

Strategic Risk Register Progress Report

APPENDIX 4(a)

Strategic Risk: Uncertainty around the impact of Brexit

| No | Risk | Sub No. | Sub-Risk | % Overall Weighting | Impact / Consequences | Opportunity | Gross Risk Score | | | Controls and Mitigation | Nett Risk Score | | | Further Actions | Risk Manager | CLT Risk Owner | Target Date | Council Priority | |
|--------------------------------|---|---------|---|---------------------|---|--|------------------|---|----|--|-----------------|---|----|--|--------------------------------|---|----------------|---------------------------|--|
| | | | | | | | I | L | GS | | I | L | NS | | | | | | |
| 1 | Uncertainty around the impact of Brexit | 1a | Hinders the Council's ability to deliver services efficiently or effectively. | 100% | IT system contracts do not adequately support flow of data to and from the UK. | The move to more Cloud based solutions ensures increased security, and reliable storage of data. | 5 | 4 | 20 | Participation in the planning underway by the Lancashire Resilience Forum. | 5 | 4 | 20 | Monitor the Government's discussions with the EU on their adequacy decision to allow the flow of personal data from the EU to the UK. | Head of Information Governance | Director of Governance and Partnerships | September 2019 | Organisational Resilience | |
| | | | | | EU organisations could refuse to supply information to the Council unless we meet adequacy statement with the EU. | Adapt and transform procurement processes. | | | | Regular discussions at various local government meetings. | | | | Investigate whether current procurements are dependent on the EU's guarantee for free movement for goods. | | | | | |
| | | | | | Uncertainty pertaining to Cloud based solutions i.e. increased costs, privacy challenges. | Simplification of UK procurement laws. | | | | The Council has identified a strategic lead for Brexit. | | | | Ensure that contract notices are published on the UK e-notification service rather than OJEU. | | | | | |
| | | | | | Failure to adhere to changes in procurement legislation and custom procedures. Concerns of legal status of contracts. Providers are not prepared for the impact on supply chains, budgets, workforce and data availability. | | | | | A Brexit task and finish group has been established at the Council. | | | | Robust contingency plans in place for the possible implications of a "no deal" EU exit, focusing on people, devices and consumables, data flows, processes, policies and contracts as recommended by the Department of Health and Social Care. | | | | | |
| | | | | | Lack of care continuity for vulnerable individuals. | | | | | | | | | | | | | | |
| | | | | | Failure to keep abreast of specific areas of law concerning parental responsibility matters, including jurisdiction, recognition and enforcement. | | | | | | | | | | | | | | |
| Overall Nett Risk Score | | | | | | | | | | | 20.00 | | | | | | | | |

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| Sub-Risk: Hinders the Council's ability to deliver services efficiently or effectively. (weighting 100%) | | Gross Risk Score | Nett Risk Score |
|---|--------------------------------|--|--|
| | | 20 | 20 |
| <i>Risk Score in 2018/19</i> | | n/a | n/a |
| Risk Owner: Director of Governance and Partnerships / Director of Resources / Director of Adult Services | | | |
| Existing Controls in Place: | | | |
| <ul style="list-style-type: none"> • Participation in the planning underway by the Lancashire Resilience Forum. • Regular discussions at various local government meetings. • The Council has identified a strategic lead for Brexit. • A Brexit task and finish group has been established at the Council. | | | |
| Actions: | | | |
| Actions | Risk Manager | Current Position | Outcomes / Results |
| Monitor the Government's discussions with the EU on their adequacy decision to allow the flow of personal data from the EU to the UK. (Target Date: September 2019) | Head of Information Governance | <ul style="list-style-type: none"> • The Council are keeping up to date with updates from the Information Commissioner's Office and will take proportionate action where necessary. • The European Union GDPR legislation has been incorporated into UK law under the Data Protection Act 2018 and therefore there will be no issue with the UK sharing data with Europe. • The greatest risk would be whether Europe would share data with the UK, such as if they are hosting a system, and this will be addressed through robust contractual arrangements. • The Information Governance Team are continuing to liaise with colleagues in IT and Procurement to ensure that risks are proportionately mitigated. | <ul style="list-style-type: none"> • To ensure the secure and legal transfer of data post Brexit. |
| Investigate whether current procurements are dependent on | Head of Procurement | <ul style="list-style-type: none"> • The position on free movement for goods remains unclear. Questionnaires have | <ul style="list-style-type: none"> • Questionnaire responses received from corporate |

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| <p>the EU's guarantee for free movement for goods.</p> <p>(Target Date: September 2019)</p> | | <p>been sent to all corporate contract suppliers seeking their position on the impact that Brexit will have on their ability to continue to supply the Council.</p> | <p>suppliers indicated that Brexit presented relatively low risk primarily due to reliance on UK supply chain, and confirmation that where goods are sourced through the EU that the necessary contingency arrangements are in place. One supplier raised a concern that port closures could present immediate risk to the movement of goods, and any changes in currency rates will present greater risk in the long term.</p> |
| <p>Ensure that contract notices are published on the UK e-notification service rather than OJEU.</p> <p>(Target Date: September 2019)</p> | <p style="text-align: center;">Head of Procurement</p> | <ul style="list-style-type: none"> • Confirmation received from Central Government that a UK electronic portal will be created to replace OJEU TED portal if required. | <ul style="list-style-type: none"> • Awaiting further information from Central Government in terms of timetable for introducing UK portal, if required. |
| <p>Robust contingency plans in place for the possible implications of a "no deal" EU exit, focusing on people, devices and consumables, data flows, processes, policies and contracts as recommended by the Department of Health and Social Care.</p> <p>(Target Date: September 2019)</p> | <p style="text-align: center;">Director of Adult Services</p> | <ul style="list-style-type: none"> • Adult Services have circulated the guidance document issued by the Department of Health and Social Care to all service providers. • They had an item at each Provider Forum; Residential, Care at Home and Learning Disability Forum. • Adult Services are advising providers to: <ol style="list-style-type: none"> 1. Make sure you know which of your staff are EU citizens and the actions required to regularise their stay in the event of a no deal Brexit. 2. 'Dust off' your contingency plans – in particular with relation to supply chain and staffing shortages. 3. Don't stockpile. | <ul style="list-style-type: none"> • To ensure that providers are as prepared as they can be in the event on a no-deal Brexit. |

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| | | <ol style="list-style-type: none">4. Keep Adult Services up to date on any emerging issues, especially ones you have been unable to sort yourself.5. Stand by for advice and guidance on any issues that are bigger than minor disruption. | |
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