



Annual Corporate Risk Management Assurance Report

June 2019



Leeds City Council's 2019 Corporate Risk Assurance Report

To achieve the ambitions, outcome and priorities set out in our Best Council Plan, it is essential that we understand, manage and communicate the range of risks that could threaten the organisation and vital council services. This annual report provides assurance on how the council manages its most significant strategic risks.

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Introduction

The council’s risks stem from a variety of sources, many of which are out of our direct control: for example, global events such as an economic downturn, major conflicts or significant environmental events. Closer to home, more localised incidents can impact on communities, individuals, services, organisations and infrastructure. We also often have to respond quickly to changes in government policy and funding and must recognise and meet the evolving needs of our communities, particularly those of vulnerable people. Such changes, and the uncertainties they may bring, can pose threats that we need to address but also bring opportunities to exploit. Both aspects of risk management rely on the council working effectively with partners across the public, private and third sectors and with communities and individuals.

Risk Management Framework

The council’s risks are identified, assessed and managed using six steps:



These iterative steps enable us to:

- Understand the nature and scale of the risks we face.
- Identify the level of risk that we are willing to accept.
- Recognise our ability to control and reduce risk.
- Recognise where we cannot control the risk.
- Take action where we can and when it would be the best use of resources. This helps us make better decisions and deliver better outcomes for our staff and the people of Leeds.

The steps are applied across the organisation through the Leeds Risk Management Framework: at strategic and operational levels and for programmes and projects. The adoption of the framework and compliance with it has helped embedded a risk management culture within the organisation. This report considers the strategic level: the arrangements in place to manage the council’s corporate risks.

Corporate Risks

Defining a corporate risk

Corporate risks are those of significant, cross-cutting strategic importance that require the attention of the council’s most senior managers and elected members. While all members of staff have responsibility for managing risks in their services, each of the corporate risks has one or more named ‘risk owner(s)’: members of the Corporate Leadership Team and a lead portfolio member who, together, are accountable for their management. The Executive Board as a whole retains ultimate responsibility.

Corporate risks can be roughly split into two types: those that could principally affect the city and people of



Leeds and others that relate more to the way we run our organisation internally. An example of a ‘city’ risk includes a major disruptive incident in Leeds or breach in the safeguarding arrangements that help protect vulnerable people; these are often managed in partnership with a range of other organisations. An example of a more internal ‘council’ risk is a major, prolonged failure of the ICT network.

How corporate risks are assessed and managed

Each corporate risk has a current rating based on a combined assessment of how likely the risk is to occur – its probability - and its potential impact after considering the controls already put in place. When evaluating the impact of a risk we consider the range of consequences that could result: effects on the local community, staff, the services we provide, any cost implications and whether the risk could prevent us meeting our statutory and legal requirements.

A consistent ‘5x5’ scoring mechanism – included here at Annexe 1 - is used to carry out this assessment of probability and impact which ensures that the risks are rated in the same way. Target ratings are also applied for each risk based on the lowest probability and impact scores deemed viable to manage the risk to an acceptable level given the amount of resources available to deal with it. These are used to compare the gap between ‘where the risk is now’ to ‘how low do we aim for the risk to go’ and so help determine whether additional actions are needed to manage the risk down to the target level.

The greater the risk, the more we try to do to manage it if it is in our control and if that would be the best use of resources. The council recognises that the cost and time involved in managing the risk down to nothing may not always be the best use of public money and we factor this in when establishing the target rating and developing our risk management action plans.

Risks are reviewed and updated regularly through horizon scanning, benchmarking and in response to findings from inspections and audits, government policy changes and engagement with staff and the public.

Current corporate risks

The risk map overleaf at Figure 1 summarises the risks on the corporate risk register as at 26 June 2019 and also their ratings based on probability and impact scores.

The majority of the risks shown on the risk map will come and go as the environment changes, eliminating the risk or reducing it to a very low level. However, there are a set of ‘standing’ corporate risks that will always face the council and which are the focus of this report:

- Safeguarding Children
- Safeguarding Adults
- Health and Safety
- City Resilience
- Council Resilience
- Financial Management (in-year and the medium-term)
- Information Management

The remainder of this document discusses these ‘standing’ corporate risks in more detail, plus two additional risks increasingly of high significance – major cyber incident and school places, providing assurance on how the council, often in partnership, is managing them.



Figure 1: Corporate Risk Map at 26 June 2019
Supporting our Best City / Best Council ambitions



Safeguarding Children Corporate Risk Assurance

Overview

Leeds City Council has a legal duty to safeguard and promote the welfare of children. The potential consequence of a significant failure in safeguarding is that a child or young person could be seriously harmed, be abused, or die. Secondary effects of this include reputational damage, legal and financial costs, and management and staffing time. The council is strongly committed to improving the safeguarding of children and young people, contributing directly to our Best Council Plan outcomes, specifically for everyone in Leeds to be safe and feel safe, and our Best Council Plan (BCP) Child Friendly City priority.

Corporate risk: safeguarding children				
Risk description	Risk of harm, accident or death to a child linked to failure of the council to act appropriately according to safeguarding arrangements			
Accountability (Risk owners)	<i>Officer</i>	Director of Children and Families		
	<i>Member</i>	Councillor Venner - Executive Member for Children and Families		
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	3 (possible)	5 (highly significant)	Very high (red)
	<i>Target</i>	3 (possible)	5 (highly significant)	Very high (red)

Introduction

Between 2012 and 2017, the under-18 population in Leeds rose by 6%, compared to a 3.9% rise across England. The year-on-year growth in Leeds is higher than the England growth for each of the last five years. The growth has been concentrated, although not exclusively, in Leeds’ poorer communities, especially in areas considered in the most deprived nationally: Leeds had the greatest rate of child population growth in areas considered in the 3% most deprived nationally.

Children living in the 10% most deprived areas are ten times more likely to be in care or subject to a child protection plan than their peers living in the 10% most affluent areas. The rising diversity impact will be complicated, but some of the largest population rises are in ethnicities over-represented in the care cohort.

The causes of safeguarding failures are well-established both locally and nationally. High profile cases such as Victoria Climbié, Peter Connelly and Khyra Ishaq all re-emphasise similar lessons, and identify the same risks for children and young people.

What are the risks?

The consequences of a significant failure in safeguarding are that a child or young person could be seriously harmed, be abused, or die. This tragic outcome poses significant risks to the authority, including: a very high reputational cost; possible financial costs in compensation; management and staff costs in time and possible restructures; and, depending on the seriousness of failure, possible intervention by Ofsted and/or government.



Key risks include:

- Poor quality practice or lapses in professional standards by frontline workers.
- Lack of clarity of roles and responsibilities in relation to safeguarding.
- Failure to identify and properly manage safeguarding risks.
- A failure to listen properly to the views of the child or young person.
- Failures in communication and information sharing between professionals, both within the council and across partner agencies.
- Delay and drift within and between professionals and services involved in safeguarding.
- The impact of austerity on council and partners' budgets reducing workforce and services, therefore reducing the capacity for safeguarding good practice and improvement.

Risk management

How the council is managing the risks

The council is strongly committed to improving the safeguarding of children and young people. Safeguarding is a clear priority in corporate and partnership strategic plans and the authority has backed this up with a high level of investment in children's safeguarding, even in the challenging budget context.

The most thorough assurance for this risk is external inspection by Ofsted, who inspect and regulate services that care for children and young people. Ofsted inspected the council's Children and Families Service between 29 October and 02 November 2018, and rated the service as outstanding in a letter published on 18 December. The letter, states, "immediate and increasing risk to children is well recognised and matters escalate appropriately into statutory social work services." The letter identified a small number of areas for improvement; which can be viewed in full [here](#).

The development of council services involving children has been informed by challenge and scrutiny from external experts and leading practitioners and the extensive use of research to inform practice and service design. Leeds' role as a Partner in Practice (PiP) has strengthened co-operation with national government and other leading local authorities. Work continues with this extensive network of experts. The PiP programme sees the DfE work in partnership with leading local authorities to understand how they achieved good Ofsted ratings and how they can improve further, and to drive sector-led improvement between local authorities. The DfE make funding available to support this partnership work.

Safeguarding processes

The statutory responsibilities for safeguarding in Leeds are collectively held by Leeds City Council (through the Children and Families directorate), the local clinical commissioning group and West Yorkshire Police, through the Leeds Safeguarding Children Partnership (LSCP). The LSCP, an independent intermediary body, works with agencies to safeguard and promote the welfare of children and young people in Leeds.

Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, have due regard to the need to safeguard and promote the welfare of children. The LSCP requires contracted providers to complete an online Section 11 audit toolkit which helps identify whether they have the necessary safeguarding arrangements in place. The toolkit also generates an action plan listing all the areas that the provider needs to improve on. Providers



are further monitored in terms of safeguarding practice through the council's contract monitoring arrangements.

The Integrated Safeguarding Unit provides an independent oversight from case management teams, offering challenge to those cases where children are most vulnerable, such as children subject to a child protection plan.

Whilst there are specific responsibilities for the safeguarding of children and young people under the Children Act 2004, all council staff have a moral and legal obligation to protect children and young people. The cross-council safeguarding policy helps employees to understand, recognise, and report a safeguarding concern. The cross-council safeguarding group comprises representatives from all directorates, who discharge the activities required to ensure a consistent approach to safeguarding is achieved and sustained across the authority.

The council's work within the Safer Leeds partnership (the city's community safety partnership, responsible for tackling crime and disorder) involves helping co-ordinate a response to reducing anti-social behaviour and offending amongst young people, as well as sharing vital intelligence on young people at risk of child sexual exploitation (CSE). Some children, such as those with disabilities, children looked after, care leavers, migrant children and unaccompanied asylum seeking children are particularly vulnerable to CSE.

Mosaic is the Children's Social Work Service's case management system, offering a transparent view of the child through social care processes, thereby further strengthening safeguarding for the most vulnerable children. Since the system went live in November 2013 frontline workers have a clearer view of decision making; practitioners have to follow a defined workflow centred on best practice principles; and it is easier and quicker to locate appropriate information. More information on vulnerable children and young people is available in one central location, from which reporting and monitoring is readily available. This in turn facilitates improved oversight and challenge from senior managers through the use of regular performance reports, and the ability to 'self-serve' by running child-level reports directly from Mosaic.

Leeds is part of the CP-IS (Child Protection - Information Sharing) project. CP-IS, a secure system with clear rules governing access, connects local authority children's social care systems with those used by NHS such as Accident and Emergency, walk-in centres and maternity units. Medical staff are alerted if a child who is receiving treatment is subject to a child protection plan, or is a child looked after, with the system automatically providing contact details for the social care team responsible for them. Social care teams are alerted when a child they are working with attends an unscheduled care setting and Mosaic updates the child's record to indicate that the process has been triggered.

The improvement journey ('from good to great') to improve the outcomes for all children and young people in Leeds continues, particularly those who are in vulnerable situations. The increasing budget pressures due to government cuts place this strategy at risk, although recent successful bids for external monies have allowed Leeds to sustain and secure improvements, and to build on the successful strategy to hasten the pace of systemic change within the city.

Service improvement

Regular practice improvement meetings are held, focusing on social care practice. These meetings aim to identify and share good practice within social work teams, and identify and remedy any poor practice that



may have a negative impact on safeguarding activities.

The weekly referral review meeting is a multi-agency partnership meeting that focuses on decision making and practice issues. Good practice is identified and shared across teams; incorrect and/or unclear decision-making is promptly challenged. Team managers and service delivery managers are tasked with addressing these challenges, with the response reported to the next weekly referral review meeting. This focused approach ensures that decision-making at the Front Door (a 'duty and advice' function where professional conversations between qualified social workers and practitioners lead to an appropriate response where there are concerns about the safety of a child or young person) is constantly monitored so that safeguarding practice remains appropriate. Ofsted noted this meeting in their inspection outcomes letter, acknowledging the scrutiny and challenge of decision-making that occurs.

A new service, 'Futures', has been established to provide intensive support to mothers and fathers who are under 25, who are care experienced and have had a previous child removed. Positive outcomes and feedback has been evidenced from the young parents it seeks to support.

The council maintains an ongoing commitment to practice improvement, to ensure that staff have the right tools and support to deliver exceptional service to children and young people to improve their outcomes. Staff are encouraged to do "the simple things well", and are supported to deliver outstanding social work practice.

Innovation and external work

The council uses national experts to provide an external view and oversight of processes; benefits from peer working through the Association of Directors of Children's Services (ADCS) and other arrangements; has a comprehensive workforce development programme, supported by the LSCP; works restoratively with families; and has introduced more evidenced-based and integrated work with partners to both intervene early in the life of problems and to effectively identify and prioritise where there are high risk cases. The centre of excellence, established with Innovation Fund monies, will allow greater sharing of best practice with local authorities across the country.

In 2015, Leeds successfully bid for funding from the Department for Education's Innovation Fund, resulting in £4.6 million coming in to underpin 'Family Valued', an innovative programme that aims to embed a family-centred way of working across services in Leeds and particularly in the relationship between the children's social work service and the most vulnerable children and young people. A further bid to the fund was made in 2016/17 and has resulted in £9.6 million being allocated to Leeds over the next three years. Restorative early support (RES) teams have been established in eight high-need clusters, with plans being developed for all neighbourhoods of the city. RES teams bring additional capacity and a common practice model into high-need areas to ensure closer working between practitioners in the council, schools, and partner agencies.

What more do we need to do?

The November Ofsted inspection rated Leeds' children's social care services as outstanding. Included in the letter were areas where Ofsted felt further improvement could be made (none related directly to safeguarding). These areas for improvement identified by Ofsted had previously been recognised by Children and Families and were already important aspects in the Children and Families Improvement Plan



2019/20. The actions are:

- Developing and embedding the new Leeds Practice Model, including revised approaches to assessment and plans, particularly around the individual characteristics of children and families.
- Continuing to strengthen multi-agency cooperation and decision-making at the Front Door including focused work with health colleagues, embedding the new Multi-Agency Child Exploitation (MACE) arrangements with the police for high risk missing and CSE cases and developing further restorative approaches to Domestic Violence work.
- Implementing the Residential Review to remodel LCC residential provision, with new purposes, expanded integrated support around each home and intensive workforce and leadership development.

At the end of March, the council completed a self-assessment to inform the 'Annual Conversation' with Ofsted inspectors. This was, in light of ongoing high performance and recent inspections, a positive meeting. As reported previously, the main concerns are to continue to improve in the following areas:

- Consistent involvement of Health colleagues in child protection discussions.
- Consideration of individual characteristics such as culture and ethnicity in assessment and planning.
- Continuing to improve residential services and support for care leavers.

Work is ongoing with key strategic partners to drive and embed a preventative agenda to ensure that children and families get the help that they need at the earliest opportunity.

Further information

- [Ofsted inspection outcome letter](#)
- [Leeds Children and Families Improvement Plan 2019/20](#) (via 20 March 2019 Executive Board, pp79-102)
- [Leeds Safeguarding Children Partnership](#)
- [Section 11 auditing \(via the LSCP\)](#)
- [One minutes guides](#) on a range of topics relevant to Children's and Families, including the [Front Door Safeguarding Hub](#), and [Leeds Innovations and Partner in Practice Programme](#)
- [Safer Leeds](#)



Safeguarding Adults Corporate Risk Assurance

Overview

The council is committed to ensuring that adults whose circumstances make them vulnerable to the risk of abuse or neglect are given the safeguarding and support they need. Safeguarding is a clear priority in our strategic plans, including those we have with our partners. The potential consequences of a significant failure in safeguarding are that an adult at risk could be seriously harmed, abused or die. Further implications include loss of public confidence in the council, significant reputational damage, legal and financial costs and the management and staffing resources required to deal with a failure.

The council works closely with partner organisations, including the NHS and the Police, to manage this risk through the Safeguarding Adults Board (SAB), directly contributing to our Best Council Plan outcomes for everyone in Leeds to be safe and feel safe; around people enjoying happy, healthy, active lives and living with dignity and staying independent for as long as possible.

Corporate risk: Safeguarding adults				
Risk description	Failure of (a) staff in any council directorate to recognise and report a risk of abuse or neglect facing an adult with care and support needs in Leeds; (b) staff in adult social care to respond appropriately, in line with national legislation and safeguarding adults procedures			
Accountability (Risk owners)	<i>Officer</i>	Director of Adults and Health		
	<i>Member</i>	Councillor Charlwood, Executive Member for Health, Wellbeing & Adults		
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	2 (unlikely)	4 (major)	High (amber)
	<i>Target</i>	2 (unlikely)	4 (major)	High (amber)

Introduction

The Care Act 2014 and the Care and Support Statutory Guidance (revised March 2016) require each local authority to establish a Safeguarding Adults Board with three core statutory partners: the local authority, the NHS Clinical Commissioning Groups (CCGs) and the Police.

The Care Act 2014 states: *‘The main objective of a SAB is to assure itself that local safeguarding arrangements and partners act to help and protect adults in its area who have care and support needs and are at risk of abuse and neglect.’*

The Care Act 2014 also states that the local authority must make enquiries (or cause others to do so) if an adult in its area is at risk of abuse or neglect, has care and support needs, and because of those needs, cannot protect themselves from the risk of abuse or neglect they face. The purpose of such enquiries is to establish whether any action is needed to safeguard the adult, and if so, by whom.

The safeguarding duty that the local authority has for adults in its area includes both safeguarding adults at risk and making enquiries about allegations of abuse and neglect. Both these duties are carried out in partnership with other statutory Leeds SAB members, including the Police (in the case of criminal abuse or



neglect) and the NHS, Housing and Safer Leeds colleagues.

In each local authority area the Director of Adult Social Services (DASS) has a statutory role to lead partnership arrangements for safeguarding adults.

What are the risks?

The main consequence of a significant safeguarding failure is that an adult at risk suffers violent abuse, serious harm and/or ultimately death. Such a tragic outcome would be a failure in the local authority's legal and ethical duty in safeguarding its citizens. The consequences that could impact on the council and/or the city if safeguarding processes are not followed include loss of public confidence in the council, legal and financial costs (such as the payment of compensation) and the management and staffing resources required to deal with a failure.

Reputational damage could occur to the council when individuals at risk or their families are not identified as being so and suffer harm or are dissatisfied with either the protection or the thoroughness of the enquiries undertaken. Conversely, people or organisations alleged to have caused harm can challenge the fairness and the thoroughness of the process.

Parties in both situations can make complaints which may result in associated press coverage, ombudsman enquiries and even judicial review. Where a council employee is the person alleged to have caused harm, the way that services are run and the implementation of internal staffing policies can be questioned.

The main sources of a safeguarding adult risk for the council are summarised as:

- Failure to identify and manage safeguarding risks.
- Failure of frontline staff to correctly identify and deal with an actual or potential safeguarding episode under the terms of the Multi-Agency safeguarding procedures and statutory requirements of the Care Act 2014.
- Staff in any agency working with the council fail to follow their own safeguarding procedures in managing actual or potential safeguarding episodes, resulting in the local authority failing in its own statutory duty under Section 42 of the Care Act 2014.
- Poor quality practice or lapses in professional standards by frontline workers.
- Failures in communication and information sharing between professionals both within the council and across partner agencies.
- Delay and drift within and between professionals and services.
- Lack of clarity of roles and responsibilities with regards to safeguarding vulnerable adults.
- A failure to listen properly to the views of the child, young person or adult.

Risk management

How the council is managing the risks

Cross-council safeguarding

Whilst there are specific responsibilities for the safeguarding of children and young people under the Children Act 2004, all council staff have a moral and legal obligation to protect children, young people and adults. The cross-council safeguarding policy helps employees to understand, recognise, and report a



safeguarding concern. A cross-council safeguarding group exists with representation from across the whole organisation to help facilitate an all-embracing approach to safeguarding.

The Leeds Safeguarding Adults Board (SAB)

The Leeds SAB was constituted in 2009 and has an independent chair. The current incumbent, Richard Jones CBE, was appointed in September 2015. The chair is accountable to the council's Chief Executive.

The SAB is required to have an annual strategic plan, describing how each member will contribute to its strategy, and to produce a report each year of the activity of the Board and its members which is presented to the council's Executive members. A new plan is currently in draft and is being circulated to partners for consultation and further input.

New Safeguarding Procedures came into force on April 1st 2019, and whilst this does not significantly change the way that individuals are safeguarded in Leeds, the approach is more person-centred and focussed upon outcomes.

The DASS is actively involved in the running of the SAB and meets regularly with the Independent Chair. These meetings extend to the Executive Member for Health, Wellbeing and Adults too. The Independent Chair also meets periodically with the Leader of the council and attends Scrutiny Board and Executive Board annually. This arrangement ensures that senior officers in the council and elected members are aware and able to influence the work of the Leeds SAB.

Safeguarding Adults Reviews

The Care Act 2014 requires SABs to undertake Safeguarding Adults Reviews when:

'An adult in its area with needs for care and support (whether or not the local authority has been meeting any of those needs) if:-

- a.) There is reasonable cause for concern about how the SAB, members of it or persons with relevant functions worked together to safeguard the adult; and*
- b.) The adult has died, and the SAB knows or suspects that the death resulted from abuse or neglect (whether or not it knew about or suspected the abuse or neglect before the adult died); or*
- c.) The adult is still alive, and the SAB knows or suspects that the adult has experienced serious abuse or neglect'.*

Safeguarding adults reviews are undertaken by the Leeds SAB and overseen by an Executive Group which includes the DASS and Independent Chair.

The main risk associated with Safeguarding Adults Reviews is failing to highlight areas of practice that could be improved, potentially resulting in both legal claims and/or reputational damage to the council.

Management of Risk for Individuals

Services in the council's Adults and Health Directorate work within a Quality Assurance Framework that enables compliance with procedures and supports staff to manage the safeguarding risk. Independent quality and risk audits are undertaken which also provide further assurance that the risks are being



properly managed. Management audits also take place against the quality assurance framework in place for in-house provision.

A further check is made of information required by the Care Quality Commission (CQC), the independent regulator of health and social care in England. To ensure robust high quality risk management in protection plans, risk is central to the safeguarding process, with promotion of a positive approach, rather than one of risk avoidance.

The Safer Leeds Executive is the city's statutory Community Safety Partnership involving the council and relevant key partners such as the Police. Safer Leeds has responsibility for tackling crime, disorder and substance misuse and undertaking Domestic Homicide Reviews (DHRs). Safeguarding is a key theme running through all the work and priorities of the partnership, some of which are shared with the council, including:

- Anti-social behaviour
- Domestic violence and abuse (DVA)
- Youth crime and on-street violence
- Organised offending
- Local drug markets
- Hate Crime (Community Cohesion, Prevent/Radicalisation)
- Street Support

Safer Leeds provides additional support to other partnership boards and delivery groups linked to safeguarding:

- Safeguarding (Sexual Exploitation, Modern Slavery, Human Trafficking, Honour-Based Abuse)
- Complex needs (Mental Health, Alcohol and Drugs)
- Road Safety and Safer Travel

The SAB has done extensive work around learning lessons from DHRs that apply to adults with care and support needs. Lesson learned are disseminated widely and in a number of ways, including via the Leeds Safeguarding Children's Partnership and also integrated into areas such as domestic violence training to relevant council staff.

A Performance and Quality Group meets every two months with a focus on monitoring and promoting quality. The meetings are chaired by the Head of Service for Safeguarding, with the Police, NHS and relevant stakeholders attending. Actions have included developing strong links between council staff and the Hospital Safeguarding Staff to help improve quality in referral outcomes.

In addition to the above risk management arrangements, the safeguarding adults risk forms part of the council's corporate risk register and is reported each quarter to the Corporate Leadership Team which consists of the council's Chief Executive and directors.

What more do we need to do?

The cross-council safeguarding group is currently auditing its approach to safeguarding adults and children. The findings are to be used to inform the approach to learning and development and also to update the content of relevant guidance documents. The group is also seeking to strengthen its links with the SAB,



Community Safety Partnership and Safeguarding Children's Board. This will aim to improve the city's strategic approach to safeguarding.

The council plans to:

- Continue joint work with the NHS Leeds Clinical Commissioning Group (CCG) and the Care Quality Commission, to ensure that quality concerns in regulated care services are picked up early and prevented from developing into safeguarding concerns;
- Continued implementation of the new policies and procedures which are focussed upon outcomes rather than process. Work is being done in conjunction with the Leeds Safeguarding Children's Partnership and Safer Leeds on the 'Think Family, Work Family', a joint safeguarding protocol for co-ordinating the support families receive from services working with children and adults, where parenting capacity is impacted.
- Ensure safeguarding training is fit for purpose and is quality assured;
- Ensure that the priorities of the Leeds SAB are being met;

The Leeds Street Support Team has a main outcome of, 'Improved quality of life and well-being for street users and a safe, inclusive and welcoming city centre for everyone. Linked to this, they have a main focus on the safeguarding (in the broadest sense) for people in need on the streets, addressing criminality and anti-social behaviour. A pilot scheme relating to working with individuals who are abusive in relationships is into its second phase. A series of sessions are taking place focussing on the issues relating to individuals who are abusive in relationships and with a view to skilling up council staff to work more effectively within DVA situations.

Further information

Further information, including all procedures and forms, is available on the Leeds SAB website:

www.leedssafeguardingadults.org.uk

Please also refer to the [Safer Leeds](#) website



Health and Safety Corporate Risk Assurance

Overview

Health and safety is about saving lives, not stopping people living. The council continues to support the Health and Safety Executive’s (HSE) campaign for sensible risk management, one that is based on practical steps to protect people from harm and suffering – not bureaucracy. This is important as the council is responsible for delivering a wide range of services and activities across the city.

Taking a risk-averse approach to health and safety could be damaging to the council’s reputation. Instead, a sensible approach allows the council to focus on the real risks to its own staff and members of the public and set an example to others. As a large, diverse organisation that delivers most services in-house, council employees face a variety of hazards which must be managed to prevent the risk of injury, death, chronic health conditions, legal challenge and reputational damage.

Health and safety priorities are agreed by the council’s Corporate Leadership Team and these are underpinned by policies, procedures, training and audit reviews. A positive culture of safe and healthy working is encouraged and developed jointly with workforce trade union representatives.

A positive approach to the management of health, safety and wellbeing contributes to the ambitions of the council to encourage a city which is enterprising, efficient and healthy and which has a positive influence on the wider public health and wellbeing in the city and beyond.

Corporate risk: Health and safety				
Risk description	Risk of an health and safety failure resulting in death, injury, damage or legal challenge (either criminal or civil)			
Accountability (Risk owners)	<i>Officers</i>	Chief Executive and Director of Resources and Housing		
	<i>Member</i>	Councillor J Lewis, Deputy Leader and Executive Member for Resources		
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	3 (possible)	4 (major)	High (amber)
	<i>Target</i>	2 (unlikely)	4 (major)	High (amber)

The ratings are ‘high’ because even with strong controls in place to mitigate against a health and safety incident, the scope of the risk is very broad and covers a wide variety of hazards across all council services. Even a single health and safety failure could have a major impact.



Introduction

The council has a number of roles, responsibilities and duties with regards to health and safety at work. These include:

- As a duty holder with large numbers of employees.
- As a service provider with large numbers of clients, visitors, pupils etc.
- As a landlord with a large portfolio of buildings and land.
- As a regulator through Environmental Health.
- As a large-scale procurer of goods and services which can influence safety and health through the supply chain.

The council believes that it can only achieve its Best City and Best Council ambitions by ensuring these roles are fully integrated in its plans. This is not just about legal compliance, but is also a moral and ethical duty of care. It also encourages organisational performance by influencing a positive culture, reducing sickness absence and driving down costs associated with lost time and damage to equipment. The link between health and safety, wellbeing and inclusion is also strong and helps to provide an inclusive and supportive workplace.

What are the risks?

- That a serious incident occurs, causing death, injury or chronic ill-health to employees, clients or service users (including pupils) arising from the many services that the council provides or commissions. Should serious incidents occur, the council is committed to identifying any lessons learned and taking forwards recommended actions.
- Enforcing authorities such as the Police, West Yorkshire Fire and Rescue Service or the Health and Safety Executive (HSE) can undertake lengthy investigations if things go wrong and these may require suspension of services or closure of buildings. HSE inspectors can enforce health and safety standards through enforcement notices requiring improvements to be made: these can either prohibit an activity or allow time to comply, enabling satisfactory remedial action to be taken. During the past 12 months, and for the sixth consecutive year, the council received no formal Improvement or Prohibition Notices from the HSE or Fire Service
- Prosecutions can also be brought against the council following serious breaches of health and safety law. This can result in substantial fines, adverse publicity, a public enquiry or possible negligence manslaughter charges. The changes to the sentencing guidelines for health and safety offences two years ago have resulted in large, seven figure fines for some local authorities.
- Civil claims for compensation can also be brought against the council by employees or members of the public injured due to the council's work activities.
- A poor health and safety record also affects: staff morale and engagement, productivity and increased costs due to lost working time as a result of accidents, sickness absence and agency/overtime payments. It may also negatively impact on the council's ability to tender for work.



The consequences of a health and safety risk arising include:

- HSE investigations and/or a public enquiry.
- Adverse publicity resulting in significant reputational damage and a loss of public confidence in the council.
- Legal action being taken against the council.
- Council services and facilities unable to function or even closed down.
- Unlimited fines.
- The council becoming totally risk averse (rather than being risk aware). This could have an adverse impact on undertaking activities such as school trips or our willingness to host major events in the city.

Risk management

How the council is managing the risks

Priorities

Eight key priorities for health, safety and wellbeing for a three-year period were agreed by the council's senior leadership team and endorsed by Executive Board on the 14th December 2016, after consultation with key stakeholders, including services and Trade Unions. These are: stress and mental health; building/staff security; risk management; managing safety in the council's vehicle fleet; fire safety (especially in council-owned housing stock); musculo-skeletal disorders; violence and aggression; and health-related matters.

Compliance

Health and safety management in the council is based on an approach advocated by the HSE. This is realised through our own Organisational Health, Safety and Wellbeing Policy which sets out the roles and responsibilities of staff, and a series of core and operational Health and Safety Policies, jointly agreed with the trade unions. Compliance with the Policy is checked via internal and external audits and reviews by management teams across the council.

A wide range of guidance and information on health & safety matters is available to council staff on the internal Intranet system including:

- Contact details for competent health and safety advice
- Accidents and incidents in the workplace
- Fire Safety
- Personal protective equipment
- Risk assessments
- Mental Wellbeing

Accountability and performance

The Chief Executive is ultimately accountable for the health and safety of council employees and service users. To assist him to undertake this role he, the Director of Resources and Housing has responsibility for



apprising him of health and safety performance. In turn, the Director of Resources and Housing is supported by a team of professionally qualified Health and Safety Advisers and Occupational Health Practitioners, led by the Head of Health and Safety.

In addition to these specific roles, the council's Health and Safety Policy details individual accountabilities for every level of employee. The Leader of the council also has a responsibility to ensure that decisions taken by elected members do not compromise the health and safety of staff or service users.

The Head of Health and Safety meets monthly with the Director of Resources and Housing to provide health and safety assurance and performance and assurance reports are also submitted to the council's leadership team and Executive Board. A 'Health, Safety and Wellbeing Priority Board' has also been established to share best practice across the council. This is chaired by the Director of Resources and Housing and attended by senior leaders from high hazard services and supported by Human Resources (including health and safety).

Co-operation and consultation (safety committees)

Co-operation and consultation with the workforce on health and safety matters is extremely positive. There are corporate, directorate and service level Health and Safety Committees in place. The Deputy Leader (Executive Member for Resources) chairs the Corporate Health and Safety Committee: a method of employee consultation made up of managers and employee representatives who meet regularly to discuss issues of mutual concern. In addition, working groups have been set up covering specific issues such as estates management.

Insurance arrangements

The council's arrangements dealing with the Health and Safety risk include both public and employer's liability insurance. The adequacy of the liability insurance arrangements is tested by benchmarking with other local authorities and informed by advice from the council's insurance brokers. The council's Insurance Section supports the Health and Safety team to assist with achieving a safer working environment for all employees and visitors through ongoing discussions and learning from experience gained from handling compensation claims.

Risk management – Specific work undertaken during 2018/19

Estates Management

The council has a large property portfolio, including those we own and occupy, those we lease out and some we lease in. These premises represent a significant asset, but can also pose a significant health and safety hazard if not managed effectively. For this to happen all council services must work closely together to ensure that properties are: inclusive, surveyed, inspected, maintained pro-actively and repaired promptly.

Essential pro-active maintenance includes: fire risk assessments, management of asbestos, Legionella control, inspections of lifts and other equipment and security. The work undertaken on fire safety, for example, and the agreement the council has in place with the Fire Service, was extremely important when reviewing housing stock and other large buildings in the wake of the Grenfell Tower tragedy.



Schools

Schools must always be safe environments for children, young people and staff. Much work was undertaken in 2018/19 to support this, including: regional workshops on school security, work to address the issue of weapons in schools; helping staff to address increasing levels of violence and aggression and a conference to support the health and wellbeing of school leaders.

Employee Wellbeing

The Employee Wellbeing Strategy has continued to promote mental wellbeing, physical health, healthy lifestyles and a culture of wellbeing with many specific initiatives. The recent refresh of the Best Council Plan (approved by Full Council in February 2019) included extending the Best Council ambition to incorporate 'healthy', with a focus on the health and wellbeing of staff.

Access and Inclusion

The next phase of the 'Changing the Workplace' programme to modernise council offices making them better places to work in and to improve the experience of disabled colleagues, is being supported by the council's Health and Safety team.

Security

Work continues to improve the physical security of buildings and to address aggression directed at members of staff in front-facing services. This has also included training for elected members and provision of lone working safety devices.

Staff Health

The council continues to provide access to an Occupational Health Service, an Employee Assistance Programme including counselling, access to physiotherapy (in certain circumstances), and a range of other support networks for staff.

Health and Safety Policies

Work has been undertaken on standardising, simplifying and sharing all health and safety policies across the council. During the past year, two policies have been revised and agreed in conjunction with Trade Union colleagues: the Organisational Health, Safety and Wellbeing Policy and the Cooperation and Consultation on Health and Safety Matters Policy.

Access to Competent Health and Safety Support

The council's Health and Safety Team has worked to better enable resources to be directed at the areas posing the highest risks. Examples of this include a new way of providing more information via 'self-service' for those working in office locations and a Health and Safety Enquiry Line.

Collaboration

The Leeds Health and Care Academy is a 'one workforce' approach taken by health and social care employers in the city to tackle common employment issues through improved collaboration. Recent topics of focus for the Academy include recruitment, induction and training. A member of the council's HR service led on Improving Working Lives, a strand of work for the Academy looking at how the health, safety,



wellbeing and inclusion of the workforce is managed. Mental wellbeing was the first area for collaboration, specifically around Mental Health First Aid.

What more do we need to do?

To instil and maintain a positive health and safety culture the council needs to continually seek to improve. With this in mind the current challenges are:

- Violence, Aggression and Abuse – this continues to be an area of focus for the council. It is an issue both in some public-facing council premises and with staff and Members carrying out their duties in the community. A council-wide lone working solution is to be procured in addition to revised policy, guidance and training.
- Mental Wellbeing – we will continue our work with Trade Unions colleagues and other partners to prevent, identify and support people with mental health problems. This will include a Supporting Staff at Work Charter and guidance, which will include the need for managers to hold a Wellbeing Conversation with staff – this has been trialled successfully during the past year.
- Work-Related Ill-Health – we must continue to look for innovative ways to prevent workers from exposure to hazardous substances like silica dust or wood dust through better tools, on tool extraction, dust reduction, personal monitoring and health surveillance.
- Performance Management – a procurement exercise for the development of an electronic health and safety management system is due to commence later this year. It is essential that this system is in place to improve the monitoring and reporting on health and safety incidents as well as providing useful management information to drive future best practice.
- Wellbeing, Inclusion and Diversity – the workplace setting will continue to be used to promote health and wellbeing. A ‘social model of disability’ approach will also be embedded to help remove barriers that prevent disabled colleagues being the best they can be at work.

Further information

A copy of the council’s Health and Safety Policy can be accessed by staff and members on the council’s Intranet Site. Members of the public can obtain a copy by contacting Chris Ingham (Head of Health and Safety) at chris.ingham@leeds.gov.uk or by calling (0113) 3789304.

www.hse.gov.uk

As noted above, we are regularly updating our webpage ‘Fire safety in high rise buildings’ (available [here](#))

General information on health and safety can be found on the Health and Safety Executive website

www.hse.gov.uk



City Resilience Corporate Risk Assurance

Overview

Leeds is a city that is continually growing in size and stature. Attractive for the location of businesses of all types and sizes as well as hosting an increasing number of major sporting and cultural events – all contributing to helping Leeds develop as a major city and visitor destination in the UK.

However, Leeds and its businesses, residents and visitors must also be prepared to respond to and recover from disruption.

Leeds, like any other major city, can suffer disruption caused by the impact of a major incident or emergency. Disruption could be a severe weather event, major fire, public protests or a terrorist attack. Disruption can be caused by planned events, placing pressure on the city through increased footfall and impact on the transport infrastructure, for example through associated road closures.

Disruption can impact for several hours, days, weeks and even months (as in the case of the Salisbury chemical attack) whilst investigations, clear-up and recovery is completed.

It is essential that the council, along with partner agencies, businesses and organisations work together to build city resilience: developing plans, preparing to share resources and assets to protect ourselves and having the capability ‘ready to go’ to provide an effective response and recovery to major incidents and emergencies should it be required.

There is already a range of tried and tested plans and arrangements for major incidents both within the city and those that cut across borders affecting the wider region. However, it is increasingly important for the city not to become complacent but to continue to work together to develop our resilience to protect businesses, communities and visitors. This corporate risk assurance report aims to set out some of the work in progress or recently completed in the previous 12 months to build on our city resilience.

Corporate risk: City resilience				
Risk description	Risk of significant disruption in Leeds			
Accountability (Risk owners)	<i>Officer</i>	Director of Resources & Housing		
	<i>Member</i>	Councillor J Lewis, Deputy Leader and Executive Member for Resources		
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	3 (possible)	5 (highly significant)	Very high (red)
	<i>Target</i>	2 (unlikely)	4 (major)	High (amber)

Introduction

The Civil Contingencies Act 2004 (CCA 2004) sets out the statutory duties and community leadership role to ensure that the city collectively and continually works to enhance its resilience and manage its vulnerabilities in light of learning from incidents and emergencies both in the UK and internationally.



The CCA 2004 (Part 1) 'Emergency Preparedness' sets out the roles and responsibilities for those involved in emergency planning and response at local level. The CCA 2004 identifies responders as either Category 1 or Category 2.

Category 1 responders are organisations at the core of the response to most emergencies, such as Police, Fire & Rescue, National Health Service, Ambulance Service, Environment Agency and Local Authorities.

Category 2 responders are less likely to be involved in the heart of planning work, but will respond to emergencies that affect their own sector or co-operate with Category 1 responders providing a multi-agency response. Category 2 responders include; utilities and transport companies, Highways Agency and Health & Safety Executive etc.

Category 1 and 2 responders together form the West Yorkshire Resilience Forum (WYRF). The WYRF is the council's key partner organisation for city resilience, supporting co-ordination of the actions and arrangements between Category 1 and 2 responders to provide the most effective and efficient response to civil emergencies when they occur.

Leeds City Council and partner agencies work together to identify, assess, prevent, prepare to respond to and recover from the emergencies and disruptions within this corporate risk and to continue to develop its community leadership role.

This assurance report focuses on the adequacy of the council's arrangements to deal with the impact of the risk including supporting a multi-agency response to play an effective contribution in the overall city response to a disruptive event.

What are the risks?

There are three factors relating to the impact of significant disruption in Leeds. The first is the causative event, the second is the way that Leeds as a city responds to the event and the third is how quickly and effectively the city can recover.

The council and partner organisations through the WYRF are continuing to work closely together to make the city as safe as possible for all. By working together, learning from previous experiences, training and exercising and putting in place plans to develop a multi-agency capability this should help achieve an effective response and recovery from incidents and disruptions in the city.

Risk management

How the council is managing the risks

There is a 'top down' approach to managing risk. At the top, there is the National Risk Assessment (NRA) setting out all resilience related risks which the UK faces. The NRA informs the West Yorkshire Community Risk Register (WYCRR) which contains all risks from the NRA applicable to the West Yorkshire region. The WYCRR forms the basis of multi-agency emergency planning and is used by the WYRF and partner organisations to ensure that the identified risks are being appropriately managed and to inform development of their local risk registers. The WYCRR is used to inform the council's corporate risk on City Resilience.



The following paragraphs aim to describe key pieces of multi-agency/collaborative planning and preparation implemented or in progress to ensure that we protect our people, the economy, environment, infrastructure and way of life from all major incidents that could affect us directly.

West Yorkshire Level

A multi-agency response to a major emergency in the towns and cities of West Yorkshire is co-ordinated through the WYRF which comprises representatives from the emergency services, the five West Yorkshire local authorities and other partner agency (Category 1 & 2) responders along with voluntary and faith organisations as required.

The WYRF drives collaboration through strategic, management and sub-group meetings and regular training and exercising opportunities. The WYRF is the process by which the organisations (on which the duties of the CCA 2004 fall) co-operate with each other in peacetime (planning and exercising) and during response and recovery phases to an emergency. The WYRF brings together the multi-agency expertise required, ensuring that Category 1 & 2 responders are co-operating with each other. A senior officer from the council attends WYRF strategic level meetings, whilst other officers attend management level meetings, chair/co-chair and/or attend all sub-group meetings. This level of engagement with the WYRF ensures that the council has a lead role in shaping and driving the work of the WYRF. The WYRF has developed and maintains a set of robust plans and arrangements for an effective multi-agency response to emergencies underpinned by the sharing of information, resources and regular training and exercising.

Leeds Resilience Group

On a local level, the council hosts Leeds Resilience Group (LRG) meetings. The LRG attendance includes local Category 1 and 2 responders along with other partner organisations that fall outside of the WYRF catchment such as representatives from the universities, transport and utilities companies.

The LRG meetings provide an opportunity for partners to receive information relating to developments, events and incidents in the Leeds area, share learning, experiences and support campaigns and exercises etc. The LRG considers risks and threats facing the city and will act as an information sharing body in the event of a major incident.

Planning for Emergencies and Incidents

The council maintains a core set of plans in readiness to respond to a range of incidents and emergencies that could impact the city. These include the Emergency Management Plan (EMP) which covers a multi-agency response to emergencies and includes arrangements for multi-agency strategic and tactical co-ordinating groups. Other Leeds based plans include:

- Leeds Recovery Plan,
- City Centre Evacuation Plan,
- Leeds Flood Plan,
- Severe Weather Plan,
- Reception Centre Plan,
- Unexpected Deaths Plan (Excess Deaths and Mass Fatalities),



- Leeds Outbreak Plan,
- Leeds Pandemic Influenza Response Plan,
- Chemical, Biological, Radiological and Nuclear (CBRN) Plan; and
- Leeds Animal Health Plan.

The development of plans and response capabilities is informed by learning and experience from previous emergencies (both local and national) and regular testing and exercising to provide assurances that the plans will work should they be activated.

Emergencies and disruptive events cover a range of issues; examples in Leeds over the last 12 months include:

- Major gas leak requiring evacuation of properties/closure of roads (Hawthornthwaite and A64).
- Fire in sewers requiring road closures (Holbeck).
- Several major water main bursts cutting water supply to St James Hospital requiring road closures and diversions (Burmantofts).
- Several suicide attempts affecting road network/transport infrastructure (City Centre, M621 and A64).
- Murder scene requiring evacuation of residents/rest centre (Armley)
- Vehicles colliding into residential properties (Morley, Headingley and Armley).
- Road traffic accident/fuel spill causing congestion (Hunslet).
- Gas main fire requiring evacuation of 15 properties (Bardsey).
- Road traffic accident with HGV colliding into two shop units (Merrion Centre).
- Bridgewater Place closures and high-sided vehicle diversions due to high winds.
- Suspicious device requiring closure of Crown Point Bridge creating congestion in and out of the city.

Planned Events

Leeds increasingly hosts a range of major sporting and cultural events such as Tour de Yorkshire, World Series Triathlon, Half Marathon, Leeds West Indian Carnival and Leeds Music Festival at Bramham Park, all promoting the city and bringing in a high visitor footfall. Such events require road closures and traffic diversions, causing varying degrees of disruption to businesses and residents. Being outdoors, these events are also susceptible to severe weather and create crowded places which form a potential target for terrorist and other extremist activities.

For planned events in Leeds, arrangements to mitigate any issues are considered through the Strategic/Safety Advisory Group (S/SAG).

Now approaching four years since its inception, the S/SAG continues to maintain good levels of engagement and support from partner agencies that together comprise the S/SAG. The critique and challenge of event documentation and arrangements by the S/SAG and provision of feedback helps to support event organisers to deliver safe and successful events. Event organisers are increasingly recognising the value in being able to access professional advice at SAG and Multi-Agency meetings. The learning is supplemented with occasional informative seminars hosted by the S/SAG for event organisers to gain



additional knowledge relating to specific topics to enhance event planning.

There are some planned events which fall outside the scope of sporting and cultural, such as protest marches and political events.

Regarding the former, Leeds has had numerous protests in the previous 12 months, both static and marching protests by a range of pressure groups and affiliations. Regarding the latter, Brexit is a good example where the council has considered and planned for a range of potential impacts.

A Brexit Officer Working Group was formed to commence planning for the potential impacts of a no-deal exit on Leeds and in response, a 'Leeds Strategic Response Plan' has been developed.

Protecting the City Centre

The installation of the City Centre Vehicle Access Scheme (CCVAS) is making good progress. The scheme sees CCTV controlled/automatic rise/fall bollards installed at each of the entry/exit points to the city centre pedestrianised area. As well as reinforcing the current traffic regulation order for delivery vehicles, it will act as a deterrent/prevent the use of vehicles from carrying out an act of terrorism or crime. The scheme will go live in phases from early May 2019.

Protection for the city from river flooding has been completed with the implementation of the Flood Alleviation Scheme (FAS). A severe weather event in March 2019 causing the river level to rise in the Aire catchment triggered the initial activation of the Knostrop moveable weir, which was effective in dropping the river level by approximately 1 metre.

Exercising and Testing

The WYRF continues to hold at least one multi-agency exercise per year, with two exercises were held in 2018. The first was a flu pandemic scenario, the second a recovery scenario following a major terrorist incident in Leeds City Centre. These exercises are designed to ensure effective co-operation and collaboration in response to a major emergency affecting the city and potentially the region. On a more local basis, the council arranged a series of three city wide exercises to test emergency and business continuity plans and arrangements for businesses and organisations based in Leeds city centre (April, May and July). The first two exercises were fully subscribed. The initial exercise highlighted the benefits of different businesses and organisations talking to each other and sharing and being aware of each other's plans and arrangements.

Communication/Warning & Informing

Communication is the backbone to achieving an effective response to emergencies. It is essential that responding agencies are able to share information. The UK Government has developed and is endorsing the use of Resilience Direct, a free to use tool which is a fully accredited and secure information sharing platform accessible to the UK's response community.

Progress with the roll-out of Resilience Direct continues across Leeds and West Yorkshire with a steady rise in partners undertaking training. Resilience Direct is being piloted on a number of events and exercises and also as a repository for event management documentation.



Leeds Alert is the joint Leeds City Council/West Yorkshire Police warning and informing system to which businesses and organisations can register to receive messages warning of emergencies and planned events in the Leeds area, it has currently around 1,400 registrations and continues to grow. Associated with Leeds Alert are the twice yearly Leeds Alert Network Events. The events hosted by the council are well attended by businesses and organisations who attend to hear guest speakers present on a range of resilience related topics. Attendance is around 180 persons representing approximately 140 – 150 businesses.

In order to ensure correct and accurate information is conveyed to businesses and organisations regarding major national and international incidents, as well as other important information, the council continues to forward (via the Leeds Alert warning and informing system) Cross-sector Safety & Security Communications (CSSC) messages.

The CSSC messages (issued by the National Business Crime Centre) help to counter inaccurate news items reported by the media/social media. The messages are also a conduit to essential information, with recent messages signposting to a range of counter-terrorism campaigns and guidance on how to protect and improve organisational resilience.

What more do we need to do?

Enhancing city resilience is a continual process. Taking on board learning from incidents, events and exercising, adapting to changes whether technological or regulatory and maintaining a focus on shifting risk and horizon scanning - all informing planning and preparedness. There has been a notable increase in closer working and network building across partner agencies that are likely to collaborate together in a multi-agency response to an emergency or major incident in Leeds. The WYRF is encouraging closer working, helping to develop an understanding of how each of the agencies work, their resources and assets, capacities and limitations. Council officers are working alongside businesses and organisations in Leeds to build a safer city and working with the public to help develop greater community resilience.

There will always be opportunities to build on the work completed to date and ongoing developments and initiatives to enhance city resilience include:

- Continue to review, revise and develop emergency plans and arrangements using learning from incidents, emergencies and exercising.
- Continue to exercise, both internally and externally to test both council and multi-agency response and recovery arrangements.
- Provide briefings, training and exercising to the council workforce and organisations within the city.
- Broaden the use of Resilience Direct across Leeds City Council responder staff in support of wider partnership integration and collaboration.
- Raise awareness of risks (threats and hazards) using the West Yorkshire Community Risk Register and develop mitigating actions and plans in readiness should any of the risks be realised.
- Work together with businesses and other organisations in Leeds to develop greater resilience in the city, for example by promoting Leeds Alert, the 'warning & informing' system.
- Review and enhance S/SAG processes and procedures.



- Progress further phases of the City Centre Vehicle Access Scheme to protect further public spaces and events.
- Continue to support national counter-terrorism campaigns and initiatives such as 'SCaN' (See Check and Notify).

The high expectations placed on the council by the public and government to be able to effectively respond to and recover from a major emergency in Leeds drive the continual review and development of our emergency plans and arrangements. The message is 'resilience is everyone's business' and the council is actively promoting this message both internally and externally to businesses and other organisations. By working together collaboratively Leeds can be assured of an effective council and partner response in the event of a major emergency.

Further information

Please click [here](#) to view the range of city resilience information for businesses and the public available on the council's website.

The West Yorkshire Police website contains details of the [West Yorkshire Resilience Forum](#) and also the [West Yorkshire Community Risk Register](#)



Council Resilience Corporate Risk Assurance

Overview

Disruptive incidents impacting council services range from short duration which can quickly be dealt with by the service or function impacted, or a more prolonged and widespread disruption that can affect several services and functions for a number of days or weeks. Some disruptions may have a limited impact on a single internal function, but where front line services are disrupted, then there is potential for communities and vulnerable people to be impacted.

Corporate risk: Council resilience				
Risk description	Risk of significant disruption to council services			
Accountability (Risk owners)	Officer	Director of Resources & Housing		
	Member	Councillor J Lewis, Deputy Leader and Executive Member for Resources		
Evaluation		Probability	Impact	Overall rating
	Current	3 (possible)	5 (highly significant)	Very high (red)
	Target	2 (unlikely)	4 (major)	High (amber)

The introduction of the Civil Contingencies Act 2004 (CCA 2004) sets out a statutory duty on local authorities to have arrangements in place to maintain critical services in the event of an emergency. The duty particularly relates to the functions that are important to the health, welfare and security of the community. All local authorities must have in place arrangements to be able to:

- Continue to deliver critical aspects of their day-to-day functions in the event of an emergency if the impact on the community is to be kept to a minimum;
- Continue to perform ordinary functions that are important to the human welfare and security of the community and its environment; and
- Assess the resilience of organisations that the council relies on, or delivers services through.

The council meets the duty through the implementation of Business Continuity Plans.

However, a significant, prolonged and widespread business continuity impact on council services will require the Emergency Management Plan (EMP) to be activated. The Emergency Management Team (Council Gold) will be convened to provide strategic direction to the response and recovery, with the Tactical Coordinating Team (Council Silver) managing the council’s response and ensuring that Gold objectives are met and implemented.

Whatever the nature and scale of the disruptive incident, the individual critical services will have activated their Business Continuity Plans to be able to continue the delivery of their critical functions.

What are the risks?

The risk relates to significant disruption to council services and failure to effectively manage emergency incidents. The risks, hazards or threats to council services come from a wide range of sources with the potential to impact the council’s people, premises, ICT and supplier’s of goods and services with impact



from the disruption potentially affecting the citizens and communities of Leeds.

By focussing on the impact, the consequences of the disruption on critical services can be assessed and Business Continuity Plans developed to document the actions required to protect the service should a disruptive incident or emergency occur.

Risk management

How the council is managing the risks

The risk focuses on the following four key areas:

1. Business continuity arrangements prove inadequate.
2. Industrial action and its potential to cause wide-spread disruption to council services and the city.
3. ICT failure due to the high dependency of all council services on the digital infrastructure.
4. Emergency/contingency planning arrangements across the authority are inadequate.

The four risk areas are recognised by senior management with support and directorate engagement in place through the Directorate Resilience Groups (DRGs). The DRGs lead on progressing directorate resilience related work ensuring that adequate response and recovery capabilities are in place and that Business Continuity Plans are implemented and up to date for the critical functions within the directorate.

The council's Corporate Governance & Audit Committee and the Corporate Leadership Team (CLT - the council's Chief Executive and directors) provide support from the top by promoting and progressing emergency and business continuity planning across the council.

This corporate risk assurance report aims to set out some of the work currently in progress or completed in the last 12 months to manage each of the four risk areas and develop greater council resilience.

1. Business continuity

Business Continuity Plans contain arrangements to maintain or recover the council's critical services to 'business as usual' level following a disruptive event. Business Continuity Plans include procedures in the event of loss of people (staff), premises, ICT, suppliers and providers of goods and services, and loss of plant and machinery.

Within the council, there are currently 79 services identified as having one or more critical functions, each with its own Business Continuity Plan. To identify whether a service has any critical functionality a Business Impact Analysis is completed.

To ensure consistency in approach and that key risks are properly considered, the council has developed templates and guidance that services use to carry out the Business Impact Assessments and inform the Business Continuity Plans.

As a minimum, each Business Continuity Plan is reviewed annually. However, revisions can be made more frequently, triggered by internal changes to the scope or nature of service, or resulting from learning from incidents and exercises. Planning for the potential impact of a no-deal EU Exit on council services has triggered an additional review of Business Continuity Plans, particularly in relation to supplies and



contracts.

Business Continuity and Emergency Plans are regularly tested and exercised. Exercising and testing is either scheduled, or by exception with full support from the council's Resilience & Emergencies Team. Desktop exercises are completed on request to test individual Business Continuity Plans whilst exercises to test emergency plans can be completed as part of a wider multi-agency exercise arranged and co-ordinated by the West Yorkshire Resilience Forum.

In January 2019 the council hosted a training and exercising day for council officers likely to play a role in responding to an emergency. The event included a series of partner delivered briefings and concluded with an exercise. The event was well attended with representation from across all council directorates.

Some council frontline services are provided externally and it is therefore essential to obtain assurance that the commissioned providers are resilient. Assessments have been completed on those providers business continuity plans with the output from the assessments in the form of a template containing documented feedback and recommendations along with a 'level of confidence' rating (Red, Amber or Green). Where the recommendations are implemented, the subsequent assessment can record a higher 'level of confidence' rating.

Under the requirements of the Civil Contingencies Act 2004, local authorities are required to provide Business Continuity Management advice and guidance to business and voluntary organisations. This continues to be achieved by the hosting of the twice yearly Leeds Alert¹ Network Events. The events invite representatives from businesses and other organisations registered with Leeds Alert to attend and listen to presentations from a range of guest speakers. The aim is for organisations attending to be able to take away learning to improve their own organisational resilience.

Assurances relating to the council's business continuity arrangements are provided to the council's Corporate Governance and Audit Committee through the Annual Business Continuity Report. This year's report, dated 16th March 2019, provided the committee with an update regarding training and exercising, collaborative/multi-agency working and learning from previous incidents and events, both locally and nationally.

There was additional critique this year as resilience and emergency planning was the subject for a council Scrutiny Board working group. The paper developed to set the scene for the working group focussed on the alignment between the council's emergency planning and business continuity arrangements and the requirements set out in the eight chapters of the CCA 2004. This was a valuable exercise in its own right and confirmed that the council's current arrangements meet the duties set out in the CCA 2004.

The response from both the Corporate Governance & Audit Committee and the Scrutiny Board working group was positive and supportive of the work completed and arrangements implemented.

2. Industrial Action

There have been no instances of industrial action involving council staff in the previous 12 months.

¹ Leeds Alert is the joint Leeds City Council / West Yorkshire Police warning and informing system to which businesses and organisations can register. It currently has over 1,400 registrations.



The council's HR service continues to maintain a documented procedure in readiness for a council-wide multi-discipline response to industrial action. The procedure sets out a joined-up approach for all council services to manage the impact of industrial action and has been developed using documentation and learning captured from previous industrial action events.

The council remains subscribed to regular bulletins from RED (Resilience & Emergencies Division, part of the Ministry of Housing, Communities & Local Government) for notification of industrial action nationally and regionally.

Externally, the protracted industrial action by the RMT Union over the introduction of driver operated trains failed to cause any significant impact on council staff travelling to and from work. The council's critical services were notified in advance of the industrial action and arrangements agreed to support staff having difficulties with travel to and from work.

3. ICT

Business Continuity Plans are maintained in readiness for activation should an ICT incident or outage occur. As a minimum, the plans address:

- Invoking the required response/recovery and deployment of resource;
- Accessing back-up data;
- Restoration of data, information services, communications and support; and
- Recovery of the council's ICT infrastructure, for example in the event of a major cyber-attack.

A separate risk assurance on a major cyber incident affecting the council can be seen later in this report.

4. Emergency/contingency planning arrangements

The council has a strong commitment to developing and implementing emergency and business continuity planning arrangements and is actively promoting the message that 'resilience is everyone's business.'

The following is a summary of current and planned work which demonstrates this commitment:

- Maintaining alignment with the duties of Civil Contingencies Act 2004.
- Co-operation and collaboration with the five West Yorkshire Local Authorities, emergency services, other partners and voluntary and faith organisations enabled through the West Yorkshire Resilience Forum.
- Hosting the Leeds Resilience Group comprising local responders that fall outside of the West Yorkshire Resilience Forum such as the universities, transport and utility companies.
- Building links with neighbouring local authorities outside West Yorkshire, such as Harrogate and York.
- Co-ordinating the work of the Safety Advisory Group for events in the Leeds area, offering critique and advice to event organisers to ensure the highest possible standards of public safety and wellbeing of those who could be affected by such events.
- Developing and maintaining the Leeds City Council Emergency Management Plan (including the 'mini-guide') inclusive of a multi-agency response to and recovery from a major emergency.
- Taking a lead role in the promotion and training of Resilience Direct, the government preferred



system for sharing information and mapping between responders.

- Maintaining a strong focus on risk management. From the top-level National Risk Assessment to the regional West Yorkshire Community Risk Register which helps to inform the council's corporate, directorate and service level risk registers.
- Developing and maintaining a suite of emergency plans to counter the risks contained within the West Yorkshire Community Risk Register.
- Maintaining arrangements for the council to be able to quickly respond to a rise in the National Threat Level from 'severe' to 'critical' including a revised council Building Security Policy setting out additional security arrangements to be implemented at council buildings.
- Demonstrating that the council can quickly assemble a team of officers to input into preparing and planning for the potential implications of a major event as in the case of a no-deal EU Exit. This required the convening of a Brexit Officer Working Group, facilitation of a series of risk workshops and development of a Leeds Strategic Recovery Plan. An elected member working group also played a central role in highlighting key issues facing the council and the city since the EU referendum and fed into the preparatory response work.
- Delivery of a half day training event, 'Providing an effective response to and recovery from a major emergency in Leeds' for council officers likely to be involved in a response to an emergency.
- Recognising that councillors have a key role in response to an emergency (political, civic and community leadership roles) and a proposal to hold briefings based on the Local Government Association publication 'A councillors guide to civil emergencies' to help develop a greater understanding of councillor involvement.
- Learning from incidents and emergencies, both local and national to inform development and revision of emergency plans and arrangements.
- Regular review, revision and exercising of emergency and business continuity plans.
- Council directors playing into the annual West Yorkshire Resilience Forum 'Gold' exercise which in 2018 focussed on recovery from a terrorist attack in the city centre.
- Capturing actions and initiatives from various sources to improve council resilience and recording the actions in the draft 'Leeds City Council Organisational Resilience Improvement Plan'.
- Adapting the 14 Day Plan national guidance setting out a framework of actions in response to public impact following a terrorist incident.
- Directorate Resilience Groups providing assurance to each director that the resilience arrangements and response capabilities of the directorate are implemented, maintained and developed in line with changing risks.
- Maintenance of the Emergency Control Centre and its resources in a state of readiness to host the council's response to a major emergency.
- On-site presence of the council at the scene of an emergency via the Emergency Coordination Vehicle. Equipped as a mini-office for responding council staff, it also acts as a focal point for members of the public to seek information and reassurance.
- All services assessed as critical have Business Continuity Plans implemented.
- Managing the Leeds Alert warning and informing system which currently has in the region of 1400 registrations (and increasing) used for the issue of information relating to incidents and events in



Leeds.

- Maintaining the @leedsemergency Twitter account for warning and informing purposes, currently has around 8,000 followers.
- Maintaining a range of emergency and business continuity planning guidance and templates on the council's InSite pages, accessible by staff and elected members.
- Hosting the twice yearly Leeds Alert Network Event featuring a range of informative presentations to help improve organisational resilience.

What more do we need to do?

The message 'resilience is everyone's business' is key to ensuring that the council through its staff and other resources is best prepared to respond to an emergency affecting the council (and city).

Responsibility for building resilience does not just sit with the teams who have a direct role in providing a response: they know their capabilities, roles and responsibilities and are well trained and experienced. Responsibility for resilience also needs to be embraced and understood by all staff as much as health and safety, and equality and diversity. There is further progress to be made in promoting this message and attaining the level of confidence that the council requires.

So, what more do we need to do?

- Continue to develop and maintain our emergency and business continuity plans and arrangements.
- Continue to learn from incidents and emergencies, locally and nationally.
- Continue to identify new threats and hazards and to prepare and plan our capabilities to be able to respond and recover in the event that such threats and hazards are realised.
- Continue to promote awareness of and familiarity with the Emergency Management Plan and 'Quick Guide' with staff that have a defined role to play in responding to an incident.
- Identify opportunities through volunteering, training and briefing sessions to help staff have greater self-resilience during emergency incidents and to be able to provide support during response and recovery phases.
- Develop robust out of hours/on-call cover across the council, ensuring that such cover is not based simply on staff being available and able/willing to respond.
- Identifying and engaging in all opportunities and at all levels to exercise (internal and multi-agency) to develop staff confidence, support learning and identify areas for improvement.
- Continue to progress the role of Directorate Resilience Groups to lead on resilience and development of response and recovery capabilities within each directorate.

Although the council resilience described in this report sets out our current abilities to be able to respond to and recover from the impact of emergencies and disruptive incidents, there is always progress that can be made to strengthen our existing arrangements. Through the review and testing of our business continuity and emergency planning arrangements and by actively promoting the message that 'resilience is everyone's business', the council will be ready to be able to respond and recover effectively from incidents and disruption.



Further information

The Business Continuity Management Toolkit developed for use by council services can be accessed by staff and elected members on the council's Intranet site [here](#) under Toolkits – Managing a service.

The Business Continuity Institute's website provides further details and can be accessed [here](#)

Corporate Governance and Audit Committee papers including the [Annual Business Continuity Report](#)



Financial Management Corporate Risk Assurance

Overview

The ongoing challenge of reshaping and delivering council services within significantly reduced funding levels remains a significant risk in both the short and medium-term and this is reflected in two corporate risks: the first relating to the risks around balancing the in-year budget and the second around delivering the medium term financial strategy. Without this, delivery of all the Best Council Plan outcomes and priorities could be threatened.

In recent years the government has made major changes to the ‘core’ funding arrangements for local authorities, moving from a system where a significant element came from central government grants to one increasingly based on council tax and business rates. As such, local authorities are exposed to the financial impact of business rate appeals and re-valuations as well as changes to the council tax base.

Corporate risks: financial management				
Accountability (Risk owners)	<i>Officer</i>	Director of Resources and Housing		
	<i>Member</i>	Councillor J Lewis, Deputy Leader and Executive Member for Resources		
Corporate risk: in-year budget				
Risk description	Council’s financial position goes into significant deficit in the current year resulting in reserves (actual or projected) being less than the minimum specified by the council’s risk-based reserves policy			
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	2 (unlikely)	1 (insignificant)	Low (green)
	<i>Target</i>	2 (unlikely)	1 (insignificant)	Low (green)
Corporate risk: Medium term budget				
Risk description	Failure to address medium term financial pressures in a sustainable way			
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	3 (possible)	3 (moderate)	High (amber)
	<i>Target</i>	3 (possible)	3 (moderate)	High (amber)

Introduction

The 2019/20 financial year is the fourth year covered by government’s 2015 Spending Review and again presents significant financial challenges to the council. The council has managed to achieve considerable savings since 2010 but the 2019/20 budget requires a further £22.6m of savings to be delivered.

The council continues to make every effort possible to protect the front line delivery of services, and whilst we have been able to successfully respond to the financial challenge so far, it is clear that the position is



becoming more difficult to manage. It will be increasingly difficult over the coming years to maintain current levels of service provision without significant changes in the way the council operates.

The [Best Council Plan](#) explains how this will be achieved: that, while continuing its programme of efficiencies, the council must continue to change what it does and how it does it, reducing costs, generating income, considering different service provision models and targeting its resources to where they are most needed and will have the most impact.

Although councils have a legal duty to set a balanced budget, there are clearly strong organisational reasons for ensuring that sound arrangements for financial planning and management are in place. The budget, as well as a means of controlling spending within the available resources, is also a financial expression of the council's policies and priorities. Whilst this can simply be seen as an annual exercise, there is a recognition that this needs to be set within a context of a medium-term financial strategy. This is all the more critical given the financial challenges that we are facing.

What are the risks?

Failure to adequately plan, both longer term and annually and to manage the budget in-year carries a number of specific risks:

- Not able to set a legal budget by the due date;
- That the budget does not reflect council priorities and objectives;
- That the budget does not adequately resource pressures and increases in demand;
- That the budget includes savings which are not deliverable;
- That unplanned or reactive measures would be needed in-year to deliver savings;
- That the council falls into negative reserves or that reserves are used impacting upon the medium-term financial strategy;
- That the revenue budget continues to be increasingly reliant upon capitalisation and one-off funding to sustain recurring expenditure;
- That the Section 151 officer² exercises statutory powers and restricts or stops all spending;
- Should the audit of the council's Statement of Accounts contain damaging comments, this could potentially result in increased audit and government inspections;
- That there may be an adverse impact on staff morale if working in a challenging budget climate; and
- That the council's reputation may be damaged.

Following the result of the 2016 European Union referendum, the country has faced a period of political, fiscal and economic uncertainty. There are likely to be implications for the national and local economy with consequent impact on the council's financial risks. Whilst it is still too early to assess potentially wide-ranging implications, the following risks need to be considered:

² The Local Government Act 1972 (Section 151) requires that an employee of the council is recognised as the responsible financial officer. In Leeds City Council that officer is the Chief Officer Financial Services.



- The potential for increased cuts in core government funding alongside possible increase in demand for council services.
- Rising inflation could lead to increased costs.
- Economic uncertainty impact on business rates and housing growth, with knock-ons to council tax, new homes bonus and business rate income.
- The general uncertainty affecting the financial markets could lead to another recession.
- An uncertain economic outlook potentially impacting on levels of trade and investment.
- Uncertainties around the cost of financing the council's debt, for example, due to interest rate volatility, could lead to increased costs

The ongoing management of the council's financial risks will need to take these – and possible impacts on partner organisations' funding - into account. Our service and financial strategies will be continually kept under review to keep track of developments with these risks.

Risk management

How the council is managing the risks

The duties of the council's Section 151 officer are crucial in how we manage these risks. These duties include:

- To report to Council on the robustness of the estimates and the adequacy of financial reserves;
- Certifying that the accounts are a true and fair view of the council's financial position; and
- Ensuring that the council's financial systems accurately record the financial transactions; enable the prevention and detection of inaccuracies and fraud and ensure that financial risk is appropriately managed.

Financial management within the council, both corporately and within directorates, is delivered by colleagues who are professionally and managerially responsible to the Chief Officer Financial Services (the Section 151 Officer).

Financial risks are managed through key duties including strategic financial planning, budget preparation and setting, in-year budget monitoring, closure of accounts and audit inspections. A summary of each is provided below.

1. Strategic Financial Planning

As part of the 2016/17 financial settlement, government set out an offer of a four-year funding settlement for the period 2016/17 to 2019/20 to any council that wished to take it up. Government stated that as part of the move to a more self-sufficient local government, these multi-year settlements could provide the funding certainty and stability to enable more proactive planning of service delivery and to support strategic collaboration with local partners; local authorities should also use their multi-year settlements to strengthen financial management and efficiency. Government committed to provide central funding allocations for each year of the Spending Review period should councils choose to accept the offer and on the proviso that councils had published an efficiency plan. In September 2016 a report recommending



acceptance of the government's offer of a four-year settlement was agreed at Executive Board and this certainty in respect of the council's Settlement Funding Assessment has helped determine the council's annual budgets since.

The current four-year settlement finishes at the end of the 2019/20 financial year, leading to significant uncertainties with regard to the level and allocation of future funding. We are actively engaging with government and local government representative bodies in developing these future funding arrangements and in understanding and, where possible, mitigating any inherent risks. Executive Board and Corporate Leadership Team (CLT – the council's senior management team) are kept abreast of these developments through regular reports.

2. Budget Preparation and Setting

Revenue

The process of compiling the revenue (day-to-day) budget starts soon after the budget-setting of the previous year and runs through to the approval of the budget by Full Council in February each year. There are numerous tasks, checks and approvals involved in setting the budget, including reviews of budget proposals by finance staff, CLT and Executive Board and agreement of initial budget proposals by Executive Board and submission to Scrutiny Boards for further review and challenge.

With limited resources, it is inevitable that elements of the budget will depend upon actions which have yet to happen, or upon assumptions that in reality may vary from those assumed at budget setting. As such, an important element of the budget process is an assessment of the adequacy of general reserves which takes into account an assessment of the risks related to the budget estimates.

Capital

In terms of the capital (spending on assets) budget a five-year programme is prepared. The programme is constrained by the same funding reductions as the revenue (day-to-day spending) programme as ultimately where capital schemes are funded from borrowing, this needs to be repaid from revenue. The level and type of borrowing is determined before the start of the year and a limit set in accordance with CIPFA's (Chartered Institute of Public Finance & Accountancy) Prudential Code. The objectives of the Prudential Code are to ensure that the capital investment plans of local authorities are affordable, prudent and sustainable. Any in-year revisions to the council's programme need to be approved by Council.

3. In-Year Budget Monitoring

Revenue

Revenue budget monitoring is a continuous process which operates at all levels throughout the council. Although council directors are ultimately responsible for the delivery of their directorate budget, operationally these responsibilities are devolved to budget holders across the various services.

Financial monitoring is undertaken on a risk-based approach where financial management resources are prioritised to support those areas of the budget that are judged to be at risk. Financial monitoring operates on a hierarchical basis, whereby the monthly projections are aggregated upwards to be reviewed by Chief Officers and Directors. The projections for the strategic accounts and for each directorate are submitted to



the Chief Officer Financial Services and CLT. Further review and challenge of the projections takes place by the corporate Finance Performance Group (a monthly meeting of the Heads of Finance, representing each council directorate), prior to monthly reporting of projections to the Executive Board and quarterly to relevant Scrutiny Boards.

Capital

The Capital Programme is closely monitored and quarterly updates are presented to Executive Board. In order to ensure that schemes meet council priorities and are value for money the following are in place:

- New schemes will only take place following approval of a full business case and identification of required resources;
- Promotion of best practice in capital planning and estimates to ensure that they are realistic; and
- The use of unsupported borrowing is based on individual business cases and the source of revenue resources to meet the borrowing costs is clearly set out.

One of the main risks in developing and managing the capital programme is that there are insufficient resources available to fund the programme. A number of measures are in place to ensure that this risk can be managed effectively:

- Monthly updates of capital receipt forecasts are prepared, using a risk-based approach, by the Director of City Development;
- Monthly monitoring of overall capital expenditure and resources forecasts alongside actual contractual commitments;
- Quarterly monitoring of the council's VAT partial exemption position to ensure that full eligibility to VAT reclaimed can be maintained³; and
- Provision of a contingency within the capital programme to deal with unforeseen circumstances.

Budget risks are reviewed each month, with key risks included within the Financial Health Monitoring reports to Executive Board and overarching strategic risks included in the corporate risk register.

4. Closure of Accounts

Getting our accounts produced on time and without audit qualification is important to ensure that we can properly account for the resources we have used during the year and that we understand the council's financial standing. The Chief Officer Financial Services is responsible for the closedown process, reviewing both the accounts themselves and the processes used to compile them, before certifying them as a true and fair view. Alongside the budget monitoring process, significant accounting decisions are referred to

³ Councils make a number of supplies of goods and services where VAT is charged at zero, lower and standard rate; in addition there are non-business and exempt supplies on which no VAT is charged. The VAT we charge to customers on our supplies is known as 'output tax'; the VAT we incur on purchases we make is known as 'input tax'. Output tax is paid to HM Revenue and Customs (HMRC) and input tax is claimed back from HMRC provided certain rules are observed. The general input tax rule is that the VAT a business incurs on purchases it makes in order to make a taxable supply can be reclaimed in full – 'recovered' - from HMRC, whereas the VAT incurred in making exempt or non-business supplies can't be reclaimed. However as a local authority, there are special rules that allow the council to reclaim the VAT incurred on purchases that are used in making non-business supplies. HMRC requires local authorities to complete an annual partial exemption calculation to show how much of the input tax they have claimed back in the year relates to the exempt supplies they have made. There is a de minimis limit set, whereby if the amount of input tax that relates to making exempt supplies is below that limit, you are entitled to retain the input tax attributable to exempt supplies (which has already been reclaimed during the year). However, if you exceed that limit, all input tax that has been reclaimed during the financial year in relation to exempt supplies would have to be repaid to HMRC. The de minimis limit is 5% of the total input tax that was reclaimed during the year.

the external auditors for review by their technical accounting team to ensure compliance with applicable accounting standards. For the closure of accounts 2018/19 the authority's external auditor is Grant Thornton.

5. *Audit and Inspection*

KPMG, who were the Council's external auditors prior to April 2019, provided members with independent assurance that, in their opinion, the accounts reflect a true and fair view of the council's financial position, that they comply with proper accounting practice and that the council has adequate arrangements in place regarding the management of its financial risks and potential impact on resource deployment. Internal audit also undertakes a number of reviews of our financial planning and monitoring arrangements.

At their meeting of the 30th July 2018, the Council's Corporate Governance and Audit Committee received the [Internal Audit Report and Opinion](#) for 2017/18 which is of relevance to the financial risks. The report provided an overall conclusion that, on the basis of the audit work undertaken during the 2017/18 financial year the internal control environment (including the key financial systems, risk and governance) is well established and operating effectively in practice. There were no outstanding significant issues arising from the work undertaken by internal audit. At the time of writing, the Internal Audit Annual Report and Opinion for 2018/19 is due to be considered by the Corporate Governance and Audit Committee on 26th July 2019.

What more do we need to do?

The scale of the financial challenge for 2020/21 and 2021/22 was detailed in the [Medium-Term Financial Strategy](#) that was received at Executive Board in July 2018 with an update on this position being incorporated into the 2019/20 [Revenue Budget report](#) to Executive Board. This strategy is currently being refreshed to cover the five year period 2020/2021 to 2025/2026 and this will be considered at Executive Board in July 2019.

Key risks the refreshed strategy will have to take account of include economic uncertainty and interest rate volatility, demography and demand changes, and the ability to generate capital receipts. There are also a number of policy changes that will impact upon local authority financing:

- The implications of the government's future spending plans with regard to local government and other areas of the public sector from 2020/21 onwards remain unknown and therefore it is unclear to what extent "austerity" will continue after 2019/2020. The results of the government's spending review will be announced in the Chancellor's 2019 autumn budget statement;
- The outcome of government's Fair Funding review of the methodology which determines current funding baselines for local authorities, which are based on an assessment of relative needs and resources, won't be known until the autumn of 2019;
- Government's green paper on social care, setting out its proposals on improving care and support for older people and tackling the challenge of an ageing population has been delayed and so the implications are currently unknown;
- Government has re-stated its intention to move to 75% business retention nationally and further information is required with regard to the design of scheme especially with regard to business rate



resets and what the proposals will mean in respect of the current business rate pool arrangements.

The issuing of a Section 114 notice by Northamptonshire County Council in February 2018 - imposing financial controls and banning expenditure on all services except for its statutory obligations to safeguard vulnerable people - and the subsequently commissioned Best Value Inspection, has increased the focus on local authorities' financial resilience and sustainability. To support local authorities CIPFA will be releasing in the autumn its financial resilience index which aims to provide assurance to councils and their stakeholders on their financial stability. CIPFA is proposing to use a range of indicators based on published data to come to its conclusions. These include an authority's level of expenditure on both adult social care and children's services, level of reserves and use of reserves. In addition CIPFA are also proposing to issue their CIPFA Financial Management Code of Practice which will be applicable from April 2020. This code is designed to support good practice in financial management and to assist local authorities in demonstrating their financial sustainability. The code will be based on a series of principles supported by specific standards and statements of practice which will provide the strong foundation to financially manage the finances of the council, manage financial resilience to meet foreseen demands on services and financially manage unexpected shocks in their financial circumstances.

The current and future financial climate represents a significant risk to the council's priorities and ambitions, and whilst we have been able to successfully respond to the challenge to date, it is recognised that we need to continue to develop our approach to medium-term financial planning beyond just identifying likely budget gaps to encompass a greater recognition of priorities and areas for disinvestment. This work is already underway through our medium-term financial planning which will be extended to cover 5 years. Given the scale of the challenge, it is clear that it will need to be subject to regular review as to progress, and to ensure that it becomes financially sustainable whilst being aligned to our Best Council Plan priorities. In the determination of both the in-year budget and the Medium Term Financial Strategy we will continue to ensure that our processes and assumptions are sufficiently robust, building on the effective controls we have in place to mitigate the risks.

Further information

Additional information is available on the council's website through the following pages:

- [Our financial plans](#)
- [Our financial performance](#)



Information Management and Governance Corporate Risk Assurance

Overview

Information is an asset like any other; we need it to do business and without it, business would stop. We need to manage information just as we do other assets, including our people, buildings, infrastructure and relationships with partners: managing the risks whilst also maximising opportunity and value. The most significant risk associated with a failure in information management and governance is death or serious harm that could have been prevented if information and data had been properly managed or disclosed.

All our services depend upon the effective management of information and data, so managing the risks in this area underpins the delivery of all our Best Council Plan outcomes and priorities.

Corporate risk: Information management and governance				
Risk description	Risk of harm to individuals, partners, organisations, third parties and the council as a result of non-compliance with information governance legislation and industry standards.			
Accountability (Risk owners)	<i>Officer</i>	Director of Resources and Housing		
	<i>Member</i>	Councillor J Lewis, Deputy Leader and Executive Member for Resources		
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	3 (possible)	3 (moderate)	High (amber)
	<i>Target</i>	2 (unlikely)	2 (minor)	Low (green)

The gap between the current and target ratings is due to ongoing work to ensure the council complies with the requirements of the General Data Protection Regulations (GDPR) and the Data Protection Act (DPA) introduced in May 2018.

Introduction

The main characteristics of information held by the council are summarised below:

- Personal information relating to identified or identifiable individuals – name, address, national insurance number etc.
- Special categories of personal information relating to individuals – racial or ethnic origins, physical or mental health etc.
- Commercially sensitive information such as legal and financial details.
- Personal and special categories of personal information on council employees.
- External information relating to the citizens and business users of Leeds.

The format of information held by the council covers both electronic and hard copy files, including social care files, legal and contractual documents, invoices, council tax and business rates records and correspondence.

The council, in line with recommended practice for public authorities in the UK, has to demonstrate that



the information it has responsibility for is properly managed.

What are the risks?

Failure to manage personal information properly could ultimately cause death, harm or significant distress to individuals. Along with not managing commercially sensitive information properly, the implications for the council could include loss of public confidence, a significant fine and reputational damage. Should a major information breach occur, enforcement action from the Regulator - the Information Commissioner's Office (ICO) - is likely.

On the 25th May 2018, a new data protection framework came into force, consisting of the GDPR and the Data Protection Act 2018. This new data protection framework builds on the principles contained within the original Data Protection Act 1998, but with a greater emphasis on fairness, transparency and accountability.

With the advent of the GDPR, the risk of a significant fine for the council increases if the authority is found responsible for a major breach of the regulations. Failing to manage information properly can also be a root cause of non-compliance with the council's legal duties, including human rights law, confidentiality, service specific legislation (adoptions law, children's law, council tax law, etc.) and access to information. The council could be subject to legal action and claims from stakeholders whose information was not handled properly.

Due to the wide ranging nature of the information management and governance risk, it is closely linked to other corporate risks managed by the council including Council Resilience, Major ICT failure and a Major Cyber incident.

Risk management

How the council is managing the risks

Existing arrangements in place for the information management and governance risk include:

- Policies and procedures for council staff including the Information Governance Policy.
- A wide range of guidance about managing information available to council staff on the internal Intranet site.
- Mandatory training for council staff on information management and governance.
- Staffing roles and responsibilities reflecting information management.
- Reporting to internal boards and committees such as the Corporate Leadership Team (the council's Chief Executive and directors), Information Management Board, Corporate Governance and Audit Committee and directorate management teams.
- Reviews and inspections, both internal and external.

Roles and responsibilities

Ultimate responsibility for information management and governance within the council lies with the Director of Resources and Housing, the organisation's designated Senior Information Risk Owner (SIRO), supported by the Chief Digital and Information Officer and Head of Information Management and



Governance.

All NHS organisations and local authorities which provide social services must have a 'Caldicott Guardian', a senior person responsible for protecting the confidentiality of people's health and care information and making sure it is used properly: in Leeds, the Caldicott Guardian is the Director for Adults and Health.

The Head of Information Management and Governance is the council's Data Protection Officer (DPO), a position required under the GDPR. The GDPR establishes some basic guarantees to help ensure that DPOs are able to perform their tasks with a sufficient degree of autonomy within their organisation. The main tasks of the DPO are: to inform and advise the council of its obligations under GDPR when processing personal data; to monitor compliance with the GDPR; to provide advice on data protection matters, particularly with regards to data protection impact assessments and other high risk processing activities; and to act as the contact point with the ICO supervisory body.

The Head of Information Management and Governance (IM&G) also oversees the effective underpinning of the council's operations in the following areas:

- Cyber Assurance and Compliance
- Information Access and Compliance
- Records Management
- IM&G Change and Initiatives

Alongside these individual roles, the council's Information Management Board (chaired by the Chief Digital and Information Officer) aims to ensure that:

- A good standard of information management and governance practice is embedded into council business processes;
- The council's Information Standards Policy is kept up to date and is fit for purpose; and
- Decisions made about information management and governance are properly communicated to the right stakeholders across the organisation.

Information Access and Compliance

In May 2018, a new data protection framework came into place consisting of the General Data Protection Regulation ('the GDPR') and the Data Protection Act 2018 ('the DPA 2018'). The DPA 2018 has a number of functions including implementing the EU Law Enforcement Directive, which applies to processing of personal data for law enforcement purposes, and setting out the duties, functions and regulatory tools of the regulator, the Information Commissioner's Office ('the ICO'). The new data protection framework builds upon the principles contained within the Data Protection Act 1998 with a greater emphasis on fairness, transparency, and accountability. It provides the ICO with enhanced regulatory tools which include the power to impose fines on data controllers who infringe the GDPR of up to 20 million euros in some cases with other infringements resulting in a maximum fine of 10 million euros. This two tier fine system represents a significant increase from the previous DPA under which the maximum liability was £500,000.

To implement the new framework, the council adopted a strategy that focused on nine work streams required to achieve compliance with the relevant articles in the GDPR and to ensure that appropriate policies, procedures and guidance were updated or created. The nine work streams were:



- 1 Demonstrating compliance with the principles contained within the GDPR.
- 2 Security of processing.
- 3 Security incident management (the requirement to notify the ICO of personal data breaches).
- 4 Data Protection by design and default (a requirement to carry out data protection impact assessment whenever the council uses new technologies, and the processing is likely to result in a high risk to the rights and freedoms of individuals).
- 5 Contractual arrangements with data controllers and processors.
- 6 Individuals' rights (the right of access; the right to restrict processing; the right to object; the right to rectification; and the right to erasure / be forgotten).
- 7 Lawfulness, fairness and transparency (requirement to have a legal basis for processing personal data with the threshold to utilise consent being higher than the previous DPA; and to provide further information within privacy notices than was previously stipulated).
- 8 Storage limitation.
- 9 Accuracy and data quality (requirements around data minimisation and accuracy including ensuring that inaccurate data is erased or rectified).

The GDPR implementation project has been materially finished as the work related to it has transferred to 'business as usual', there are some outstanding tasks that are due for completion shortly.

A GDPR Implementation Guide ('the Guide') has been produced, is being rolled out to relevant stakeholders across the council and is to be updated at regular intervals. The Guide includes information on key areas including:

- Key policies including those for Data Protection and Information Assurance.
- New procedures, including those for managing and investigating security incidents and personal data breaches.
- New Data Protection Impact Assessment template and guidance.
- Details of the council's records retention schedule.
- Information on how to raise awareness to staff e.g. via posters and guidance.
- Revised contractual documentation.

To ensure that Elected Members understand the new framework and the implications for their roles and responsibilities, a suite of documents and guidance was produced and tailored to their requirements. To help develop the suite, a Members' GDPR working group was established comprising councillors from across the political parties and the council's GDPR implementation team. Group support was also provided to Members on records management and retention.

A mandatory e-learning application has been developed for Members, tailored to their information management and governance requirements.

Records Management

Records management is an important part of information management and governance. Electronic and hard copy records need to be stored securely and have appropriate access controls, records need to be easily located when required and disposed of in accordance with policy. Work is in progress with the following records management areas:



- A project is ongoing to implement an Information Asset Register (IAR) and to raise awareness of the role of Information Asset Owners (IAO'S) across the council.
- Staff responsible for records management (Record Managers) are working with their respective IAOs to help analyse their information assets and identify any associated risks. This work is scheduled to be completed in December 2019 and progress is being monitored by the Information Management Board.

The Records Management Team also continue to monitor their annual work plan and aspire to improve and ensure consistency of records management approaches across the whole council and maintain compliance with the Data Protection Act/GDPR. Within this, high risk areas are being prioritised so that work can be completed on them first. Key priorities identified last year are progressing well and examples of ongoing records management work are summarised below:

- A project has been scoped with the aim of ensuring consistency in the management of employee records across the council to ensure compliance with the DPA principles;
- Across the council, a number of data scanning and digitisation projects are either underway or planned. To help ensure compliance with the GDPR and to generate efficiency savings.
- Data cleansing work is being done to reduce the storage of electronic records on the council's network drives by 60%. This work will also help mitigate the risk of breaching DPA principles. To date, over 2.5 million unnecessary files have been deleted.
- Improvements are being made to the council's paper records so that they can be more effectively managed and disposed of, thereby helping to reduce unnecessary storage costs. Last year thousands of paper records were sent for destruction or were organised for appropriate storage in line with the council's records management policy and the DPA.
- The various record management databases used by the council are being replaced by a single product, thereby enabling a more cohesive and compliant approach. Work is underway to cleanse the data held in the existing databases as well as disposing of unnecessary records in line with retention period rules.
- Raising awareness to staff across the whole council on their roles and responsibilities in relation to records and information management. This includes the ongoing availability of an information governance 'e-learning' package.
- The council's Records Management Plan was reviewed and updated in December 2018 to reflect changes in legislation and any organisational changes.

What more do we need to do?

During the coming year a number of information management initiatives are planned, aimed at mitigating the risk and bringing the council closer to full compliance. A number of the initiatives described earlier in this assurance report are work in progress and the following are new developments scheduled for 2019/20:

- Review of international transfers of personal data in line with GDPR and implications of no-deal Brexit.
- Implement the information management and governance elements of the Digital Economy Act.
- Further develop the information governance training programme for council staff.



- Develop a Regional Information Sharing Gateway.
- Update disaster recovery arrangements for paper records.
- Develop a Data Quality Policy and associated procedures and guidance.
- Review of the internal staff guidance on Managing Information.
- Develop an Information Management Strategy which sets out corporate rules around the management of e mails and administration rights around folder permissions and email quotas.

Further information

The council's Information Governance Policy can be accessed [here](#).

Additional information can be found on the [Information Commissioner's Officer \(ICO\)](#) website. The ICO is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.



Major Cyber incident

Overview

With councils making more services available digitally, staff and elected members conducting more work online and working in a more collaborative way with partner organisations – which requires the sharing of resident and business data – ensuring cyber security arrangements are fit for purpose is a key priority.

All our services depend upon the effective management of information and data, most of which is administered via the digital infrastructure, so effective management of the cyber risk underpins the delivery of all our Best Council Plan outcomes and priorities.

Corporate risk: Major Cyber Incident				
Risk description	Risk to citizens, the council and the city as a result of digital crime, process failure or people’s actions			
Accountability (Risk owners)	<i>Officer</i>	Director of Resources and Housing		
	<i>Member</i>	Councillor J Lewis, Deputy Leader and Executive Member for Resources		
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	4 (Probable)	4 (Major)	Very High (Red)
	<i>Target</i>	2 (unlikely)	4 (major)	High (amber)

The gap between the current and target ratings is due to work being undertaken to ensure the council complies with the requirements of legislation introduced in 2018 and the controls set out by various Information Assurance standards. Details of this work can be seen in the ‘what more do we need to do?’ section in this report.

Introduction

As seen with high profile cyber-incidents, including the WannaCry ransomware attack which especially affected the NHS in 2017, and a significant number of attacks on private sector businesses, those with criminal or hostile intent will continue to try to breach security to steal the data we hold and/or damage our systems. Along with a fast changing technological environment, the ability and complexity of cyber-attacks is increasing, and therefore the measures adopted by the council need to be adequate to remain resilient against them.

Cyber risk has been identified by the UK’s National Security Risk Assessment as a ‘tier one risk’, one judged to be of the highest priority for national security over the next five years alongside terrorism and natural disaster.

What are the risks?

The council’s digital infrastructure is under constant attack from accidental and malicious sources, from



both inside and outside the boundary of our information technology (IT) network. These attacks attempt to disrupt the confidentiality, availability and integrity of our information and could also bring our systems and applications to a standstill. This could severely impact on the council's ability to deliver its critical services. Failure to adequately protect council systems and data from a cyber-attack could ultimately cause death, harm or significant distress to individuals.

A recent Distributed Denial of Service (DDoS) attack prevented council system users from accessing the internet for a short time, and also made the Leeds.gov website unavailable for the same period; this was later discovered to be due to a national attack on public services. Had the attack been prolonged, council services delivered digitally could have been more adversely affected, including those deemed as being of a critical nature, e.g. meals on wheels services, traffic lights, CCTV and the support provided to vulnerable children and adults.

With the advent of General Data Protection Regulations (GDPR), the risk of a significant fine increases if the council is found responsible for a major breach of the regulations. Failing to protect data can also be a root cause of non-compliance with the council's legal duties, including human rights law, confidentiality, service specific legislation (adoptions law, children's law, council tax law, etc.) and access to information. The council could be subject to legal action and claims from stakeholders whose information was not handled properly.

The council increasingly relies on collecting income for services such as Council Tax and Business Rates via electronic means such as payment cards and direct debit. A significant cyber-attack disrupting financial systems could result in a loss of income for the council.

Should a major cyber breach occur, enforcement action from the Regulator - the Information Commissioners Office (ICO) - is likely. If a breach of payment card holder data occurs, the investigation and fines would be significant depending upon how many records are breached and our level of compliance with the Payment Card Industry standard.

The implications for the council should a major cyber-attack occur and not be managed properly also extend to a loss of public confidence and reputational damage.

Due to the wide ranging nature of a major cyber incident, it is closely linked to other corporate risks managed by the council including Council Resilience, Major ICT Failure and Information Management and Governance.

Risk management

How the council is managing the risks

The council has already taken a range of steps to protect itself from cyber-attacks, including technical measures such as using firewalls and scanning services and adopting compliance regimes, such as that of the government's Public Services Network (PSN). Non-technical measures are also used, such as mandatory information governance training for staff, the regular reporting of cyber risk, and scenario planning for the eventuality of a cyber-attack.

These form part of a wide range of controls to ensure the cyber resilience of the council's systems and



information. At a high level, the controls can be categorised into the areas of people, process and technology and are summarised as follows:

People

The Director of Resources and Housing is the designated Senior Information Risk Owner (SIRO) and has ultimate responsibility within the council for information management and governance, including 'cyber'. The director is supported by senior officers: the Chief Digital and Information Officer and Head of Information Management and Governance, the latter being the council's accountable officer for 'cyber'.

Aspects of 'cyber' incorporated in training delivered to council staff and members include:

- Mandatory training on information management and governance.
- Training for elected members with a demonstration on 'Hacking'.
- Procurement training includes a demonstration of the potential cyber risks when purchasing systems.
- Training on the 'Cloud Principles' - guidance on how to configure, deploy and use cloud services securely - delivered to relevant staff and business partners.

Process

The council's Information Management & Governance Team review and update the policies and procedures they have responsibility for, ensuring they are kept up to date. New protocols have been written and published including those on passwords and a protocol for the acceptable use of council-provided systems and devices.

At the top of the council's governance structure for Cyber is the Information Management Board (chaired by the Chief Digital and Information Officer) the board aims to ensure:

- A good standard of information assurance and security practice is embedded into council business processes;
- The council's Information Assurance Policy is kept up to date and is fit for purpose; and
- Decisions made about Cyber/Information Assurance are properly communicated to the right stakeholders across the organisation.

The ISAaC (Information Security, Assurance and Compliance) Board, chaired by the Head of Information Management and Governance, supports and feeds into the Information Management Board.

Technology

The council uses a 'defence in depth' control strategy to protect its information assets. Layers of protection are built up to try and prevent attacks from breaching the council's IT network boundary. In the event of a cyber breach, the controls aim to protect information held on council devices and in the systems it has responsibility for. If a system or device were to be affected by a cyber breach, robust back-up and recovery plans are in place.

The council works with partner organisations to gain assurance across the supply chain. Controls maintained by the council in conjunction with its partners include:

- Contract terms, conditions and clauses include aspects relating to cyber security (where relevant).



- The adoption of fourteen 'Cloud Principles' from the National Cyber Security Centre.

Cyber Assurance and Compliance

The council has to demonstrate that it complies with a number of different information and cyber assurance and compliance regimes. Compliance is required so that the council can access services, networks and data owned and controlled by other entities and to process credit and debit card payments.

Public Services Network Code of Connection

In July 2018, the council achieved compliance with the PSN Code of Connection (CoCo), an independent security assessment of external and internal network infrastructure and devices, designed to meet PSN CoCo requirements. Compliance allows organisations to maintain a secure connection to the PSN.

An Information Technology Health Check (ITHC) was commissioned in November 2018 in line with the requirement of the PSN Code of Connection. The outcomes of the ITHC saw a reduction in the number of 'cyber-vulnerabilities' facing the council, the remainder of which are being managed via a series of projects.

The Cyber Stocktake

As part of the National Cyber Security Strategy, the Local Government Association (LGA) was granted funding from government to ensure that councils are as resilient against cyber-attacks as possible. In September 2018 every council in England completed an online cyber stocktake questionnaire concerning their cyber security arrangements. The stocktake aimed to:

- Capture existing cyber security arrangements
- Identify good practice – and those councils delivering it
- Identify risks – and those councils at risk.

Following the stocktake, the council successfully applied for funding from the LGA to help finance some of the improvements highlighted from the results of the cyber stocktake.

GDPR – Article 32

Work is underway to assess the adequacy of the council's IT applications against eight new rights for individuals⁴ provided by the GDPR. The work will also check that the security of the applications is in line with the GDPR legislation. A working group meets weekly to assess applications against a set of criteria and funding is made available to replace or upgrade any applications not meeting the standard.

Cloud Principles

All of the council's cloud applications (hosted off site) will be assessed by the end of June 2019 to meet PSN requirements.

What more do we need to do?

- Over the next year the council will undertake a series of initiatives aimed at mitigating the cyber risk and bringing the council closer to full compliance with the required standards. These include

⁴ The eight GDPR rights for individuals are: the right to be informed, the right of access, the right to rectification, the right to erasure, the right to restrict processing, the right to data portability, the right to object and rights in relation to automated decision making and profiling.



those of the PSN, Payment Card Industry Data Security Standard, the Data Security and Protection Toolkit and Her Majesty's Government Security Policy Framework, also incorporating the Minimum Cyber Security Standard (MCSS) for Government services.

- A service level risk register documenting the operational risks underpinning the corporate 'Cyber risk' is in development. The service level cyber risk register will include details of the controls in place and planned actions to mitigate against a cyber-attack on the council.
- Work is ongoing to address issues with 'remaining and soon to be unsupported' software and hardware, required to meet various compliance standards.
- Procurement is underway to implement a password tool on council systems and devices to prevent the use of guessable passwords.

Further information

The council's Information Governance Policy can be accessed [here](#).

Additional information can be found on the [Information Commissioner's Officer \(ICO\)](#) website. The ICO is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

National Cyber Security Centre [Cloud Principles](#)



School Places Corporate Risk Assurance

Overview

Ensuring that the supply of school places meets demand is a statutory duty of local authorities. This duty also includes the promotion of parental choice, diversity and fair access. In terms of meeting demand, local authorities are subject to constraints under the Education Act 2011. The Act requires that, where a need for a new school is identified, the local authority invites proposals to establish an academy or free school, with the decision over whether to go ahead ultimately taken by the Department for Education (DfE).

For schools that are already open - local authority maintained, voluntary aided or academies - they can be expanded through a prescribed process of consultation. However, local authorities cannot require academies or free schools to expand. The inherent tension between the statutory requirement for a local authority to provide school places, and the diminishing influence of the local authority in the building/expansion of schools means that there is a greater risk of not meeting the duty to provide sufficient school places in good quality provision that meet the needs of local communities.

Leeds has experienced a rising birth rate since the turn of the century, with approximately a third more births per year recorded now than in 2000. The increasing child population has progressed through the primary phase and is now increasing pressure on the secondary phase. Additionally, the demographic make-up of the city has changed due to migration, meaning that houses (and, therefore, schools) are required in different parts of the city. The Leeds Core Strategy⁵ makes land available for 56,000 new houses in Leeds by 2030, which will further increase the pressure on school places.

Corporate risk: school places				
Risk description	Failure to provide sufficient school places in good quality buildings that meet the needs of local communities			
Accountability (Risk owners)	<i>Officer</i>	Director of Children and Families		
	<i>Member</i>	Councillor Pryor, Executive Member for Learning, Skills and Employment		
Evaluation		<i>Probability</i>	<i>Impact</i>	<i>Overall rating</i>
	<i>Current</i>	3 (possible)	5 (highly significant)	Very high (red)
	<i>Target</i>	2 (unlikely)	5 (highly significant)	High (amber)

What are the risks?

The risk is that the council is not able to secure sufficient school places for every child in the city that wants one, and so is in breach of its statutory duty. The factors that could cause this risk to materialise are:

- Inaccurate pupil projection calculations, underestimating the need for school places in different parts of the city.

⁵ The Core Strategy sets out the spatial planning framework for the District. Central to its preparation has been the development of an approach which seeks to manage growth in a sustainable way, in balancing the overall, scale, distribution and phasing of development.



- Proposals to create additional schools places not being approved. If proposed expansions to existing schools, changes to the age ranges of existing schools, or proposals to hold a competition to create a new school are not acceptable to local communities or to elected members, this could result in Executive Board declining proposals.
- A lack of physical options for expanding existing schools or identifying potential sites for new schools in areas of need.
- A lack of capital funding to be able to implement proposals for creating additional places. Basic need proposals have been funded through the basic need capital programme funding⁶ from central government, in acknowledgement of the particular school place pressure in Leeds. However, schemes generally cost more than the funding provided by government, creating a financial pressure. Any capital budget deficit will affect not only our ability to meet the need for school places, but also on delivering other capital projects, such as the maintenance of the school estate.
- A conflict with developing national policy on changes to school governance. As increasing numbers of schools convert to become academies, or become sponsored academies, the maintained school estate is reduced, and correspondingly the council's scope for adapting this estate to population pressures is reduced. This does not prevent the local authority working with academies to commission school places, as local authorities still have overall responsibility for ensuring that there are sufficient spaces to meet demand locally, but the decision-maker over requests to expand pupil numbers at an academy is the Secretary of State, rather than the local authority.
- New housing developments adding additional pressure to both the primary and secondary phases. Where there is no existing capacity, housing developers are asked to contribute through section 106 agreements⁷.
- In-year demand across the primary phase continue to create pressures within the inner city areas as families continue to migrate to Leeds.

The consequences of the risk materialising would be:

- The council would be in breach of its statutory responsibility to secure sufficient school places.
- The council does not deliver cost effective solutions, which would bring close scrutiny on the council's ability to effectively manage its basic need capital budget through the publication of the national scorecards and, potentially, DfE intervention.
- Short-term solutions, such as temporary classrooms may be required. This could lead to poor quality teaching environments for some pupils, which could negatively affect educational outcomes, particularly for those pupils who are already at risk of poor outcomes. The additional costs also add to the pressure on the capital budget.

⁶ Basic need funding is the money given by government to local authorities each year to help them fulfil their duty to make sure there are enough school places for children in their local area.

⁷ Planning obligations, also known as Section 106 agreements (based on that section of The 1990 Town & Country Planning Act) are private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning.



- Children may be expected to attend a non-local school where capacity exists. It is preferable to avoid this outcome since it means more of our youngest children travelling greater distances, impacting on attendance and attainment.
- The adverse impact on other potential capital spend priorities, such as children's centre maintenance and residential children's home improvements.

Risk management

How the council is managing the risks

The basic need programme represents the local authority's response to the demographic pressures in primary school provision. Since 2009, the local authority has created over 1,700 reception class places as part of the programme. This equates to an overall increase in school capacity of nearly 12,500 places. Projections also suggest that approximately 1,200 year seven places will need to be created by 2023, to manage an increasing primary school population as well as address planned housing demand. Accurate and detailed data modelling processes help project need and provide forecasting of the Leeds school place requirement (pupil projections) and helps inform the local authority's returns to the DfE, to ensure that the maximum amount of Basic Need capital funding is secured from central government to create the required places. Increased stakeholder involvement from the outset when developing options and proposals helps towards the strategy of creating sufficient places across the city.

Closer working across the local authority has raised the profile of this issue. A focused discussion at the council's Corporate Leadership Team (the council's senior management team, comprising its directors and Chief Executive) about the impact of demographic change on all council services has led to corporate working groups being established, of which basic need is a high profile strand. This closer working is reflected in the relationships built with housing agencies and the immigration service, to ensure a full picture of existing and projected provision is available.

Robust financial planning and continual budget forecasting supports continual cash flow monitoring, and realignment of contingencies balances as projects/programmes complete.

What more do we need to do?

As the demand for primary school places appears to have levelled out, for academic year 2019/20 an additional 50 reception places were added. With a stabilising birth rate, the need for primary school places has reduced longer term, with an additional 135 places projected for 2020/21, 60 additional places projected for 2021/22 and 60 additional places projected for 2022/23. The majority of this need is likely to be met through temporary solutions.

261 additional secondary school places have been made available for September 2019. Several schools have been able to offer additional places over their published admission number (PAN) to help meet localised demand. Plans continue to be developed to help meet the longer term demand for secondary school places with solutions likely to be a mixture of free schools, permanent expansions, schools taking over PAN or temporary solutions.

The delivery of the projected 1,200 secondary school (year 7) places by 2023 will be delivered through a



combination of new schools, expansions of existing schools, and changes to post-16 provision. Some solutions have already received approval, some are in, or are about to commence public consultation, and other solutions will be developed in the near future through consultation with key community stakeholders, to meet the demand for additional secondary school places.

Large housing developments as part of the site allocations plan will inevitably change the need for school places over the next 15 years, adding to the demand and pressure in some parts of the city. Staff across the council will work closely together, both at the planning stage and during implementation, to identify when and where additional provision is required due to increased housing. This will be the predominant source of additional demand for primary school places over the next four years.

Given the challenges above, particularly in relation to secondary school provision, delivering the required provision in a timely and cost-effective manner requires a whole council response and a continued focus.

Further information

All reports that seek permission to consult about the creation of new school places, reports on the subsequent outcomes of those consultations, and design and cost reports basic need projects are publicly available as Executive Board reports, available [here](#).

The DfE produce statistical first releases on national pupil projections for all local authorities in England. The most recent release is [here](#).

The Education and Skills Funding Agency provides data on the progress local authorities are making in delivering good quality school places. The most recent release is [here](#).



Annexe 1: Leeds City Council's Risk Evaluation Matrices

The tables below give guidance on assessing risks on a scale of 1 to 5 in terms of their probability and impact, based on the current controls in place. Together, the two scores combine to give a risk rating. Additional notes to help make an assessment and the risk map used to determine the rating are on the next page.

Qualitative and quantitative descriptions are included to help evaluate a broad range of risks and give a level of consistency across the council's risk registers. However, you may have additional criteria you want to consider when carrying out your risk assessment or it may be that you need to adjust the thresholds up or down in an impact area such as finance / cost so please treat the tables below as a starting point. Also please bear in mind that risks will change (e.g. new information becomes available; the environment changes) so you will need to review your risk assessments frequently and adjust them as necessary.

Probability

Probability score	1	2	3	4	5
Descriptor	Rare	Unlikely	Possible	Probable	Almost certain
Frequency <i>How often might it / does it happen</i>	This will probably never happen / recur	Not expected to happen / recur	Might happen or recur occasionally	Will probably happen / recur but it is not a persisting issue	Will undoubtedly happen / recur, possibly frequently
Likelihood <i>Will it happen or not over the risk timescale</i>	Less than 5% chance	Around 10% chance	Around 25% chance	Around 60% chance	Around 90% chance

Impact

Impact score	1	2	3	4	5
Descriptor	Insignificant	Minor	Moderate	Major	Highly significant
Health & Safety <i>Impact on the safety and wellbeing of the public and staff</i>	No ill effects.	Short-lived / minor injury or illness that may require First Aid or medication. Small number of work days lost.	Moderate injury / ill-effects requiring hospitalisation. Risk of prosecution from enforcement agencies.	Single fatality and/or long-term illness or multiple serious injuries.	Multiple fatalities and / or multiple incidences of permanent disability or ill-health.
Environment / community	No effect on local infrastructure, communities or the environment.	Superficial damage to local infrastructure (e.g. minor road) but little disruption caused.	Medium damage to local infrastructure (e.g. minor road) causing some disruption.	Key elements of local infrastructure (e.g. school, major road) damaged causing major disruption.	Extensive damage to critical elements of local infrastructure (e.g. school, hospital, trunk road) causing prolonged disruption.

Impact score	1	2	3	4	5
Descriptor	Insignificant	Minor	Moderate	Major	Highly significant
Service interruption¹	Negligible. No impact on services.	Minor inconvenience for service users and staff. Services quickly restored.	Some client dissatisfaction but services restored before any major impacts.	Major disruption to service delivery. This could be through a single event or a series of outages.	Massive disruption to services. Recovery difficult or even impossible.
Staff	No impact on staff or service delivery.	Short-term low staffing level that temporarily reduces service quality. No impact on staff morale.	Medium-term low staffing level / insufficient experienced staff to deliver quality service. Some minor staff dissatisfaction.	Late delivery of key objective / service due to lack of experienced staff. Low staff morale.	Non-delivery of key objective / service due to lack of experienced staff. Very low staff morale.
Finance / cost² <i>Impact on relevant budget (e.g. service, project). Includes risk of claims/ fines.</i>	No or minimal financial cost. Budget risk register: £0 - £499k	Losses / costs incurred of 1-2% of budget. Budget risk register: £500 - £999k	Losses / costs incurred of 3-5% of budget. Budget risk register: £1000k - £1,499k	Losses / costs incurred of 6-10% of budget. Budget risk register: £1500k - £1999k	Losses / costs incurred of more than 10% of budget. Not covered by insurance. Budget risk register: Over £2m
Statutory duties / inspections	No or minimal impact or breach of guidance / statutory duty.	Minor breach of statutory legislation / regulation. Reduced performance rating if unresolved.	Single breach in statutory duty. Challenging external recommendations / improvement notice.	Several breaches in statutory duty. Enforcement action and improvement notices. Critical report. Low performance rating.	Multiple breaches in statutory duty. Prosecution. Complete systems / service change required. Severely critical report. Zero performance rating.
Projects / Programmes <i>(Time / Cost / Quality – for Cost impacts see ‘Finance / cost’ above)</i>	Little or no schedule slippage. No threat to anticipated benefits & outcomes.	Minor delays but can be brought back on schedule within this project stage. No threat to anticipated benefits & outcomes.	Slippage causes delay to delivery of key project milestone but no threat to anticipated benefits / outcomes.	Slippage causes significant delay to delivery of key project milestone(s). Major threat to achievement of benefits / outcomes.	Significant issues threaten entire project. Could lead to project being cancelled or put on hold.

¹ No timescales for interruptions have been given as the impact will vary from service to service and across the year. For example, a service interruption or outage of 1 day might be inconvenient for some services but critical for others. Equally, an outage of 1 day during the Christmas holidays might have no impact on many services but if this came at a particularly important time of the business cycle, it could cause significant issues. Services, particularly those deemed as ‘critical’ Council services, should consider their business impact analyses and business continuity plans when making this assessment.

² The budget risk register impact scores are defined by the Council’s Financial Management service.

Impact score	1	2	3	4	5
Descriptor	Insignificant	Minor	Moderate	Major	Highly significant
Reputation <i>Adverse publicity</i>	No adverse publicity. Rumours.	Single adverse article in local media or specific professional journal that is not recirculated (e.g. through social media). Leeds City Council one of a number of agencies referred to.	A number of adverse articles in regional / social media mentioning Leeds City Council. Some recirculation via social media. Single request for senior officer / member to be interviewed on local TV or radio. Adverse reaction by Leeds residents in YEP / social media / online forums. Short-term reduction in public confidence.	Series of adverse front page / news headlines in regional or national media. Wider recirculation via social media. Sustained adverse reaction by Leeds residents in YEP / social media etc. Repeated requests for senior officer / member to be interviewed on local TV or radio. Long-term reduction in public confidence.	Sustained adverse publicity in regional media and / or national media coverage. Extensive / prolonged recirculation via social media channels. Repeated requests for Council Leader / Chief Executive to be interviewed on national TV or radio. Possible resignation of senior officers and / or elected members. Total loss of public confidence, potential government intervention.

Additional notes

Probability

If you're not sure about the percentage chance of a risk happening over a given timescale and you don't have the data to assess its frequency, use the probability descriptors (i.e. 'Unlikely', 'Almost certain' etc.) to determine the most suitable score.

The risk timescale – i.e. the period of time during which the risk could materialise - will vary according to the type of risk it is. For example:

- For a budget risk, it might be expected to materialise over this financial year or over the period of the Medium Term Financial Plan.
- For a project risk, it could be either over the whole of the project lifecycle or for a particular phase within the project.
- With regard to an event, the timescale will be from now until the date of the event.
- For a number of the more cross-cutting strategic risks such as those on the corporate risk register, it is likely that the risk could materialise at any time. In these instances, it would be useful to consider the frequency: e.g. has this ever happened in the past in Leeds and, if so, how often and how recently? Has anything changed to make the risk more likely to occur?

Impact

Many risks could have a range of consequences: for example, a Health & Safety breach could affect an individual as well as lead to reputational and financial damage for an organisation. It's therefore possible that you assess the risk as having an impact of '3' using the Health & Safety impact, '2' for Finance and '4' for reputation.

Although you could break the risk down into several different risks covering all these areas and then score each of them to address the varying impact scores, often this can crowd a risk register and take the focus away from the actual risk 'event': i.e. the Health & Safety incident. Where possible, it's better to have 1 risk and use your best judgement to give an overall single impact assessment score. In the example above, this might be a '3' if you were to average the 3 impact scores or '4' if you decided to go with a worst-case scenario.

Risk Rating

When you've assigned probability and impact scores to each of your risks, you can plot them on a risk map to give you the overall risk rating.

