

# Economy, Residents, Communities and Governance Scrutiny Committee

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Meeting Venue  
**By Teams**

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Meeting Date  
**Thursday, 19 November 2020**

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Meeting Time  
**2.00 pm**

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County Hall  
Llandrindod Wells  
Powys  
LD1 5LG

For further information please contact  
**Wyn Richards, Scrutiny Manager and  
Head of Democratic Services**  
wyn.richards@powys.gov.uk

12-11-2020

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Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod. Rhwch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.

You are welcome to speak Welsh or English in the meeting. Please inform us of which language you wish to use by noon, two working days before the meeting.

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## AGENDA

<b>1.</b>	<b>APOLOGIES</b>
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To receive apologies for absence.

<b>2.</b>	<b>DISCLOSURES OF INTEREST</b>
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To receive any disclosures of interests by Members relating to items to be considered at the meeting.

<b>3.</b>	<b>DECLARATION OF PARTY WHIPS</b>
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To receive disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

(NB: Members are reminded that under Section 78 Members having been given a prohibited party whip cannot vote on a matter before the Committee.)

<b>4.</b>	<b>CORPORATE RISK REGISTER</b>
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To scrutinise those elements of the Corporate Risk Register which fall within the remit of the Committee.

(Pages 3 - 36)

<b>5.</b>	<b>SCRUTINY WORK PROGRAMME</b>
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The next meetings of the Committee will be held as follows:

19-11-20	14.00 – 16.00	Risk Register
07-12-20	10.00 – 12.00	Freedom Leisure

18-01-21		Performance Q3 + Risk Options for Improving Broadband Structure - Head of Digital Services (Provisional – Confidential Report – Housing)
28-01-21		Budget
01-03-21		Digital Strategy 2021-25
12-04-21		
03-06-21		Performance Q4 + Risk
12-07-21		Performance Q1 + Risk
06-09-21		
18-10-21		Performance Q2 + Risk
29-11-21		

Potential items for consideration:

- Regulatory Services
- Recycling rates – what advantage is being taken of the increases in recycling rates and how can we maintain recycling rates.
- Economic Impact Study / Town Centre Focus Group
- County Farms
- Review of removal of Pest Control Service (added by Co-ordinating Committee)

Update Information arising from previous meeting:

- Car Parking Charges review – second meeting held 13 October 2020.

## CYNGOR SIR POWYS COUNTY COUNCIL.

**CABINET EXECUTIVE**  
**Tuesday, 3<sup>rd</sup> November 2020**

**REPORT AUTHOR:** County Councillor Aled Davies  
Portfolio Holder for Finance

**REPORT TITLE:** Strategic Risk Register Report Quarter 2 2020/2021

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**REPORT FOR:** Decision

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**1. Purpose**

- 1.1 The purpose of this report is to set out the council's latest position on managing its key risks, contained in the Strategic Risk Register (SRR). It also outlines the arrangements put in place by the Council for managing the key risks relating to the Covid-19 pandemic.

**1. Background**

- 2.1 Our Strategic Risk Register is key to safeguarding the organisation and building resilience into our services. At a time when the Council is facing unprecedented challenges, the effective management of risk is needed more than ever. A risk-managed approach to decision making will help us to achieve the well-being objectives in Vision 2025, deliver services more efficiently and using innovative and cost-effective means, and help the Council manage its Covid-19 response and recovery.

**2. Advice**

- 3.1 To ensure a risk managed approach to decision making and good governance of the Council, it is proposed that Cabinet:
- Review progress to mitigate strategic risks
  - Continue to note the new Covid-19 risk register

**Review of progress to mitigate Strategic Risks**

- 3.2 As at the end of quarter 2 2020-2021, there are 12 risks on the strategic risk register. Following the decision made by Silver Command to proceed with risk monitoring, all strategic risk owners have provided a short summary of progress since quarter 1 2020-2021, to give assurance that mitigating actions are being actioned and monitored.
- 3.3 Please see appendix A for full details of the 12 strategic risks, and progress against the mitigating actions identified to control them.

- 3.4 Please see appendix B to view a heat map which presents the results of the quarter 2 risk assessment process visually. It highlights that two out of the twelve risks are placed within the 'major' impact category with a probability of almost certain, one is placed within the 'major' impact category with a probability of likely and one is placed within the 'catastrophic' impact category with a probability of possible.

#### Escalation of risks to the Strategic Risk Register

- 3.5 During quarter 2 2020/2021 no risks have been escalated to the Strategic Risk Register.

#### Covid-19 risk register

- 3.6 In order to effectively identify and manage risks relating specifically to the Covid-19 pandemic, a separate risk register was created to provide clarity and oversight for Gold and Silver Command. These risks are reviewed and monitored regularly and have been separated into response and recovery risks, using a new matrix developed specifically for assessing Covid-19 related risks.
- 3.7 Currently there are 56 risks recorded, 4 of the 64 risks are placed within the 'major' impact category 2 with a probability of likely and 2 almost certain, and another 1 placed within the 'catastrophic' impact category with a probability of possible. The register is still monitored by Gold and Silver Command on a weekly basis.

### **4. Resource Implications**

- 4.1 There are no direct resource implications in relation to this report however all risk owners need to consider the resource implications of managing the risk and decide if the best course of action is to tolerate or treat.
- 4.2 The Strategic Risk Register outlines the key risks to the Council's activities, as well as risk to delivery of objectives contained within the Corporate Improvement Plan. There are no direct financial implications from the report although these may arise as new risks are identified on an on-going basis.

The Head of Finance (Section 151 Officer) notes the comment above, financial implications are identified through the relevant service and are considered through the financial management processes in line with the authorities' financial regulations.

### **5. Legal implications**

- 5.1 Legal: The recommendation can be supported from a legal point of view.

5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

**6. Data Protection**

6.1 N/A

**7. Comment from local member(s)**

7.1 N/A

**8. Integrated Impact Assessment**

8.1 N/A. The Service Risk Register is not setting out any changes or proposals to service delivery.

**9. Recommendation**

**It is recommended that Cabinet notes the current Strategic Risk Register and is satisfied with progress against mitigating actions for quarter 2.**

**The recommendation above will ensure:**

- **Appropriate understanding and management of strategic risks which could prevent us from achieving our objectives**
- **A risk managed approach to decision making and good governance of the Council**
- **The risk related to Powys residents, services and Council staff as a result of a COVID-19 (Coronavirus) epidemic is monitored and reviewed regularly.**

Contact Officer: Jane Thomas, Head of Finance

Tel: 01597 827789

Email: Jane.Thomas@powys.gov.uk

Head of Service:

Corporate Director: Ness Young, Corporate Director (Resources and Transformation)

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Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
Page 8			<p>to meet the needs of our local population and support Children and Young People in our care to achieve the best possible outcomes.</p> <p>In addition to the pressure on our placement budget as described above, we also continue to have continued challenges in recruiting and filling our vacant posts and therefore have a continued reliance on agency staff.</p> <p>Funding by Welsh Government through grants is an aspect of delivering Children's Services. We have worked hard to make the most of the income and use on reducing demand and delivering channel shift. We are at the beginning of a programme of transformation, the benefits of which will not be fully felt for a number of years. Grants can be removed by Welsh Government. Work under way with the RPB to deliver big projects that will deliver big impact changes, e.g. multi agency funding of the early help hubs.</p> <p>The following wording 'Addressing the deficit in the FRM (£1.1million) for 2018/19' has been taken out of the risk title as it refers to 18/19 and is out of date. The current risk in relation to the FRM will still be addressed this risk as it is covered by the ability to meet the requirements of the MTFS.</p> <p><b>13/10/2019</b></p> <hr/> <p><b>07/04/2019</b></p> <hr/> <p><b>31/03/2019</b></p> <hr/>					



Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
ED0022  Lynette Lovell  Escalated From :- Education	The council will be unable to manage the schools' budget without ongoing adjustments to the distribution formula and improving financial management. If they are unable to manage the budget, there will be a significant compromise to the quality of education for Powys learners.	Some schools will have spiralling deficits which will have a financial impact on the rest of the Council and the learners in their care.	<u>04/10/2020</u>  Qtr 2 20/21. Review Summary: In Quarter 1 the new formula was in place for schools, and the change mainly affects the secondary schools in Powys. The authority's ability to evaluate the impact of the change has been hampered by the pandemic, but in the budget setting process the signs were encouraging and were pointing towards reducing the overall in-year deficits within the secondary sector. All schools budget submissions were reviewed by the interim Chief Education Officer and SSMT in conjunction with the Head of Finance. All schools in a deficit or significant surplus position were asked to submit Recovery Plans or Spend plans, supported by all appropriate documentation by 16th October. The Schools finance team have worked with schools to identify the financial impact of their response to the Covid-19 pandemic, including ensuring that additional expenditure / lost income is accurately recorded and claimed and that any savings / delayed savings are identified and captured. Autumn Term finance surgeries have begun, prioritising those schools with deficits / concerns around finances. All opportunities taken to reinforce importance of good financial housekeeping (e.g. accuracy of coding etc. and to keep schools updated on latest economic / financial issues.  1-2-1 training and support has been provided to individual schools as required and additional support has been provided for any new business managers. Finance training was provided as part of the New Head Induction training. Support has been provided for Business Manager recruitment processes.  The ALN element of the funding formula is currently being reviewed by a working	Cllr Phyl Davies  Lynette Lovell	12	9	<ul style="list-style-type: none"> <li>Implementation of R5 in the PIAP</li> <li>PIAP</li> </ul>	Action In Progress  Control In Place

Strategic Risk Register				Portfolio	Inherent	Residua	Controls and Actions	
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			<p>group of authority officers, head teachers and governor representatives to ensure that the budget is more closely targeted to learners with ALN.</p> <p><b>28/06/2020</b></p> <hr/> <p>1st Qtr 20/21. Review Summary: All Schools have submitted budgets approved by their Governing Bodies. These are being reviewed by the Schools finance team and finance surgeries with Schools are continuing. The interim Chief Education Officer and SSMT in conjunction with the Head of Finance will consider a report setting out individual schools' budget plans and agree any actions required in relation to deficits or clawback. The Schools finance team are working with Schools to update budgets for the impact of the Covid-19 lockdown, both in terms of cost reductions due to closure of schools and delayed savings realisation as a result of the temporary withdrawal of the Management of Change process. Schools service and Schools finance team will continue to work with Schools to produce balanced budgets / deficit recovery plans, providing support, challenge and scrutiny as required.</p> <p>A limited review of part of the Schools' funding formula during 2020 is proposed to consider the ALN element. Ongoing work on school transformation needs to be delivered to provide long term sustainable school finances.</p> <p><b>26/04/2020</b></p> <hr/> <p>4th Qtr 19/20 Review Summary: In Quarter 4 Cabinet and, subsequently in February, Full Council agreed the additional funding for the schools delegated budget as part of their budget proposals for 2020/2021. This funding would be used for the funding of pay awards, increased teachers pension costs, some items of non-staffing funding</p>					

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			<p>and the creation of a TLR allowance for the secondary sector.</p> <p>Schools were issued in February with their 2020/21 funding allocation including the above additional funding commitments, and were also provided with estimated funding for 2021/22 onwards.</p> <p>Ongoing work between the Schools Service, Finance, HR and the individual schools to look at the budget which is anticipated for 2020/21 and the setting of a balanced budget by each school continues to take place. Prior to the lockdown, budget meetings had taken place with the majority of the schools. However, due to Co-VID-19 the management of change has been temporarily stopped. Final budget plans from all schools are due by 1st May 2020, schools were given an extension until the 22nd May. However, due to the current COVID 19 lockdown in respect of schools, we have not received further guidance on schools delegated budgets and will continue to assess the impact on the budgets of schools being closed.</p> <p><b>12/01/2020</b></p> <hr/> <p>3rd Qtr 19/20 Review Summary: The authority issued an additional 11 warning notices in September 2019 to schools and meetings have been held with those schools with the Head of Service and Section 151 officer. These meetings were to discuss the actions required by the respective schools to halt the deficit and to look at how these deficits could be clawed back. As part of the budget process for 2020/2021 the Cabinet will be considering the funding pay awards, pensions and the creation of a teaching and learning responsibility (TLR) allowance. The TLR Allowance would be for the secondary schools and would be within the funding formula.</p>					

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ED0023  Lynette Lovell  Escalated From :- Education	The council fails to make the necessary improvements in response to Estyn recommendations.	Failure to implement these recommendations would have a negative impact on learner experience in Powys. This could also result in the Welsh Government taking over the responsibility of education in Powys.	<p><b>04/10/2020</b></p> <p>Qtr 2 20/21 Review Summary: The risk was reviewed and agreed 28/9/2020. The Improvement and Assurance Board on 29.07.20 recognised that Recommendation 1 is most at risk due to the prolonged period in which the schools were closed.</p> <p><b>28/06/2020</b></p> <p>1st Qtr 20/21 Review Summary: All staff and pupils have access to the national learning platform (Hwb). All Schools were committed to providing online learning experiences for their pupils, including significant interaction across schools to share effective practice. There are 16,000 learners in Powys and 881 have been provided with digital devices and 532 have received mobile Wi-fi devices for use at their home address. This was achieved through effective collaboration between the schools and the Local Authority. Following the WG guidance 'Stay safe, stay learning' and the new advice around live streaming of lessons, all of the Powys schools have now engaged effectively in providing learning experiences for Powys learners. This is monitored weekly by the Challenge Advisers and fortnightly by the Interim Chief Education Officer. However, there is always concern that some learners will find it hard to engage without face to face support from teachers and staff. The School Transformation Board has considered papers which were taken to Cabinet and Scrutiny, and the Leader approved the Strategy for Transforming Education in Powys in Quarter 1. The strategy is currently being implemented and the governance has been approved. The Home to School Transport Policy, is currently in consultation. Following extensive discussions with headteachers, an</p>	<p>Cllr Phyl Davies</p> <p>Lynette Lovell</p>	12	9	<ul style="list-style-type: none"> <li>• Reopen Schools</li> <li>• Implementation of the PIAP</li> </ul>	<p>Action In Progress</p> <p>Action In Progress</p>

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Page 13			<p>engagement paper outlining the broad vision for ALN reform has been agreed by Cabinet and is subject to public engagement which finishes in Quarter 2.</p> <p>In Quarter 1, collaborative and robust decision making by leaders was taken at pace. Officers produced clear guidance for schools and parents. Learners' wellbeing underpinned all strategic decision making.</p> <p><b>26/04/2020</b></p> <hr/> <p>4th Qtr 19/20 Review summary. Following an HMI visit, which took place on 11 February 2020, it was recognised that there is a clear direction of change, with effective prioritising of work and the Local Authority was moving at pace. The Improvement and Assurance Board have received monthly thematic reports, which detail progress made on all recommendations, both at a strategic and an operational level. The Improvement and Assurance board recognised in their February 2020 update that 'the authority has appropriate plans to push forward with improvements in education and is seeking to address these with energy.' It should be noted that the Improvement and Assurance Board is temporarily suspended due to COVID-19, however contact remains in place and progress against the Post Inspection Actions Plan is monitored by Schools Service, the Chief Executive and the Chair of the Board, Jack Straw.</p> <p><b>12/01/2020</b></p> <hr/> <p>3rd Qtr 19/20 Review Summary: The Post Inspection Action Plan is monitored weekly at the Schools SMT. It is also monitored monthly by the Improvement and Assurance Board with key themes being developed. These themes are Vision, ALN and Leadership. Estyn improvement conference has taken place on 28 November and as a</p>					

Strategic Risk Register				Portfolio	Inherent	Residua	Controls and Actions	
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			<p>result the PIAP has been approved. The PIAP reports to the Transformation Board within the Council and there is a monthly leader's meeting to monitor progress.</p> <p>The Post Inspection Action Plan is monitored weekly at the Schools SMT. It is also monitored monthly by the Improvement and Assurance Board with key themes being developed. These themes are Vision, ALN and Leadership. Estyn improvement conference has taken place on 28 November and as a result the PIAP has been approved.</p> <p>The PIAP reports to the Transformation Board within the Council and there is a monthly leader's meeting to monitor progress.</p> <p><b>01/12/2019</b></p> <hr/>					

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FIN0001 Jane Thomas  Escalated From :- Financial Services	The Council is unable to deliver a financially sustainable budget over the sort and medium term. The probability of this risk is heightened due to the impact of the Covid-19 pandemic and its impact on Welsh Government funding and subsequent settlements to the Council.	<ul style="list-style-type: none"> <li>- The Council is unable to fulfil its legal obligation in setting a balanced budget</li> <li>- The Council will not be financially resilient or sustainable</li> <li>- Council reputation damaged</li> <li>- Inability to fulfil our statutory requirements</li> </ul>	<p><b>11/10/2020</b></p> <p>Qtr 2 20/21 Review Summary: Q2 outturn deficit reduced due to the WG support - services still improving on their forecasts to minimise the demand on reserves.</p> <p>Budgeting challenge through IBP process is ongoing with Services being asked to bridge the gaps they evidenced through the first Service Finance Resource Model (FRM) discussions - £19m to be addressed, which is not sustainable even with optimistic WG settlement scenarios</p> <p><b>05/07/2020</b></p> <p>1st Qtr 20/21. Review Summary: The Outturn for 2019/20 reported an underspend against budget of £1.4 million, however there were significant variances against budget for some service areas, and delivery of costs reductions were not fully achieved. These budget gaps were resolved at budget setting for 2020/21. Although delayed, due to the pandemic, work is now underway to assess each service area and the activity within in it in preparation for budgeting for next financial year and over the longer term. We do not yet have any indication of the funding levels that can be expected from WG, but we will update our financial modelling within the MTFS for potential funding scenarios and the revised budget gaps this creates. Ongoing discussion through Welsh Treasurers with WLGA and WG is fundamental raising awareness of the impact of changes in funding on the service the Council is able to deliver.</p> <p><b>03/05/2020</b></p> <p>4th Qtr 19/20 Review Summary: The outturn position for 2019/20 is not yet completed however it is still anticipated that there will be an underspend again budget. The impact</p>	Cllr Aled Davies  Jane Thomas	25	15	<ul style="list-style-type: none"> <li>• Revise the Medium Term Financial Strategy</li> <li>• Ongoing discussion with WG and WLGA through Society of Welsh Treasurers for Future Funding of Local Government</li> <li>• WG claims for Hardship and lost income continue and expect to remain in place til march 2021</li> <li>• Reassessment of the activities of the Council through the Recovery Coordination Group</li> <li>• Review budget position at end of first quarter and consider changes to the 2020/21 budget</li> <li>• Cost Recovery work</li> <li>• 3rd party spend reduction</li> <li>• Income Generation</li> <li>• Monthly reports to cabinet and Management Team on budget progress and progress on savings</li> <li>• Budget Challenge Events</li> <li>• Moved to a 3 year balanced budget</li> </ul>	Action In Progress Action In Progress Action In Progress Action In Progress Control In Place Withdrawn Withdrawn Withdrawn Withdrawn Withdrawn

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			<p>of Covid-19 pandemic is likely to have a significant impact on the councils budget and the situation is under constant review as we moved through the next weeks and months. The council will undoubtedly have to review its medium term financial plan in response to the emerging financial position.</p> <p><b>05/01/2020</b></p> <hr/> <p>3rd Qtr 19/20 Review Summary: Cabinet are finalising a balanced budget proposal for 2020/2021 with a 5 year medium term plan which identifies the projected budget gaps for the 5 year period. Integrated business planning will continue to be embedded and improved across the organisation to ensure that the council can deliver its vision outcomes and objectives whilst maintaining a balanced budget and financial stability over the medium and longer term.</p> <p><b>29/09/2019</b></p> <hr/> <p><b>07/04/2019</b></p> <hr/>					



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HO0018  Andy Thompson  Escalated From :- Housing	Compliance in Powys County Council Housing Stock	Risk of Injury or loss of life - Reputational damage - Loss of grants (including Major Repairs Allowance circa £3.63m) - Risk of legal action and significant fines	<p><b>20/09/2020</b></p> <p>Qtr 2 20/21 Review Summary: 22.09.20: Compliance One Hundred project is working well but the extent of the work needed - including some works to assets - to achieve 100% compliance means that a revised target date of December 2021 is now in place. High risk areas are being addressed with highest priority (for example legionella, heating systems and fire safety) which will mitigate the risks to residents.</p> <p><b>21/06/2020</b></p> <p>1st Qtr 20/21. Review Summary: Compliance One Hundred project extended to December 2020. Work continues apace to achieve 100% compliance by the end of 2020 and to have in place all necessary policies and procedures to maintain that status thereafter. Water systems management has already been improved, with a specialist contractor undertaking water monitoring and a Seven-day-flush regime introduced for all vacant municipal homes. Heating servicing has regained momentum after a hiatus during the Covid-19 event but concerns remain about the quality and administration of work, which have being addressed by the introduction of formal Quality Assurance checking by the Compliance One Hundred team. Asbestos management is being reinforced by a detailed review of all asbestos liabilities in the municipal housing assets. Tenders are being prepared for specialist providers to undertake fire safety work.</p> <p><b>29/03/2020</b></p> <p>4th Qtr 19/20 Review Summary: Compliance One Hundred project has completed analysis of liabilities and responsibilities. Funds allocated in Housing Revenue Account Business Plan, approved by cabinet March</p>	Cllr James Evans  Nina Davies	16	9	• Compliance One Hundred	Action In Progress

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			2020. <u>01/03/2020</u>  4th Qtr 19/20 Review Summary: The Compliance One Hundred Project Team, reporting to the Housing Compliance Board, continues to make good progress. An assessment of six primary areas for compliance has been completed, the first stage of which is to make sure that there is a full and common understanding by both the Council and relevant contractors, including HoWPS, of all assets and systems which need to be included in compliance inspection, servicing and maintenance regimes. In the case of domestic heating systems, a Step-in has been issued to allow the Council to directly manage inspection and servicing for two months (March and April) to allow HoWPS the opportunity to bring its service up to the standard required. <u>02/02/2020</u>  <u>19/01/2020</u>					

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ICT0010  Helen Dolman  Escalated From :- Digital Services	Non compliance with data protection legislation (General Data Protection Regulations (GDPR) and UK Data Protection Act (DPA) 2018	<ul style="list-style-type: none"> <li>- Potential fine of up to £17,000,000 or 4% of annual turnover</li> <li>- The Council is subject to regulatory data protection audits</li> <li>- Reputational damage</li> <li>- Regulatory enforcement action</li> <li>- Detriment to the data subjects</li> <li>- Civil action and associated consequences</li> </ul>	<p><b>27/09/2020</b></p> <p>Qtr 2 20-21 Review Summary: Control activities continue, such as Data Protection Impact Assessments, Data Processing Agreements etc. Information Security and personal data breach investigations continue to be managed and responded to. The Corporate Information Governance Group (CIGG) have considered and challenged elements of activity within the Council's Information Management Assurance and Governance plan (IMAG) to improve IG practices, taking into account work ongoing to support additional national Test, trace and Protect work. Subject Access request (SAR) backlog to be included within COVID recovery planning alongside other information request recovery activity</p> <p><b>05/07/2020</b></p> <p>1st Qtr 20/21 Review Summary: Consideration of measures required continue, based on new processes to be introduced, Data Protection Impact Assessments, new IT systems, new ways of working, new reasons to process personal data, outcome of breach investigations etc. The Corporate Information Governance Group agreed to revisit the Council's Information Management Assurance and Governance plan following COVID to consider whether processes, practices and risks may have changed.</p> <p><b>29/03/2020</b></p> <p>4th Qtr 19/20 Review Summary: A breach of data protection legislation can occur in many different ways, and whilst the Council can put in place many technical and operational measures to ensure compliance, an instance of staff not adhering to those measures can result in very serious breaches of personal data, for which the</p>	<p>Cllr Graham Breeze</p> <p>Diane Reynolds</p>	12	12	<ul style="list-style-type: none"> <li>• Personal Data Breach Management</li> <li>• - Information Asset Register</li> <li>• - Development of internal records of processing</li> <li>• - Ensure signed agreements are appropriately stored</li> <li>• - Develop data controller vs data Processor check list for services</li> <li>• Review of postal checking regimes in place</li> <li>• Data Protection Impact Assessments</li> <li>• Provision of information to EMT, HoS, and Team Meetings</li> <li>• - Presentations to schools</li> <li>• GDPR Surgeries</li> <li>• - Review current ISP in line with revised versions</li> <li>• Staff training</li> <li>• Communication Plan</li> <li>• - Policies and Procedures</li> <li>• - Review existing Data Processing agreements</li> <li>• Cyber Security Action Plan</li> <li>• DPO considerations on reports to Cabinet</li> <li>• - Information sharing protocols</li> <li>• - Data sharing agreements</li> <li>• - Identify where information sharing takes place</li> </ul>	<ul style="list-style-type: none"> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action Completed</li> <li>Action Completed</li> <li>Action Completed</li> <li>Action Completed</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Withdrawn</li> <li>Withdrawn</li> <li>Withdrawn</li> </ul>

Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			<p>regulator is able to take action against the Council as a Controller. The Council is not always able to control the errors caused by staff.</p> <p>The more robust the controls and measures the Council has in place to ensure compliance, then the more effectively it is able to argue cases of human error, when staff don't follow those measures or meet those controls put in place.</p> <p><b>05/01/2020</b></p> <hr/> <p>3rd Qtr 19/20 Review Summary: A breach of the GDPR and or Data Protection Act 2018 can occur not just through the disclosure of information, but by failing to comply with many aspects of the legislation. For example no provision of privacy notices, technical and organisational measures not being in place, data processing agreements not in place when personal data is being transferred to organisation processing our personal data, failing to meet timescales in the undertaking of subject access requests, failing to enable the public to exercise their rights of rectification, erasure etc.</p> <p>The Information Management Assurance and Governance plan (IMAG), planning overseen by Corporate Information Governance Group (CIGG), and the work of the Corporate Information Operational Governance Group (CIOG) support the Council's plans to reduce the potential to fail to meet the above obligations.</p> <p><b>13/10/2019</b></p> <hr/> <p><b>07/04/2019</b></p> <hr/> <p><b>31/03/2019</b></p> <hr/> <p><b>03/03/2019</b></p> <hr/>				<ul style="list-style-type: none"> <li>- Implement revised WASPI Accord and templates</li> <li>- Revised centralised ISP register to link to information Asset and Record of Processing Activities (ROPA)</li> <li>- Create policy on services undertaking due diligence potential processors</li> <li>- Create log of data processors and agreements linking to information asset and ROPA</li> </ul>	<p>Withdrawn</p> <p>Withdrawn</p> <p>Withdrawn</p> <p>Withdrawn</p>

Strategic Risk Register				Portfolio	Inherent	Residua	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
ICT0029  Julie Davies  Escalated From :- Digital Services	Cyber Security Threat. Risk of financial loss, disruption or damage to the reputation of Powys County Council from a failure of its information technology systems and or/loss of Data due to a cyber attack or Incident.	Loss of Information systems until they can be successfully restored. Loss of data, inability to access data or public disclosure of Personal Data. Cyber risk could materialize in a variety of ways, such as: • Deliberate and unauthorized breaches of security to gain access to information systems. • Unintentional or accidental breaches of security. • Operational IT risks due to factors such as poor system integrity.	<u>04/10/2020</u>  Qtr 2 20/21. Review Summary: Security Operation policy and Process formally documented, A Cyber Response procedure is in progress detailing Deter, Detect, Respond, and Recover procedures <u>28/06/2020</u>  1st Qtr 20/21. Review Summary: Control actions in place and work continues on continual improvements identified in the Security Work plan in progress. It remains possible that a cyber attack can happen despite the many controls and procedures in place to prevent this. <u>22/03/2020</u>  4th Qtr 19/20 Review Summary 30/3/2020:  Continuing to work on actions identified in Cyber Security Plan and to conduct reviews into further improvements to add to plan. Capital investment has been used to strengthen process for vulnerability management and incident detection, which enables prompt corrective action on identified risks. Cyber Essentials + accreditation achieved during this financial year along with IASME Governance (Information Assurance for Small and Medium Enterprises Consortium). Progress made in Cyber Security Training for all staff and Council members. <u>29/12/2019</u>  3rd Qtr 19/20 Review Summary: Continued improvements to Patching and compliance monitoring procedures. Continuing to work on actions identified in the Cyber Security Improvement plan. Continuing to develop Advanced Threat detection and Security improvements using O365 tools	Cllr Graham Breeze Diane Reynolds	12	9	<ul style="list-style-type: none"> <li>Major Incident response processes</li> <li>End Point AntiVirus in place detecting known threats</li> <li>Disaster Recovery Procedures</li> <li>Capital investment in Security Operations Management Tools</li> <li>Additional Staff Awareness</li> <li>Capital Investment</li> <li>Security Operations Procedures Policy</li> <li>SBAR Reporting</li> <li>Cloud Security controls in place to detect and prevent malicious content in Office365</li> <li>Device Encryprion</li> <li>Annual Penetration testing</li> <li>Cyber Security Improvement Plan</li> <li>Cyber Security Certification</li> <li>Staff Training</li> </ul>	<ul style="list-style-type: none"> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action Completed</li> <li>Action Completed</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> </ul>

Strategic Risk Register				Portfolio	Inherent	Residua	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			<u>15/12/2019</u> <u>07/07/2019</u> <u>07/04/2019</u>					

Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
PCC0002  Andrea Mansfield	The impact on the Council as a result of Brexit.	<ul style="list-style-type: none"> <li>- Increased service demand;</li> <li>- Relocation from the EU to Powys of families - estimated at 500;</li> <li>- Fuel shortages;</li> <li>- Loss of access to external (EU) funding programmes;</li> <li>- Reduced income to Powys County Council;</li> <li>- External market factors;</li> <li>- GDPR compliance;</li> <li>- Potential financial crash;</li> <li>- Unable to recruit/retain staff (EU Nationals);</li> <li>- Employee workload;</li> <li>- Delays/disruption to food and/or essential supplies.</li> </ul>	<p><b>04/10/2020</b></p> <p>Review Summary: No change to risk rating. The Strategic Brexit Risk Register and associated contingency plans are still in place. Powys County Council continue to work with our partner agencies, Welsh Local Government Association, and Welsh Government to ensure that we are aware of, and acting to the latest advice and guidance.</p> <p><b>28/06/2020</b></p> <p>1st Qtr 20/21. Review Summary: Due to the impact of the COVID-19 outbreak UK Government preparations for Brexit have advanced at a slower pace. There is currently a lack of clarity over what, if any, trade deal might emerge from negotiations, as well as the measures the UK Government will take to mitigate disruption. This combined with the wider impact and current unknowns associated with COVID-19 has seen both the inherent and residual rating of this risk increase. The Strategic Brexit Risk Register and associated contingency plans are still in place. Powys County Council continue to work with our partner agencies, Welsh Local Government Association, and Welsh Government to ensure that we are aware of, and acting to the latest advice and guidance.</p> <p><b>12/04/2020</b></p> <p>4th Qtr 19/20 Review Summary: No change to risk rating. The Strategic Brexit Risk Register is still in place, and Powys County Council continue to work with our partner agencies, Welsh Local Government Association, and Welsh Government to ensure that we are aware of, and acting to the latest advice and guidance.</p> <p><b>12/01/2020</b></p>	<p><i>Cllr Rosemaire Harris</i></p> <p><b>Nigel Brinn</b></p>	16	12	<ul style="list-style-type: none"> <li>• Close monitoring</li> <li>• Continue to monitor economic indicators</li> <li>• Ongoing dialogue with external advisers</li> <li>• Cabinet briefed</li> <li>• Advice from pension advisers</li> <li>• Continue to work with WEFO</li> <li>• Brexit Continuity Plan</li> <li>• Brexit Risk Register</li> </ul>	<ul style="list-style-type: none"> <li>Action In Progress</li> <li>Action In Progress</li> <li>Action In Progress</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> </ul>

Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			<p>3rd Qtr 19/20 Review Summary: Following the successful vote on the 2nd reading of the Withdrawal Agreement Bill, the Prime Minister confirmed that Operation Yellowhammer should be halted with immediate effect due to the decreased likelihood of the UK leaving the EU without a deal on 31 January 2020. This means that the operational phase of Yellowhammer will not now be stood up in January 2020 and no further preparation is needed for a no deal exit on 31 January 2020.</p> <p>However, whilst we are standing down no deal preparations, Powys County Council are continuing to work to ensure that any adverse impacts of Brexit are mitigated as far as possible. Powys County Council are also working to identify opportunities to the organisation that may arise from Brexit. Work has been done to ensure that citizens are best placed to understand the changes that Brexit will bring.</p> <p>At this stage we are now awaiting guidance from the Welsh Local Government Association (WLGA) and Welsh Government, to ensure that we are best placed for the transition period. A Strategic Brexit Risk Register is held, and reviewed by the Strategic Brexit Coordination Group.</p> <p><b>06/10/2019</b> _____</p> <p><b>07/07/2019</b> _____</p> <p><b>07/04/2019</b> _____</p> <p><b>31/03/2019</b> _____</p> <p><b>03/03/2019</b> _____</p>					



Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
PCC0003  Caroline Turner	The council receives a negative regulatory / inspection report	<ul style="list-style-type: none"> <li>- Meeting regulatory and legislative duties</li> <li>- Ability to provide a good quality of service to service users</li> <li>- Managing demand on the service</li> <li>- Recruitment and retention of staff</li> <li>- Staff morale</li> <li>- Reputational damage</li> </ul>	<p><b>04/10/2020</b></p> <p>Qtr 2 20/21. Review Summary: Care Inspectorate Wales (CIW) Monitoring Visit held week 14th September 2020, but outcome letter has not yet been received. This risk will be reviewed following the CIW Improvement Conference on the 9th October, and the Estyn Improvement Conference on the 18th-19th November.</p> <p><b>28/06/2020</b></p> <p>1st Qtr 20/21 Review Summary: Publication of the Sean Harriss report has been delayed due to Covid, but we expect WG to publish during the Summer of 2020. Powys County Council is currently establishing new improvements and assurance arrangements in place, as part of the transitional arrangements, in anticipation of WG bringing the current Improvement and Assurance Board to an end later this year.</p> <p>We are awaiting the outcome of the recent joint inspection of Mental Health Services by HIW and CIW. Regular meetings continue to be held with Estyn and CIW. CIW will be undertaking monitoring visits during this quarter, with a view to undertake an Improvement Conference during the Autumn.</p> <p><b>22/03/2020</b></p> <p>4th Qtr 19/20 Risk Review Summary: WG have commissioned Sean Harriss to undertake a review of the council's progress along its improvement journey since the Harriss review in Jan 2018. The review was undertaken during in Feb/March 2020, and will be published by WG in due course. All Inspections are suspended due to Covid-19, including the Improvement Conference that had been arranged for Adult Services by CIW.</p>	<p>Cllr Rosemaire Harris</p> <p><b>Caroline Turner</b></p>	20	16	<ul style="list-style-type: none"> <li>• Improvement and assurance board</li> <li>• Improvement plans</li> <li>• Communications strategy (internal/external)</li> <li>• close working relationships with regulators</li> <li>• corporate support provided to services</li> <li>• close working relationship with WG</li> </ul>	<p>Control In Place</p> <p>Control In Place</p> <p>Control In Place</p> <p>Control In Place</p> <p>Control In Place</p> <p>Control In Place</p>

Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			<p><b>05/01/2020</b></p> <p>3rd Qtr 19/20. Review Summary: On behalf of Caroline Turner: Regulatory Services continue to receive a high level of scrutiny and support across the Council. Robust support and challenge arrangements continue to be in place for Social Services, and are now in place for Education Services under the auspices of the Improvement and Assurance Board, as well as the Leader's Monthly Group Leaders meetings, and Scrutiny Committee arrangements. We are also ensuring that improvements in Housing are prioritised so that we can quickly demonstrate compliance with regulatory requirements. Whilst progress is being made in all areas this will continue to be a key focus for the Council for the rest of 2020.</p> <p><b>08/09/2019</b></p>					

Strategic Risk Register				Portfolio	Inherent	Residua	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
PCC0005 Nigel Brinn	The impact to Powys residents, services and Council staff as a result of a COVID-19 (Coronavirus) epidemic	Increased staff absenteeism; Increase demand for services from residents Increased workload for council staff as a result of staff absence and increased service demand Closure of Council premises resulting in reduced services to residents and office accommodation	<p><b>04/10/2020</b></p> <p>2nd Qtr 20/21. Review Summary: The Council has developed a separate risk register for the Coronavirus pandemic. The risks captured in this assessment include: Increase in services demands Financial impact on the council Availability of Personal Protective Equipment Reopening of Schools Safeguarding Workforce absence Delivery of Test Trace and Protect in conjunction with PTHB</p> <p>There are mitigating actions in place for all the risks identified and the risk register is reviewed weekly by the Council's internal GOLD Command Group (part of the Council's Emergency Response arrangements).</p> <p><b>12/07/2020</b></p> <p>Admin: amended review date from auto system setting it. <b>21/06/2020</b></p> <p>Review Summary: The Council has developed a separate risk register for the Coronavirus pandemic. The risks captured in this assessment include:  Increase in services demands Financial impact on the council Availability of Personal Protective Equipment Distance learning for pupils Childcare provision Safeguarding Workforce absence</p> <p>There are mitigating actions in place for all the risks identified and the risk register is reviewed weekly by the Council's internal GOLD Command Group (part of the Council's</p>	Cllr Rosemaire Harris Nigel Brinn	25	20	<ul style="list-style-type: none"> <li>Update Business Continuity Plans (at Service and Corporate Level);</li> <li>Establishment of an Internal Silver Command</li> <li>Powys County Council Representation on Powys Teaching Health Board Gold and Silver Command;</li> <li>Liaison with all Local Resilience Forum (LRF) Partners;</li> <li>PCC Liaison with Welsh Government and Public Health Wales;</li> <li>Communication and engagement with schools.</li> <li>Communications to residents, staff and members</li> </ul>	<ul style="list-style-type: none"> <li>Action Completed</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> <li>Control In Place</li> </ul>

Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			Emergency Response arrangements) <u>03/05/2020</u>					



Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			<p>due to COVID – 19 has meant that targets within the Rectification plan has been narrowly missed.</p> <p>HOWPS are now utilising a new Compliance Tracker which is much easier to use and compliance can be easily identified across buildings and across tests.</p> <p>PCC have had to audit the information within the Tracker to ensure that the information is correct – This is putting extra pressure on the Strategic Property, but is necessary to ensure that the information being given to PCC is correct.</p> <p>Additional monitoring has been put in place to audit the access of the Alpha Tracker Database (asbestos information) to ensure that Alpha Tracker is accessed before every job is started. Our monthly audit has identified gaps in this access procedure, therefore this has been increased to weekly monitoring.</p> <p>Issues with Legionella Monitoring, information has not been sent to PCC by HOWPS. Clarification over roles and responsibilities is underway to ensure that risks are assessed and actioned.</p> <p><b>12/01/2020</b></p> <hr/> <p>3rd Qtr. 19/20: Review Summary:</p> <ul style="list-style-type: none"> <li>Continued monitoring of HOWPS performance via monthly Contract Management Forums.</li> <li>Additional monitoring now in place of HOWPS performance with service-specific meetings to monitor various issues including statutory testing, complaints, asbestos tracking, void management and the inspection and servicing of domestic heating systems.</li> <li>A Rectification Plan has been received from HOWPS for services, provided for both Corporate and Housing, which are falling</li> </ul>					

Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			below the acceptable performance level. The Rectification Plan in its original form was rejected by the Council. A revised Rectification Plan is now awaited from HOWPS. <u>06/10/2019</u> <u>07/07/2019</u> <u>07/04/2019</u>					





Strategic Risk Register				Portfolio	Inherent	Residual	Controls and Actions	
Ref & Owner	Risk Identified	Potential Consequence	Last Reviews	Director or Head of Service			Control or Action	Status
			<p>we are redeploying employees to business critical services.</p> <p>The implementation of the council's workforce strategy and the RPB Workforce Futures Strategic Framework will resume when we return to business as usual. <b>19/01/2020</b></p> <p>3rd Qtr 19/20. Review Summary: In Quarter 3 the Council published its workforce strategy and as part of the RPB we have produced a final draft of the Workforce Futures Strategic Framework for the Powys health and social care workforce.</p> <p>The Council has mapped current activity around skills development across the county and has recently met colleagues from Ceredigion Council and agreed to develop a skills strategy for the Mid Wales Region, aligned to the Mid Wales Growth Deal.</p> <p>The Council has launched an apprenticeship talent pool and a joint apprenticeship programme with Powys Teaching Health Board.</p> <p>An action plan has also been develop to improve the recruitment and retention of Qualified Social Workers in Children's Services. <b>29/09/2019</b></p> <p><b>08/09/2019</b></p> <p><b>05/05/2019</b></p> <p><b>03/02/2019</b></p>					

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# Heatmap Inherent and Current



Inherent Ratings Summary Heatmap

Residual Ratings Summary Heatmap

Probability



Page 35

Insignificant

Minor

Moderate

Major

Catastrophic

Impact

Insignificant

Minor

Moderate

Major

Catastrophic

Impact

## Detailed Risk Information

Residual and Target Rating Changes since 22/04/2020

Risk Ref	Risk Identified	Owner	Service Area	Prev Inherent Rating	->	Inherent Rating	Prev Residual Rating	->	Residual Rating
PCC0005	The impact to Powys residents, services and Council staff as a result of a COVID-19 (Coronavirus) epidemic	Nigel Brinn	Powys County Council	25	→	25	20	→	20
WO0021	Significant long term decrease in the working age population impacts on Council's ability to recruit and retain or commission the workforce it requires	Paul Bradshaw	Workforce and Organisation Development	25	→	25	20	→	20
PCC0003	The council receives a negative regulatory / inspection report	Caroline Turner	Powys County Council	20	→	20	16	→	16
FIN0001	The Council is unable to deliver a financially sustainable budget over the sort and medium term. The probability of this risk is heightened due to the impact of the Covid-19 pandemic and its impact on Welsh Government funding and subsequent settlements to the Council.	Jane Thomas	Financial Services	16	↗ <sub>9</sub>	25	9	↗ <sub>6</sub>	15
PCC0002	The impact on the Council as a result of Brexit.	Andrea Mansfield	Powys County Council	12	↗ <sub>4</sub>	16	9	↗ <sub>3</sub>	12
ICT0010	Non compliance with data protection legislation (General Data Protection Regulations (GDPR) and UK Data Protection Act (DPA) 2018	Helen Dolman	Digital Services	12	→	12	12	→	12
PPPP0007	Heart of Wales Property Services (HOWPS) being unable to undertake contracted work in a timely and cost effective manner.	Gwilym Davies	Property, Planning, and Public Protection	12	→	12	12	→	12
HO0004	Compliance in Powys County Council Housing Stock	Andy Thompson	Housing	16	→	16	16	↘ <sub>-7</sub>	9
ED0004	The council will be unable to manage the schools' budget without ongoing adjustments to the distribution formula and improving financial management. If they are unable to manage the budget, there will be a significant compromise to the quality of education for Powys learners.	Lynette Lovell	Education	12	→	12	9	→	9
ED0023	The council fails to make the necessary improvements in response to Estyn recommendations.	Lynette Lovell	Education	12	→	12	9	→	9
ICT0029	Cyber Security Threat. Risk of financial loss, disruption or damage to the reputation of Powys County Council from a failure of its information technology systems and or/loss of Data due to a cyber attack or Incident.	Julie Davies	Digital Services	12	→	12	9	→	9
CS0009	Ability to meet the requirements of the MTFS / Retaining grant funding around posts within Children's Services	Jan Coles	Children's Services	9	→	9	9	→	9

### Report Selection Criteria

( REP\_RECORD\_CROSSCUT.Business Unit Code = @StrategicBusinessUnitCode AND ( REP\_RECORD\_CROSSCUT.Status Flag <> "WITHDRAWN" ) )  
and REP\_RECORD\_CROSSCUT.Record Type=1