

Report to **Policy & Resources Committee**
Date **23 November 2023**
By **Head of Governance**
Title of Report **Corporate Risk Register**

Note

Recommendation: The Committee is recommended to receive and consider the Corporate Risk Register as at November 2023.

1. Introduction

- 1.1 The Policy and Resources Committee has terms of reference which include “... to ensure the robustness of risk management and performance management arrangements.”
- 1.2 The Corporate Risk Register is reported to each meeting of the Committee and members have the opportunity to discuss the register with officers in advance of the committee as part of the ongoing risk management process. The register is regularly monitored by the organisation’s Operational Management Team and issues escalated to Senior Management Team (SMT) as required.

2. Policy Context

- 2.1 Corporate Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved. It includes the systems and processes, and cultures and values, by which public bodies are directed and controlled and through which they account to and engage with their partners, communities and citizens.
- 2.2 Risk management is a key aspect of corporate governance and is one of the 7 principles in the ‘Delivering Good Governance in Local Government Framework (2016) developed by CIPFA and SOLACE (Chartered Institute of Public Finance & Accountancy and Society of Local Authority Chief Executives & Senior Managers) to help public bodies make open, transparent and better informed decisions that take full account of risk and opportunities.

3. Issues for consideration

- 3.1 **Appendix 2** shows the risk register in a graphical way which allows Members to see, at a glance, the likelihood and impact of risks. Explanatory information is provided at **Appendix 1** to this report.
- 3.2 Updates to mitigations and actions, where identified, across all risks are documented in **Appendix 2** to this report. There have been three significant changes made to the risk register since the previous meeting of the Committee:
- Risk 07: Development Management has been removed from the Corporate Risk Register and de-escalated to be managed at Directorate level. This risk was in relation to capacity

issues in the Authority's Development Management team particularly due to sector wide challenges in recruitment and retention. Recent initiatives and innovate approaches to recruitment have yielded good results with capacity no longer considered a significant risk for the Authority.

- Risk 25: Government Response to Landscape Review (LR) has been removed from the Corporate Risk Register and de-escalated to be managed at Directorate level. Whilst the Government's response to the LR is still awaited, the recent strengthening of the section 62 duty through the Levelling-up and Regeneration Bill (LURB) should be regarded as a major success. National Park Authorities have already taken steps internally to respond to some aspects of the LR and the Government have set up the Protected Landscapes Partnership in response to the recommendation in the LR. The Authority hopes that a general power of competence for National Park Authorities may also be forthcoming in future legislation. However, the Government's response to the LR is no longer considered a significant risk for the Authority.
- Risk 30: Host Authority Section 101 Planning Contracts has been added to the Corporate Risk Register. There is an increasing risk that one or more of the host authorities may not wish to extend the Section 101 planning contracts beyond 30 September 2024. Discussions continue with the host authorities with the aim of continuing the arrangements, however, contingencies are being drawn up to recover the service from one or more of the hosts should it be required.

4. Options & cost implications

- 4.1 Members are asked to receive and consider the Corporate Risk Register.
- 4.2 Management of risk is a key aspect of the organisation's governance and is undertaken within existing corporate budgets.

5. Next steps

- 5.1 Further updates on the Corporate Risk Register will be brought to future meetings of the Committee.

6. Other implications

Implication	Yes/No
Will further decisions be required by another committee/full authority?	No
Does the proposal raise any Resource implications?	There are no additional resource requirements arising directly from this report. Any additional resources required for the delivery of identified mitigations will be subject to the Authority's usual decision-making requirements.
How does the proposal represent Value for Money?	Effective risk management contributes to the efficient running of the organisation.
Which PMP Outcomes/ Corporate plan objectives does this deliver against	Risk management at the SDNPA underpins the effective delivery of PMP Outcomes and Corporate Plan Priorities.
Links to other projects or partner organisations	As the SDNPA works in partnership with many other organisations, some risks will inevitably impact on project and/or partnership working.
How does this decision contribute to the	Risks to SDNPA's objectives and action plan

Implication	Yes/No
Authority's climate change objectives?	would be monitored through risk management procedures and, if required, would be escalated to the Corporate Risk Register.
Are there any Social Value implications arising from the proposal?	No
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	There are no equalities implications arising from this report. Actions and mitigations are subject to an Equalities Impact Assessment where this is appropriate.
Are there any Human Rights implications arising from the proposal?	There are no implications arising from this report.
Are there any Crime & Disorder implications arising from the proposal?	There are no implications arising from this report.
Are there any Health & Safety implications arising from the proposal?	Whilst risks on the register may have H&S implications and mitigations in place for the Authority, there are no implications arising directly from this report.
Are there any Data Protection implications?	There are none

7. Risks Associated with the Proposed Decision

7.1 There are no direct risks arising from this report. The report outlines the current major risks facing the Authority and how they will be mitigated.

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South Downs National Park Authority

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Appendices
 1. Explanatory Information
 2. Corporate Risk Register November 2023

SDNPA Consultees
 Chief Executive Officer, Director of Countryside Policy & Management, Director of Planning, Chief Finance Officer, Monitoring Officer

External Consultees
 None

Background Documents
 None

Explanatory Information for Risk Register:

Description	Likelihood of Occurrence
Almost Certain (5)	The event is expected to occur in most circumstances.
Likely (4)	There is a strong possibility the event will occur.
Possible (3)	The event might occur at some time
Unlikely (2)	Not expected, but a slight possibility
Rare (1)	Highly unlikely. It could happen but probably never will

Category	Example Descriptor of Impact
Insignificant (1)	Basic first aid required, less than £100 financial impact, reputation remains intact.
Minor (2)	Short term injury to 1 or 2 people, minor localised disruption lasting less than 24 hours, between £100-£1000, minimal reputation impact.
Moderate (3)	Semi-permanent disability, affects between 3-50 people, high potential for complaints, financial burden between £1,000 and £10,000, litigation possible.
Major (4)	Causing death serious injury or permanent disability. Service closure for up to 1 week, significant financial burden, national adverse publicity, litigation expected.
Catastrophic (5)	Multiple deaths, Financial burden over £100,000, international adverse publicity, widespread displacement of people (over 500), complaints and litigation certain.

SDNPA Risk Appetite Statement:

The Authority seeks to operate within a limited overall risk range. The Authority's lowest risk appetite relates to safety including employee health and safety, with a higher risk appetite towards those activities directly connected with the Authority's Purposes and Duty. The Authority accepts that risk is ever present and is generally only willing to accept low levels of risk as part of its day to day business and in relation to its reputation. The Authority will normally only consider options where the level of risk can be managed to a low degree. However, the Authority may be willing to consider a higher level risk where it has the opportunity to be innovative in relation to its service delivery.

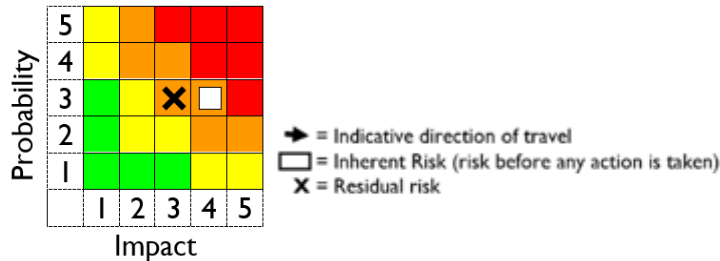
South Downs National Park Authority
Corporate Risk Register



Risk 01: Health and Safety

Owner: Vicky Paterson

The grid below highlights that the inherent risk is Possible with a Major impact and after mitigations it is scored Possible with a Moderate impact. Perceived direction of travel is no change.



Description of impact of risk:

Accident or incident involving staff, volunteers, visitors, members or the public resulting in serious injury or death at an SDNPA facility or event. Breach of statutory duties, litigation and cost against the authority.

Mitigations:

1. Services of external Health and Safety consultant
2. Internal Health and Safety advisor in place following recommendations made by external health and safety auditor
3. H&S strategy and responsibilities agreed.
4. Health and Safety elements included in induction programme for staff, Members, and volunteers.
5. Health and Safety Committee operating and receiving regular accident reporting.
6. Health and Safety policy in place.
7. All area offices annually audited.
8. Annual report to P&R Committee with recommendations.
9. Members and SMT trained and briefed on Health and Safety responsibilities.
10. All risk assessments reviewed and updated.
11. Dangerous sites process in place to highlight sites that staff may visit in their role which present particular risks to their Health and Safety.
12. Additional health and safety related training provided via e-learning, with fire safety, and Health and Safety delivered as mandatory courses.
13. IOSH training completed by all Health and Safety Committee reps.
14. Lone working policy agreed by OMT.

Updates:

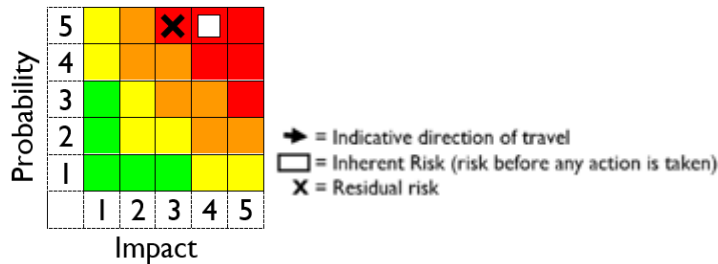
In person update to all staff on incident and near miss reporting, and the dangerous sites process at a recent all staff meeting.

Arrangements with the Peak District National Park Authority for the services of an external Health and Safety consultant (mitigation no.1) have ended and alternative options are being explored.

Risk 02: Finance and Budgets

Owner: Trevor Beattie

The grid below highlights that the inherent risk is almost certain with a Major impact and after mitigations it is scored as Almost certain with a Moderate impact. Perceived direction of travel is no change.



Description of impact of risk:

Budgets insufficient or budgets become insufficient due to a failure of the Defra grant to increase in real terms over a number of years, a reduction of the Defra grant, or an in-year requirement for savings; failure to match resources and workloads across the organisation; or negative impact of increased inflation rates on costs. Management plan suffers and SDNPA lacks capacity to properly remunerate the staff and/or support other work. Resources not available to deliver on all priorities.

Mitigations:

1. Sufficient headroom within revenue budget and sufficient reserves to enable any shortfall to be managed in the short term whilst Medium Term budget adjusted.
2. Income Generation activity underway (see risk 22) to provide potential to raise income.
3. Effective and early planning process through Member workshops to redefine MTFP process and approach to Budget setting, including refocussed corporate plan.
4. Monthly budget monitoring undertaken by managers and OMT, enables identification of areas of potential overspend and compensating savings. Industry indices used to model real world inflation implications through MTFS.
5. Procurement processes identify issues related to inflation and, where appropriate, changes to specifications etc. made to manage impacts of inflation.
6. Work underway to secure private investment into the National Park which would result in opportunities for cost recovery for the Authority e.g. Nature Based Solutions funded by Nitrate offsets, BNG credits, and potentially carbon offsets (ReNature Credits schemes).
7. Review of fixed costs, including staffing costs completed with significant savings identified.
8. 2023/24 Invest to Save reserve created

Updates:

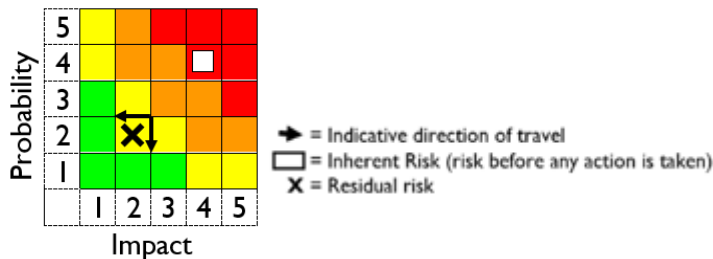
Planning for new budget round underway to include Member workshops in December 2023 and January 2024.

Mitigation no.6 updated to highlight cost recovery opportunities from ReNature Credits schemes.

Risk 16: Staffing

Owner: Trevor Beattie

The grid below highlights that the inherent risk is likely with a Major impact and after mitigations, it is scored as Unlikely with a Minor impact. Perceived direction of travel is improving in both probability and impact.



Description of impact of risk:

Inability to attract/retain key staff impacts upon the organisation’s service delivery. High staff turnover results in inefficiency across the organisation. Mental Health issues affect staff performance and delivery.

Mitigations:

1. Pay structure and terms and conditions in place,
2. Training and development programme,
3. Staff survey and action plan,
4. PDR policy,
5. Capacity regularly reviewed by OMT,
6. Internal policies and procedures in place e.g. (Family friendly, flexible working).
7. Staff survey to inform development of post-Covid plan.
8. Webinars available for all staff related to mental health and homeworking, regular communications through internal communications channels.
9. Mental health first aiders in place, independent counselling and support resources available through Simply Health. Regular communication of wellbeing resources to staff and access for staff and Members to wellbeing portal.
10. Corporate plan prioritisation exercise to inform allocation of staffing resources.
11. Blended working policies agreed.

Updates:

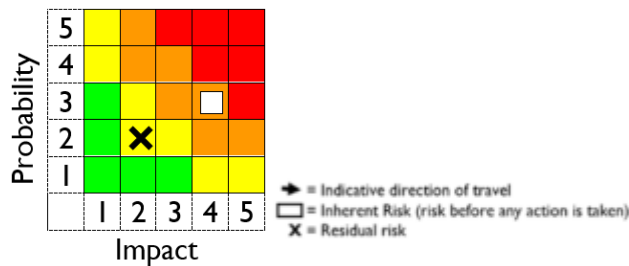
Recent staff recruitment and retention has been very good.

The results from the recent staff survey were very positive. An officer group has been set up to develop an action plan based on the results.

Risk 20: Business Continuity Planning and Organisational Resilience

Owner: Trevor Beattie

The grid below highlights that the inherent risk is Possible with a Major impact and after mitigations, it is scored as Unlikely with a Minor impact. Perceived direction of travel is No Change.



Description of impact of risk:

Lack of organisational business continuity planning and organisational resilience may prevent delivery of key services in the event of a major incident, or as a result of the loss of key staff.

Mitigations:

1. BCP in place and regularly reviewed for Authority and its offices.
2. Business Critical functions identified and planned for.
3. IT Disaster Recovery plans in place and tested annual.
4. Key staff roles identified in BCP and communicated.
5. Potential single points of failure in organisation identified and mitigations in place including documenting of key processes.
6. Specific implications of IT provision addressed through day to day IT support functions being provided via outsourced contracts meaning that user support would not be immediately impacted by the departure or absence of the IT Strategy Manager.
7. IT network and key systems delivered externally via contracts.
8. Network Resilience and continuity issues have also been addressed via the IT contracts. Linked to mitigations of risk I6 related to staffing.
9. BCP for Seven Sisters Country Park in place.

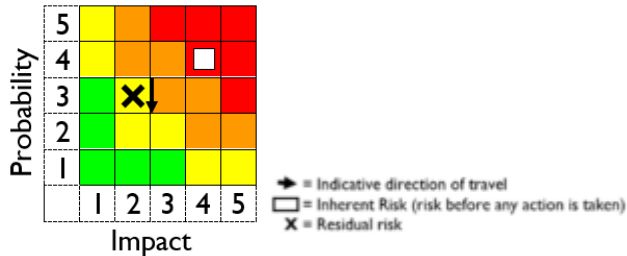
Updates:

None

Risk 21: Projects - External facing (Delivery and Reputation)

Owner: Andrew Lee

The grid below highlights that the inherent risk is likely with a Major impact and after mitigations, it is scored as Possible with a Minor impact. Perceived direction of travel is improving given the positive developments in relation to the S62 duty whereby “have regard to” is to be replaced by the much stronger “seek to further”.



Description of impact of risk:

Failure to deliver key projects or PMP outcomes due to lack of flexible resources and staff time within the SDNPA, unrealistic expectations or alignment with partner business plans and /or loss of commitment or ability to deliver from Partners. This could result in SDNPA reputation and influence with decision makers, partners and other stakeholders being negatively impacted.

Mitigations:

1. South Downs Partnership established and operating effectively as an independent advocate and champion.
2. 2020-25 PMP in place, new approach to budget setting embedded, review process for next PMP round pencilled in - but awaits Defra guidance and outcomes framework..
3. Public affairs strategy and proactive comms: managing public expectations and setting out key messages to stakeholders and partners.
4. Project evaluation and lessons learnt reported to committee and used to inform future practice.
5. Development with the South Downs Trust of longer term and less project driven streams of income

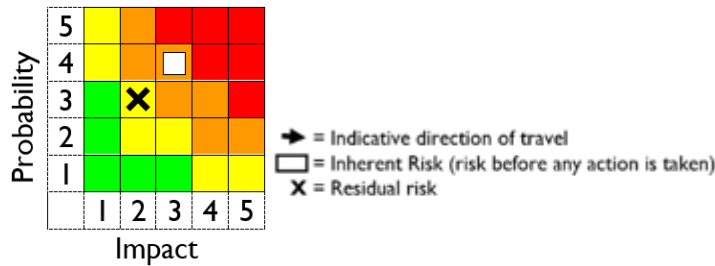
Updates:

Strengthened S62 duty requiring public bodies (which includes, for example, local authorities, utilities companies, National Highways, etc.) to seek to further the National Park’s purposes in DLUHC’s Levelling-up and Regeneration Bill (LURB) has now received Royal Assent, though still requires Statutory Instrument and advice/guidance

Risk 22: Income Generation

Owner: Trevor Beattie

The grid below highlights that the inherent risk is likely with a Moderate impact and after mitigations it is scored as Possible with a Minor impact. Perceived direction of travel is No Change



Description of impact of risk:

Insufficient income generation opportunities are identified to generate significant income to support NPA budgets. Inability to meet expectations of Government in relation to income generation. Insufficient skills /experience “in house” to exploit potential income generating opportunities. Challenge to commercial activity results in additional costs or reputational damage to the Authority.

Mitigations:

1. Governance framework for consideration of SDNPA powers in relation to commercial/income generation activity developed.
2. South Downs Commercial Operations Operating Agreement and Business Plan in place as a key aspect of the Authority’s control framework over its teckal company for the management of Seven Sisters Country Park.
3. Sufficient reserves held to enable recruitment of staff with necessary skill set if required.
4. Skilled income generation team operating well and meeting its targets.
5. Ongoing support for South Downs National Park Trust.
6. Active search underway for possible opportunities in the western area of the National Park.
7. ReNature Credits scheme promotes nature recovery and biodiversity gains on sites in the SDNP see Risk 02 point 6.

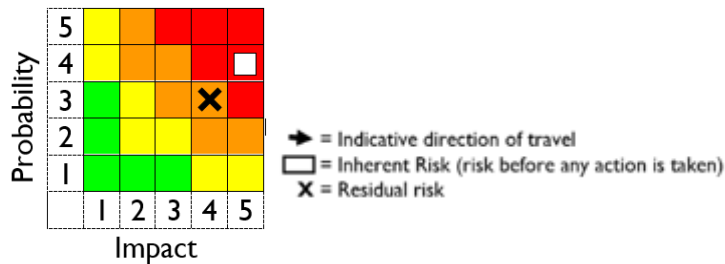
Updates:

Mitigation 2 updated with explanation of the purpose of the Operating Agreement and Business Plan. Mitigation 7 added to include ReNature Credits scheme under income generation which, although not able to support wider SDNPA budgets, is able to support Authority costs in relation to ReNature sites.

Risk 26: Seven Sisters Country Park – Health and Safety

Owner: Trevor Beattie

The grid below highlights that the inherent risk is likely with a catastrophic impact and after mitigations it is scored as Possible with a Major impact. Perceived direction of travel is No Change.



Description of impact of risk:

Accident or incident involving staff, volunteers or members of the public resulting in serious injury, serious illness or death at a Seven Sisters Country Park. Breach of statutory duties, litigation and cost against the authority. Reputation and financial impacts on the authority

Mitigations:

1. Services of external Health and Safety consultant
2. Risk assessments undertaken for high risk activities (provision of food, etc.)
3. SSCP staff represented on Health and Safety committee
4. H&S strategy and responsibilities agreed.
5. Health and Safety elements included in induction programme for staff and volunteers.
6. H&S committee operating and receiving regular accident reporting.
7. Health and Safety policy in place
8. Site audits undertaken.
9. SSCP issues included within annual report to P&R Committee with recommendations.
10. Members and SMT trained and briefed on H&S responsibilities.
11. All risk assessments reviewed and updated.
12. Additional health and safety related training provided via e-learning, fire safety and health and safety delivered as mandatory courses, food hygiene etc.
13. IOSH training completed by SSCP Park Manager.
14. Lone working policy agreed by OMT.
15. Internal health safety advisor in place
16. Park signage in place to support visitor movements
17. Fencing and systems in place to manage livestock on site
18. Participation in partnership groups (cliff safety partnership and liaison with emergency services)
19. Insurance arrangements in place
20. Actively pursuing improvements to the road crossing with highways authority

Updates:

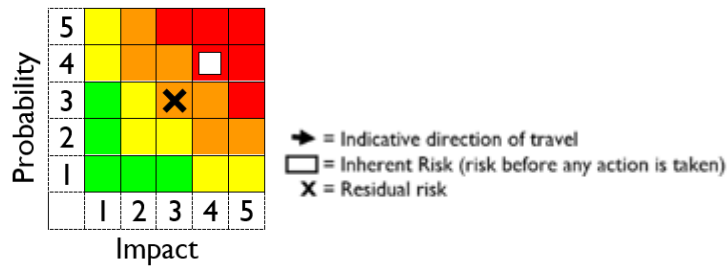
Arrangements with the Peak District National Park Authority for the services of an external Health and Safety consultant (mitigation no.1) have ended and alternative options are being explored.

Onsite signage is being reviewed, overseen by new Commercial and Strategic Manager.

Risk 27: Seven Sisters Country Park – Asset ownership

Owner: Trevor Beattie

The grid below highlights that the inherent risk is likely with a Major impact and after mitigations it is scored as Possible with a Moderate impact. Perceived direction of travel is No Change.



Description of impact of risk:

Damage to or failure to maintain the asset causes environmental damage, legal challenge or dispute with tenants, reduction in visitor numbers or damage to SDNPA reputation.

Mitigations:

1. Insurance arrangements in place
2. Operational risk register monitored by project team
3. Land agent employed
4. Maintenance programme for reed bed whilst long term solution developed in liaison with the Environment Agency
5. Operating agreement with SDCOL to support effective maintenance of the site and regular performance reporting to P&R
6. Regular survey of river assets
7. Fencing and systems in place to manage livestock on site
8. Close working with water level management board and environment agency to fully understand management options in relation to riparian ownership.
9. Seven Sisters health and safety risk identified as separate risk on Corporate risk register
10. New Barn cottage and barns, security measures to prevent unlawful occupation. Long term plan to prevent degradation of asset

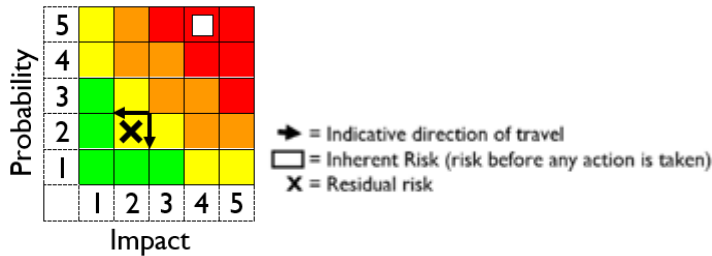
Updates:

None

Risk 29: Direct Action Urgent Works at the Angel Inn and the Tuck Shop, North Street, Midhurst

Owner: Tim Slaney

The grid below highlights that the inherent risk is almost certain with a major impact and after mitigations it is scored Unlikely with a Minor impact. Perceived direction of travel of risk is improving due to progress towards cost recovery and transfer of scaffolding ownership.



Description of impact of risk:

Substantial health and safety risks for the SDNPA’s contractor associated with working on these unsafe structures. Risk to the public has now been addressed given that 3 unsafe chimneys at risk of uncontrolled collapse have been demolished and the facades of both listed buildings have been shored up.

SDNPA remain responsible for the scaffolding (but will be seeking cost recovery of the ongoing costs from their owners/their insurers) and therefore the SDNPA continues to carry important financial, reputational and health and safety risks for the foreseeable future.

Mitigations:

1. Skilled and experienced specialist contractor appointed to carry out the urgent works. This work was completed successfully and ahead of time. An independent check of the scaffolding design and installation (over and above that legally required) was commissioned and completed to ensure safety.
2. Monitoring of the scaffolding by a specialist contractor will be carried out monthly to ensure safety.
3. Costs of the direct action that SDNPA commissioned are being shared with Chichester District Council and West Sussex County Council.
4. Detailed legal advice has been taken and followed.
5. Appropriate insurances and security arrangements are in place in respect of the scaffolding.
6. Strong project management, procurement, legal and facilities procedures are in place to deal with the ongoing (monthly) monitoring of the scaffolding.
7. Intent for clear communication from SDNPA to address misinformation and potential community tension.
8. Vehicle safety measures associated with the hoarding around the scaffolding have been designed and implemented by West Sussex County Council as Highways Authority.

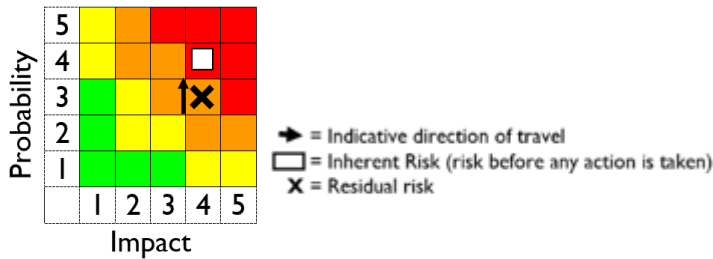
Updates

Arrangements far advanced and lawyers involved in drawing up Agreement to recover substantial amount of costs incurred by public bodies. Advanced negotiations towards transfer of ownership of scaffolding.

Risk 30: Host Authority Section 101 Planning Contracts

Owner: Tim Slaney

The grid below highlights that the inherent risk is Likely with a Major impact and after mitigations it is scored as Possible with a Major impact. Perceived direction of travel is risk increasing.



Description of impact of risk:

The Section 101 contract with Lewes District Council expires on 30 September 2024. The other four host authority contracts expire on 30 September 2024 - unless they are extended, by mutual written agreement, to 30 September 2026. A number of the host authorities have indicated that they may not wish to extend the Section 101 planning contracts beyond 30 September 2024 on the current terms, for a number of reasons, including inflationary pressures and need for cost recovery.

Mitigations:

1. Meetings held at senior officer level to try and ensure Section 101 cover in place to 30 September 2026. This matter is being pursued and progressed as a priority. SDNPA remains committed to the host authority arrangements as it delivers a number of benefits for the Authority.
2. All hosts have agreed to ensure that SDNPA has 12 full months to take over their Service, if this ultimately proves to be required.
3. Section 101 costs being assessed with the host authorities.
4. Contingency plans being drawn up to recover the Planning Service from a host or hosts if this is required.

Updates:

None