
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score	Controls	Likely- hood		Score Owner
6.5a	Waste PFI Completion of contract	Poor Project Management Only ONE Bid Received Political Issues Affordability	Delay / Overspend Reputation Project collapse	4	4	16	Effective project Plan Regular Monitoring Preferred bidder negotiations	3	3	Corp Dir (Env) 9 Cllr Geoff Findlay
6.5b	Abbotswood ./ Pinchington Lane	Household waste recycling Planning Applications fail Developer unable to deliver	Significant Financial impact Service Delivery	3	4	12	Monitored through Waste PFI risk register Ensure planning process sound Waste authority monitoring	3	3	Corp Dir (Env) 9 Cllr Geoff Findlay
6.5c	Padworth	Failure to acquire site Failure to achieve planning	Significant Financial impact Service Delivery	3	4	12	CPO Monitoring	2	4	Corp Dir (Env) 8 Cllr Geoff Findlay
6.6	Tilehurst Learning Campus	Failure to deliver 1. Financial 2. Project Planning 3. Continued Operation of schools	Reputation Political Issues on National and Local basis	4	3	12	Consultation / robust process Detailed feasibility study	3	3	Corp Dir 9 (C&YP) + Cllr Graham Pask
6.7	AWE Redevelopment	Legal management process failure Nature of application	Public disorder Government Intervention	2	3	200200700000	Consultation / robust planning process Regular meetings with AWE	2	2	Head of Planning + Cllr Keith Chopping
6.8	St Barts School rebuild	Failure to deliver 1. Financial 2. Project Planning 3. Continued Operation of schools	Reputation Political Issues on National and Local basis	4	3	12	Consultation / robust process Detailed feasibility study	3	3	CD C&YP + Cllr Graham Pask + Headteacher + St Barts Foundation Trust
6.9	Failure to secure appropriate office accommodation	Newbury Unable to resource financially		3	3	9	Accommodation Strategy MTFS	2	3	Chief Exc + Cllr Graham Jones
6.10	Kennet Valley Park	Failure to Manage application Failure to recognise implications for infrastructure and service delivery	Lack of appropriate services Congestion / disruption	1	4	4	Effective Planning	1	4	Head of Planning + Cllr Keith Chopping
6.11	Leisure Procurement	Failure to follow procedures Budget envelope exceeded	Delay, disruption Financial difficulties	2	3	e.	Sound procurement Attractive offer to the Market	1	2	Head of CS + Cilr Marcus Franks

				6	iross Rati	ing			Net Rating		
No	Risk	Cause / Trigger	Consequences	Likely- hood	Impact	Score	Controls	Likely- hood	Impact	Score	Owner
7	Fallure to Deliver Bartnerships Failure in Service Delivery	Lack of sound governance	Dada saskia felikus								
7.1	Strategic Partners	_	Partnership failure Progress limited Service delivery	3	3	9	Health Partnership Working Party Joint strategic Panel	2	2		Corp Dir (CS) + Cllr Joe Mooney
7.2	Underachievement of Local Strategic Partnership (LSP) LAA / PSA 2	Poor Management Unachievable targets	Reduced reward Reduced outcomes in local community Reputation Failure to meet targets Potential Financial Implications	3	3	O	Effective Performance Management Remedial Action	2	2		Corp Dir (CS) + Cllr Joe Mooney + Cllr Graham Jones
7.3	Under achievement of Safer Communities Partnership	Poor Management Unachievable targets	Reduced reward Reduced outcomes in local community Reputation Failure to meet targets Potential Financial Implications	3	3	9	Effective Performance Management Remedial Action	3	3	O	CE + Cllr Geoff Findlay / Cllr Emma Webster
7.4	Under achievement of Children's Trust	Poor Management Unachievable targets	Reduced reward Reduced outcomes in local community Reputation Failure to meet targets Potential Financial Implications	2	2	D90109455000	Effective Performance Management Remedial Action	1	2	2	Corp Dir (CS) + Cllr Graham Pask
7.5	Under achievement of Health & Well being Partnership	Poor Management Unachievable targets	Reduced reward Reduced outcomes in local community Reputation Failure to meet targets Potential Financial Implications	3	3	9	Effective Performance Management Remedial Action	3	3	9	Corp Dir (CS) + Cllr Joe Mooney
7.6	Health Partnership	Formation of Berkshire West PCT	Finance Staffing Issues Service Delivery	3	3	9	Health Partnership Working Party Berkshire Chief Executives West of Berkshire Partnership Board	2	3		Corp Dir (CS) + Cllr Joe Mooney
7.7	Failure of Housing / Env Partnership	Insufficient Action Plan	Service Delivery Reputation Partnership Working	2	2		WBC Input WB Partnership Action Plan	1	2	2	Head of Housing
7.8	Economic & Transport	Insufficient Action Plan	Service Delivery Reputation Partnership Working	2	3		WBC Input WB Partnership Action Plan	2	3		Corp Dir (Env)

Strategic Risk Action Plan

Red Risks

Appendix B

Owner Corporate Board	
Date 15 May 2007	

			CB Key F	lisks				
Risk No	Area of Concern / Risk Scenario	Existing Controls	Gross Risk Score	Net Risk Score	Required Controls or Action	Update From Responsible Officer	Budget Constraint	Owner
1.5a	Environmental Major disaster Contamination Severe weather Outbreaks of disease Flooding	Major Incident Plan	12	9	Regular review / Intelligence and testing	Officers meet on a regular basis to review plans and policies. Full list of plans available and prioritization is on-going	None	Bill Jennison Head of Countryside & Env
1.6	Flu Pandemic	Immunisation BCP DH Plans Council Plans	В	8	Regular consultation WBC Flu Group Various multi agency groups . Close links with NHS	Flu pandemic group meets on a six weekly cycle with representatives from all Council services Training arranged National Exercise set up	None	Margaret Goldie Corp Dir C&YP On - Going
1.10	Demand Management (Demography) Failure to predict changes in service demand	Demographic modelling MTFS Service & Financial Controls	12	9	Review current modelling arrangements.	New work to be undertaken during 2007.	None	Teresa Bell + Cllr Joe Mooney
3.7b	Health & Safety Legionella	Contract set up for risk assessments Compliance Officer in H&S Team	9	9	Tight monitoring and supervision reporting on progress	Surveys are starting to take place against the programme.	None	Mark Abinger Head of Property+ Anthony Stansfeld
3.7c	Fire Safety	Contract set up for fire risk assessments Compliance Officer in H&S Team	9	9	Tight monitoring and supervision reporting on progress	Surveys are starting to take place against the programme.	None	Mark Abinger Head of Property+ Anthony Stansfeld

***************************************			CB Key R	sks				
Risk No	Area of Concern / Risk Scenario	•	Gross Risk Score	Net Risk Score	Required Controls or Action	Update From Responsible Officer	Budget Constraint	Owner
6.5a	Major Projects Waste PFI	Effective Project Plan Regular Monitoring Preferred bidder negotiations	16	9	Manage Sites and Planning Risk Ensure affordability within MTFS allocation	Veolia are to submit revised Best and Final Offer on 3/03/07 Quality bid required before Preferred Bid can be amended. DEFRA require contract to be signed by July 07. Timetable risk to project.		John Ashworth Corp Dir Env + Cllr Geoff Findlay
6.5b	[HWRC] Statutory function	Monitored through Waste PFI risk register Ensure planning process sound Waste authority monitoring	12	9	Planning permission granted 21/02007 on Abbotswood, refused Pinchington Lane	Outstanding stages of Project (Development agreement and acquisition, Waste Management Licence, construction	Unknown	John Ashworth Corp Dir Env + Cllr Geoff Findlay
6.5c	Padworh	CPO Monitoring	12	8	Detailed planning application to be prepared Once preferred bidder status is awarded	The Executive to consider Preferred Bidder on 4 April 07	?	John Ashworth Corp Dir Env + Cllr Geoff Findlay
6.6	Tilehurst learning Campus	Consultation / robust process Detailed feasibility study	12	9	Sites and Planning Ensure affordability	Risk management workshop held in September. Risk Register in place which will be reviewed quarterly Project Board appraised Feasibility study commenced	Unknown	Margaret Goldie Corp Dir C&YP On - Going
6.7	St Barts School rebuild	Consultation / robust process Detailed feasibility study	12	9	Sites and Planning Ensure affordability	Risk management workshop held in March 07 Further meetings on a six week cycle	Project will need to be afforded within financial envelope	Margaret Goldie Corp Dir C&YP On - Going

7.3	Under achievement of Safer Communities Partnership	Effective Performance Management Remedial Action	O	9	Action plans, additional resources, effective co-ordination	Action Plan in place and being delivered	No	Nick Carter Chief Executive
7.5		Effective Performance Management Remedial Action	9	9	Action plans, additional resources, effective co-ordination	Action Plan in place and being delivered	No	Teresa Bell Corp Dir Comm Services

Action Plan

IMPACT				
4	Extreme impact – Rarely 4	Extreme impact – Moderate 8	Extreme impact – Likely 12	Extreme impact – Almost certain
3	High impact – Rarely	High impact – Moderate 6	High impact – Likely 9	High impact – Almost certain 12
2	Medium impact – Rarely 2	Medium impact – Moderate 4	Medium impact – Likely 6	Medium impact – Almost certain
1	Low impact – Rarely 1	Low impact – Moderate 2	Low impact – Likely 3	Low impact – Almost certain
	1	2	3	4

Title of Report:

Risk Management

Fourth Quarter Report - 2006-2007

Report to be considered by:

Governance and Audit Committee

Forward Plan Ref:

Council Plan:

The proposals contained in this report will help to achieve Council Plan priorities by: Strengthening the internal control framework of the Council.

Purpose of Report:

To support the Statement of Internal Control by identifying the

Item 11

Strategic Risks and associated action plan

Recommended Action:

To consider and comment on the quarterly report

Reason for decision to be taken:

To ensure that the Council's strategic objectives are met and that

any associated risks with achieving them are identified and

appropriately managed.

List of other options considered:

None

Key background documentation:

Risk Management Strategy

• Strategic Risk Register / Action Plan

Contact Officer Details

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Risk Manager

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Supporting Information

1. Background

- 1.1 The purpose of the quarterly report is to provide a summary of the current position relating to risk management and insurance / claims issues. (Attached).
- 1.2 Corporate and Management Boards consider the report on a quarterly basis. This forms part of a quarterly monitoring process, which includes reports from other areas of the Authority.

Appendices

Appendix A - Risk Management Quarterly Report (January – March 2007)

Consultation Responses

Local Stakeholders:

Not Consulted

Officers Consulted:

Corporate Board / Management Board / Risk Strategy Group

Trade Union:

None



Risk Management Quarterly Report

January - March 2007

Key Issues

National

- Two London Boroughs (Harrow & Brent) entered in to a Pooling arrangement on 1 April 2007.
 Two others are set to join the pool during the next 12 months. Others follow in April 2008
- Concern has been raised in the national press over Electro Magnetic fields from mobile phone masts particularly in relation to those near schools.

Recent Court Cases include:

- Schools Sports: Schools should ensure that all relevant national guidelines are followed when
 operating schools sports to reduce the risk of negligence claim being brought against them
 should a pupil be injured. (A 15 year old boy should not have been selected to play in a rugby
 game which involved much younger pupils one of whom was injured during a tackle)
- Where a claimant's vehicle is damaged, they need to convince a court that the damage was caused by a defect in the highway and that the highway authority's inspection and maintenance system breached its duty under the Highways Act.

Local

- Strategic Risk Register / Action Plan reviewed by Corporate / Management Boards and Governance & Audit Committee on a rolling three month basis
- Use of Resources judgement score of 4 (The council manages its significant business risks) The risk awareness training to members was highlighted as notable practice.
- Risk Strategy group formed, which replaces the former JCC. This is a more strategic co-ordinating
 role covering a broad range of risk related activities. New group is chaired by Cllr Barbara
 Alexander and meets for first time on 19 January.
- Business Risk Working Group has held its first meeting. This group will focus on service risk registers / service specific risk and insurance issues, this group reports in to the Risk Strategy Group.
- With effect from 1 November 2006, the deductible on liability losses was increased from £25,000 to £100,000 for each claim. This is paid from the insurance provision / fund. Property claims remain with a deductible of £250,000.
- Risk Management Tool Kit to be produced, see attached from LB Camden, which will be tailored for WBC

Recommendations For Corporate Board

Remind HOS that the deductible on liability has been increased to £100,000.

Work Programme 2006/7 to Date

Key Performance Indicators

1.Risk Management

Project Risk

- Three monthly reviews of Project risk management workshops continue.
- Workshops will be carried out on other major contracts as they are identified -
- St Barts risk working group formed and meeting on a 6 week rolling basis

Strategic Risk Register

- The Strategic Risk Register is updated on a rolling basis with Corporate and Management Boards as well as the Governance & Audit Committee.
- Items shown as a "Net" red from the strategic risk register are included in the corporate plan.

Recommendations For Corporate Board

- Corporate Board to encourage Project Sponsors / Project Managers to be proactive in the reviews of project risk registers. Action Plans require review.
- Corp Directors to remind HOS that operational risk registers and action plans must be reviewed at SMT's on a quarterly basis. The risk registers should be aligned to the service area's objectives / service plans.
- Risk Manager will visit all HOS to assist in reviews over the next 6 months.
- Operational Risk Action Plans to be reviewed on a quarterly basis by Corporate directors at 1-2-1's
- Heads of Service Assurance Statements are due for completion for 06/07. Corp Directors to remind HOS to complete and return to Risk Manager as soon as possible.

Traffic light Indicators Quarter 4

Service Area	Risk Registers	Quarterly Review	Action Plans	Risk Training	Score
Chief Executives	1081010	100,100	T turio	i muning	
Benefits & Exchq					11
Customer Services					11
Finance					12
HR					10
ICT					11
Legal & Electoral					12
Policy & Comm					12
Property					11
Environment					
Public Protection					05
Highways & Transp					11
Countryside & Waste					10
Planning					12
C&YP					
Education					11
Children's Services					12
Comm & Quality	Included within	Children's Services			
		OCI VICES			
Community Services				\$	
Community Care					12
Older People					11
Housing					10
Cultural Services					10
	·				

<u>Red Indicator</u> – The Service rated as Red is due to a nil response to the quarterly return. From April 2007 the service is integrated in to Countryside and Environment.

<u>Amber Indicators</u> - HOS need to review Risk Registers and Action Plans with their management teams on a quarterly basis. Risk Manager will work with those HOS to improve Amber indicators during current quarter.

The format of this matrix will change from the first quarter of 2007 / 08.

Training

- Project risk registers are reviewed on a rolling 3-month basis.
- The annual review with the risk manager of operational risk registers and action plans is part of the risk management-training programme for HOS and their management teams. (HOS should review on a quarterly basis -)
- Half-Day Training Sessions for 3-4 tier managers took place on 16 November. (Feed back was positive.) Further sessions planned for 2007
- Two Training sessions for Education due took place during this quarter
- Risk management training for more junior staff available

Recommendations For Corporate Board

Encourage HOS to communicate / cascade training information to managers

Insurance and Claims Information

- Insurance claims analysis attached.
- Overall claims are relatively stable. Although a few high value claims have recently been received from Secondary Schools (noted on page 7)
- With effect from 1 November 2006, the deductible on liability losses has been increased from £25,000 to £100,000 for each claim. This is paid from the insurance provision / fund.
- Property claims remain with a deductible of £250,000.
- With effect from 1 April 2005, settlement of liability and property claims made under the Council's self-funded scheme are payable by the relevant Service Unit. These are subject to the deduction of excess, at a level of 50% of the total cost, with a maximum of £6,000, and a minimum of £250.
- Schools are able to select a number of levels between £250 and £2,000, which will affect their level of premiums
- Claims falling below the above sums should still be recorded on Webrisk in the usual way and forwarded to the Insurance Team in Faraday Road for processing.
- Correspondence with the claimants will continue to be from West Berkshire Council's
 insurers, and any claims where they advise liability should be admitted will be referred to
 the relevant Service Unit for their comments before any payment is made.

Recommendations For Corporate Board	
None on this occasion	

Liability	Losses to 31	March 2007					
Year	Number of claims	Paid & Reserved by WBC	Self Funded Retention	Paid & reserved by Insurer	Total Losses	Annual Premium (Gross of IPT)	Insured Losses as a % of premium
01/02	163	£42,967	£1,000	£131,325	£174,292	£197,400	66.53
02/03	167	£92,313	£5,000	£63,500	£155,813	£139,125	45.64
03/04	104	£128,298	£25,000	£100,000	£228,298	£252,283	39.64
04/05	148	£172,972	£25,000	£25,000	£197,972	£280,784	8.90
05/06	161	£204,690	£25,000	£0	£204,690	£294,327	0.00
06/07*	170	£193,145	£25,000	£0	£193,145	£301,314	0.00
*From	01/11/2006		£100,000				
Totals	39935	£834,385		£319,825	£1,154,210	£1,465,233	21.83
Property Year	Losses To 3 Number of claims	Paid & Reserved by WBC	Self Funded Retention	Paid & reserved by Insurer	Total	Annual Premium (Gross of IPT)	Insured Losses as a % of premium
01/02	50	£71,391	£25,000	£0	£71,391	£125,090	0.00
02/03	51	£50,948	£25,000	£0	£50,948	£241,500	0.00
03/04	48	£42,980	£250,000	£0	£42,980	£257,591	0.00
04/05	40	£205,418	£250,000	£0	£205,418	£252,696	0.00
05/06	34	£137,310	£250,000	£0	£137,310	£263,550	0.00
06/07	9	£117,013	£250,000	£0	£117,013	£317,678	0.00
Totals	232	£625,060		£0	£625,060	£1,458,105	0.00

Title of Report:

Governance and Audit Work Programme

Item 12

Report to be considered by:

Governance and Audit Committee

Purpose of Report:

Recommended Action:

To outline the proposed programme of work and propose

future meeting dates of the Committee.

To note the work programme and agree future meeting dates.

Reason for decision to be taken:

List of other options considered:

None

Key background documentation:

Contact Officer Details

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Supporting Information

1 Introduction.

- 1.1 The purpose of this report is to outline the proposed work programme and meeting dates of the Committee for the 2007/2008 municipal year, including a list of training items at the start of each meeting.
- 1.2 In addition it is likely that the Committee will have a number of issues to consider in relation to the Council's Constitution. These will be timetabled to fit these planned meetings.

2 Future Meeting Dates.

- 2.1 The next meeting date of the Committee has been set for 6.30pm Tuesday 25 September 2007, and will be held in Committee Room 1, Market Street Council Offices.
 Please note that the date differs from that published on the Council timetable for 2007/2008.
- 2.2 It is proposed that future meetings take place on the following dates:

26 / 27 / 28 / 29 November or 4 December 2007

and

25 or 27 March 2008

Appendices

Appendix A – Governance & Audit Committee Work Programme

GOVERNANCE & AUDIT COMMITTEE DRAFT WORK PROGRAMME (2006/2007)

Updated in June 2007

Topic	Detail	Lead Officer	Date of Committee
Training Programme	Presentation on the Accounts Process, including the purpose of the Statement	Accountancy Head	26 June 2007
Statement of Accounts	Review of the statement of Accounts, as required by the Audit Commission the review must be carried out by 30th June by "those charged with Governance". The Committee, with the Leader, Executive Member for Finance, Leader of the Opposition and Shadow Executive Member for Finance, review and approve the statements	Accountancy Head	26 June 2007
Statement of Internal Control – Report of the Monitoring Officer	Annual report of the Monitoring Officer to provide assurance that the Internal Control Framework is sound, in support of the Statement of Internal Control. The Committee to approve the report	Head of Legal & Electoral Services	26 June 2007
Statement of Internal Control – Report of the s151 Officer	Annual report of the s151 Officer to provide assurance that the Internal Control Framework is sound, in support of the Statement of Internal Control. The Committee to approve the report	Head of Finance	26 June 2007
Statement of Internal Control – Report of the Head of Internal Audit	to provide assurance that the Internal Control tof the Statement of Internal Control. The	Assurance Head	26 June 2007
Statement of Internal Control – Heads of Service Assurance Statements	Annual report of the review of Assurance Statements and Service Risk Registers by Corporate Board, to provide assurance that the Internal Control Framework is sound, in support of the Statement of Internal Control. The Committee to approve the report	Assurance Head	26 June 2007
Strategic Risk Register	Quarterly review of the Council's Strategic Risk Register. Committee to comment, and acting as critical friend, agree or suggest changes to the register and ensure that relevant Members of the Executive are delivering the agreed action plan.	Risk Manager	26 June 2007
Quarterly Risk Management Report	To update the Committee on developments in the Risk Management and Insurance process.	Risk Manager	26 June 2007

GOVERNANCE & AUDIT COMMITTEE WORK PROGRAMME (2007/2008)

Updated in June 2007

Topic	Detail	Lead Officer	Date of Committee
Statement of Internal Control	Annual Statement of Internal Control. The Committee to review the Statement prior to it being signed by the Leader and Chief Executive	Assurance Head	26 June 2007
Use of Resources	To receive an update on progress with achieving a 4 score for the Use of Resources, including an analysis of the resources required to achieve this.	Head of Finance	26 June 2007
Training Programme	Presentation on Anti Fraud and Corruption work undertaken by the Council in respect of Housing Benefits and the National Fraud Initiative	Group Auditors	25 September 2007
Annual Governance Report	The annual Governance Report of the Audit Commission for 2006/07. The Committee to receive the report before the 30th September 2007.	Mick West (Audit Commission)	25 September 2007
Annual Review of the Council's Anti Fraud and Corruption policies and procedures	Annual update of the Anti Fraud and Corruption Policies, including the Confidential Reporting Code, and Anti Money laundering Policies.	Assurance Head	25 September 2007
Strategic Risk Register	Quarterly review of the Council's Strategic Risk Register. Committee to comment, and acting as critical friend, agree or suggest changes to the register and ensure that relevant Members of the Executive are delivering the agreed action plan.	Risk Manager	25 September 2007
Quarterly Risk Management Report	To update the Committee on developments in the Risk Management and Insurance process.	Risk Manager	25 September 2007
Training Programme			26/27/28/29 Nov or 4 Dec 2007
Strategic Risk Register	Quarterly review of the Council's Strategic Risk Register. Committee to comment, and acting as critical friend, agree or suggest changes to the register and ensure that relevant Members of the Executive are delivering the agreed action plan.	Risk Manager	26/27/28/29 Nov or 4 Dec 2007

GOVERNANCE & AUDIT COMMITTEE WORK PROGRAMME (2007/2008)

Updated in June 2007

		Sod Officer	
		Lead Office	
Quarterly Risk Management Report	To update the Committee on developments in the Risk Management and Insurance process.	Risk Manager	26/27/28/29 Nov or 4 Dec 2007
Interim Report – Internal Audit	To update the Committee on the work of Internal Audit.	Assurance Head	26/27/28/29 Nov or 4 Dec 2007
Training Programme		Head of Finance	25 or 27 March 2008
Use of Resources	Details of the Council's position re the Use of Resources, including action plans to deal with any shortcomings identified by the Audit Commission. The Committee to approve any action plan that may be required.	Head of Finance	25 or 27 March 2008
Internal Audit Plan	Details of Internal Audit work to be undertaken in the coming year. Committee to approve the plan	Assurance Head	25 or 27 March 2008
Risk Management Strategy	Annual review and renewal of the Council's Risk Strategy. The Committee to review the Strategy and approve the work set out in the strategy	Risk Manager	25 or 27 March 2008
Strategic Risk Register	Quarterly review of the Council's Strategic Risk Register. Committee to comment, and acting as critical friend, agree or suggest changes to the register and ensure that relevant Members of the Executive are delivering the agreed action plan.	Risk Manager	25 or 27 March 2008