

**POLICY & RESOURCES
CABINET BOARD**

23rd SEPTEMBER 2010

CHIEF EXECUTIVE'S OFFICE

**JOINT REPORT OF THE
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**INDEX OF REPORT ITEMS
PART 1. Doc Code: PRB-230910-REP-CE-KJ-J(2)**

SECTION A – MATTERS FOR DECISION		
Report Item	Page Nos	Wards Affected
1.. Draft Corporate Risk Management Policy Appendix 1	2 – 5 1 - 23	All

Part 1, Section A, Item 1

Purpose of Report

To present the draft Corporate Risk Management Policy for approval.

Background

The Council has a duty to be efficient, transparent and accountable to local people and to observe high standards of corporate governance and management when responding to these current and future economic challenges. Sound risk management has always been important, but it takes on a new prominence at this time when significant change has to be delivered at pace.

In January 2009, the Head of Change Management and Innovation commissioned a review of the risk management processes across the authority to ensure they were fit for purpose to support the Council's emerging change programme.

The review was undertaken by a project team of officers with responsibility for the following risk management processes:

- Health and Safety at Work
- Improvement Planning
- Transformation Programme
- Business Continuity
- Insurance

During the review, the Chief Internal Auditor provided advice and support to the project team and the work was overseen by a project board made up of the Heads of Service who co-authored this report.

Findings

The Council's current Risk Management Strategy was developed in 2003 and, at the time, was consistent with the principles of Best Value. However, from the review it became evident the strategy was not fit for purpose in the current climate and that over the last few years a number of individual risk management processes had been developed across the authority which were not referred to in the Strategy.

The project board initiated a review of these individual risk management processes to ensure their fitness for purpose. The review found examples of good practice across the processes and the one recommendation made from this initial phase of work was for all risk management processes to utilise the standard 5 x 5 matrix when analysing and assessing risks which would ensure a consistent approach to the management of risks authority-wide.

The next phase of the review was the development of a revised Corporate Risk Management Policy which would:

- Meet the requirement for a corporate view of risks
- Facilitate the identification of new opportunities
- Facilitate better resource management
- Demonstrate effective corporate governance

The project team undertook a literature review of examples of good risk management practice both in the public and private sector to inform the development of the Strategy. The advice and guidance was also sought from the authority's Chief Internal Auditor.

The draft Policy presented to you today builds upon the existing risk management processes but introduces a consistent approach to the management of risk and describes how processes will be integrated at the directorate and corporate level to produce directorate and corporate risk registers.

Benefits of the Policy:

- Facilitates the effective recognition and management of strategic risks
- Prioritisation of those areas where there are the greatest risks
- Presents and integrated risk management framework (page 6)
- Allocates clear roles, responsibilities and accountabilities (Appendix 2)
- Facilitates the efficient planning of limited resources
- Builds on the Council's current risk management processes
- Contributes to building a risk savvy workforce and environment that allows for innovation and a responsible approach to risk taking

Recommendation

The revised draft Corporate Risk Management Policy is approved.

Reason for Proposed Decision

To support the Council in discharging its duty to be efficient, transparent and accountable to local people and to observe high standards of corporate governance and management.

List of Background Papers

None

Wards Affected

All

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Appendices

4 Steps to Successful Corporate Risk Management Policy Appendix 1

COMPLIANCE STATEMENT

DRAFT CORPORATE RISK MANAGEMENT POLICY

(a) Implementation of Decisions

The decisions are proposed for implementation as detailed in the report subject to the three day call-in period.

(b) Sustainability Appraisal

Economic Prosperity	-	No Impact
Education & Lifelong Learning	-	No Impact
Better Health & Wellbeing	-	No Impact
Environment & Transport	-	No Impact
Crime & Disorder	-	No Impact

Other Impacts

Welsh Language	-	No Impact
Sustainable Development	-	No Impact
Equalities	-	No Impact
Social Inclusion	-	No Impact

(c) Consultation

There is no requirements for consultation on this item.

DRAFT

**4 STEPS
TO SUCCESSFUL
CORPORATE
RISK MANAGEMENT**

This policy describes how the Council will enable and encourage a culture of positive risk management

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Statement of Intent

Councils across the UK are facing tough choices. Far more will need to be achieved with far less resource as we look to meet the growing expectations of our residents whilst tackling a significant structural deficit in public finances.

We have a duty to be efficient, transparent and accountable to local people and to observe high standards of corporate governance and management when responding to these current and future economic challenges. Sound risk management has always been important, but it takes on a new prominence at this time when significant change has to be delivered at pace.

Risk management is an important aspect of corporate governance and the key to successful risk management is the provision and co-ordination of appropriate resources to enable risk management decisions to be made which are appropriate and commensurate to the level of risk.

This policy provides a systematic and focussed approach to corporate risk management which, if used effectively, will identify, control, mitigate any potential risks and enable opportunities to be confidently explored, promoting and supporting innovation.

Whilst I have ultimate responsibility for risk management within Neath Port Talbot County Borough Council by virtue of my position as Chief Executive, the Corporate Directors and their Heads of Service will ensure that their areas of responsibility are managed and resourced appropriately commensurate to the level of risk

.....
Steven Phillips
Chief Executive

1. Introduction

This policy describes a structured, systematic and focussed approach to managing risks and exploiting innovation at a corporate level. It promotes an environment where innovation is encouraged and supported and is a key enabler of the Council's change programme.

We recognise that we have to deliver services in an increasingly litigious and risk adverse society alongside diminishing resources. However, risk management should also be considered as a tool for creating and taking opportunities to better serve the needs of our communities. Risk management is a continuous process which must be embedded in the culture of the authority.

2. Scope

This policy applies to all of the activities of the Council and is intended to cover all aspects of risk management.

This policy builds on existing good risk management practices within the Council and complements the other systems of governance which form the Council's internal systems of control.

3. Definition of Risk

For the purpose of this policy, corporate risk is defined as:

“The threat that an event, action or inaction will adversely affect the Council's ability to deliver its services”.

4. Aims of the Policy

The aims of this policy are to:

- Promote an open, consistent and proactive risk management attitude which encourages and promotes innovation and will ensure the Council has a balanced “risk appetite”
- Optimise the Council's resources to deliver frontline services
- Minimise the risk of damage, loss, injury and inconvenience to citizens, staff and service users
- Assign responsibilities for the purpose of corporate risk management
-

- Encourage the Council to anticipate and respond quickly to internal and external opportunities / threats
- Encourage a responsible approach to risk taking through effective communication and training

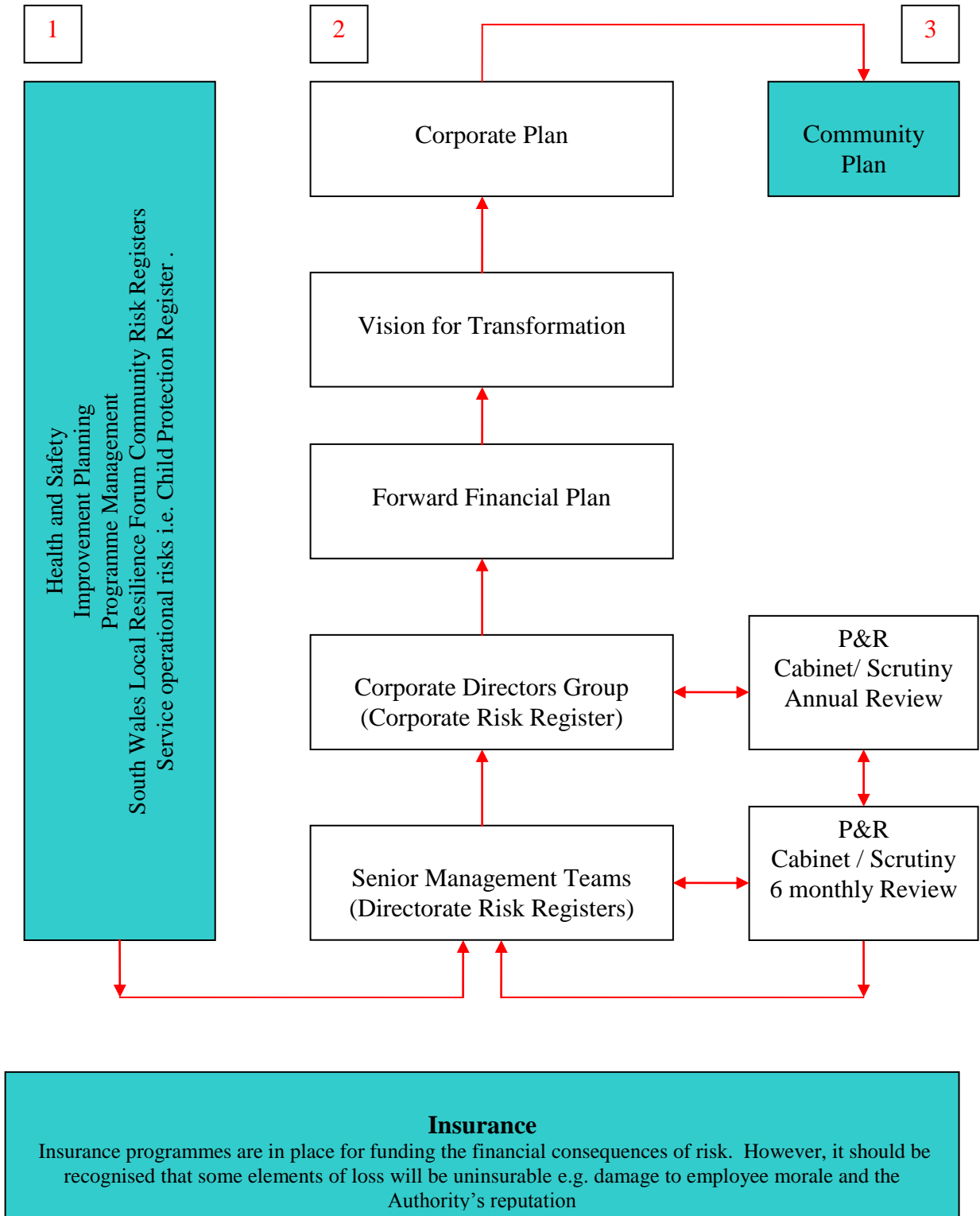
5. The Risk Management Framework

The Council's risk management framework is designed to ensure risk management is effective. Roles and responsibilities for managing risk are clearly assigned (Appendix 2 – page 15) and the key risk management business processes are aligned to form a coherent, corporate management system.

The framework (overleaf) illustrates how risk will be managed at different levels in the organisation and how that information will be used to influence corporate priorities and the allocation of resources.

- Stage 1 relates to service risk assessments at the operational level
- Stage 2 covers risk assessment at the corporate level which will provide information to inform both the Council's Forward Financial Plan and strategic priorities for improvement
- Stage 3 is the mechanism by which risks can be shared with partners via the Local Service Board

The Risk Management Framework



6. Managing Risk in Practice - Overview

Risk will be managed at all levels of the Council using the following 4 step cycle:

Step 1 - Risk /Opportunity – Identification

Step 2 - Risk /Opportunity – Analysis & Assessment

Step 3 - Management of Risks / Opportunities – Control

Step 4 - Monitoring & Review

Step 1 - Risk / Opportunity - Identification

The Council's key risk management processes for identifying risk are as follows:

i) Health & Safety at Work

Processes for evaluating the risk arising from a hazard(s), taking into account the adequacy of any existing controls, and deciding whether or not the risk(s) is acceptable, are now well-embedded across the Council. External quality assurance of the Council's risk management arrangements is in place and there is clear evidence of risk being prioritised, resourced and evaluated at operational, service and corporate levels.

ii) Improvement Planning

Risk assessments are undertaken as part of the annual business and corporate planning processes. Risks are analysed, resourced and prioritised for action. These processes are subject of external audit by the Council's regulators.

iii) The Council's Transformation Programme

Risk management is an integral feature of the Council's programme and project management approach which underpins the Transformation Programme. For the Tier 1 programmes, risks are actively managed by the relevant Programme Board with a corporate risk register also maintained for the whole of the Transformation Programme.

The management of risk across the Transformation Programme is subject of audit by the Council's external regulators.

iv) Business Continuity

Business continuity management is a process which analyses the impact on a business which directly affects the services provided by the Council. Its purpose is to identify critical activities and functions that have to continue at a minimum during a disruption of service delivery or when responding to an emergency.

v) Operational Risk Management

In addition to those risk processes outlined above there are a number of service / operational risk systems e.g. Child Protection Register / MAPPA/MARAC which may need to be considered when identifying corporate risks.

This policy builds upon the existing risk management processes but introduces a consistent approach to the management of risk and describes how processes will be integrated at the directorate and corporate level to produce directorate and corporate risk registers.

Step 2 – Risk / Opportunity - Analysis & Assessment (Directorate level)

Analysis:

At the Directorate level, a Directorate Risk Register – (Appendix 6 – page 22 (CRMS/01)) will be populated by Senior Management Teams with the significant risks identified via the already established qualitative and quantitative risk assessment processes described in Step 1.

The maintenance of the Directorate risk register is the responsibility of the relevant Corporate Director. There is an opportunity at this stage for Senior Management Teams to add any risks (Step 1) to their Directorate Risk Registers that may not have been identified via the other processes e.g. findings of audit and inspections. When identifying risks, the risk factor scenarios (contained in Appendix 3 – page 17) should be used as a prompt. This will ensure a strategic approach to risk identification is taken and does not just concentrate on operational, financial or legal risks.

Assessment:

An important stage in the risk management process is the identification of an organisation's "risk appetite". In other words, what level of risk the Council is prepared to tolerate before it takes protective action. To ensure there is a balanced "risk appetite" greater consistency is required across the Council in the assessment of risk. A methodology has been created to support managers in achieving greater consistency (described at Appendix 4 – page 19). Training and support will be provided to managers in applying the methodology.

Step 3 – Management of Risks/Opportunities – Control

Following the identification and collation of Directorate risks, the Directorate Risk Registers will be presented by the relevant Corporate Director to Corporate Directors Group (CDG). The Directorate Risk Registers will highlight those risks considered a priority by the Senior Management Teams for inclusion on the Corporate Risk Register (Appendix 7- page 23 CRMS/02)). The Corporate Risk Register will already be populated with those risks identified for the Transformation Programme.

There is an opportunity at this stage for Corporate Directors to add and assess any new risks / opportunities (Step 1 / Step 2) to the Corporate Risk Register that may not have already been identified.

Once Corporate Directors Group (CDG) have agreed which risks are to be included on the Corporate Risk Register the process of controlling and monitoring those risks will be transferred from Directorate to corporate level.

For those risks remaining on the Directorate risk register the process of controlling and monitoring remains the responsibility of the Corporate Director.

Step 4 – Monitoring & Review

a) Directorate Risk Registers

Directorate risk registers will be systematically and regularly reviewed by Senior Management Teams. Reviews shall include the production of verifiable evidence so as to accurately determine and measure the Directorate's performance in mitigating / controlling the identified risks. Typical inputs include the following although this list must not be considered exhaustive:

- the extent to which the risk is being controlled / mitigated
- follow – up actions from previous senior management teams reviews
- changing circumstances including developments in legal and other requirements related to the risk which may need to be added to the register and re-prioritised

Information shall be collated by the Senior Management Team in advance of each review to enable the Team to address the need, if appropriate, for changes to the way in which the risk is being controlled / mitigated and the resources allocated.

Directorate Risk Registers will be reported to Policy & Resources Cabinet / Scrutiny Committee on a 6 monthly rolling basis.

b) Corporate Risk Register

A six monthly review of the Corporate Risk Register by Corporate Directors Group will be undertaken. The reviews shall include the production of verifiable evidence so as to accurately determine and measure the Authority's performance in mitigating / controlling the Corporate Risk Register. Typical inputs include the following although this list must not be considered exhaustive:

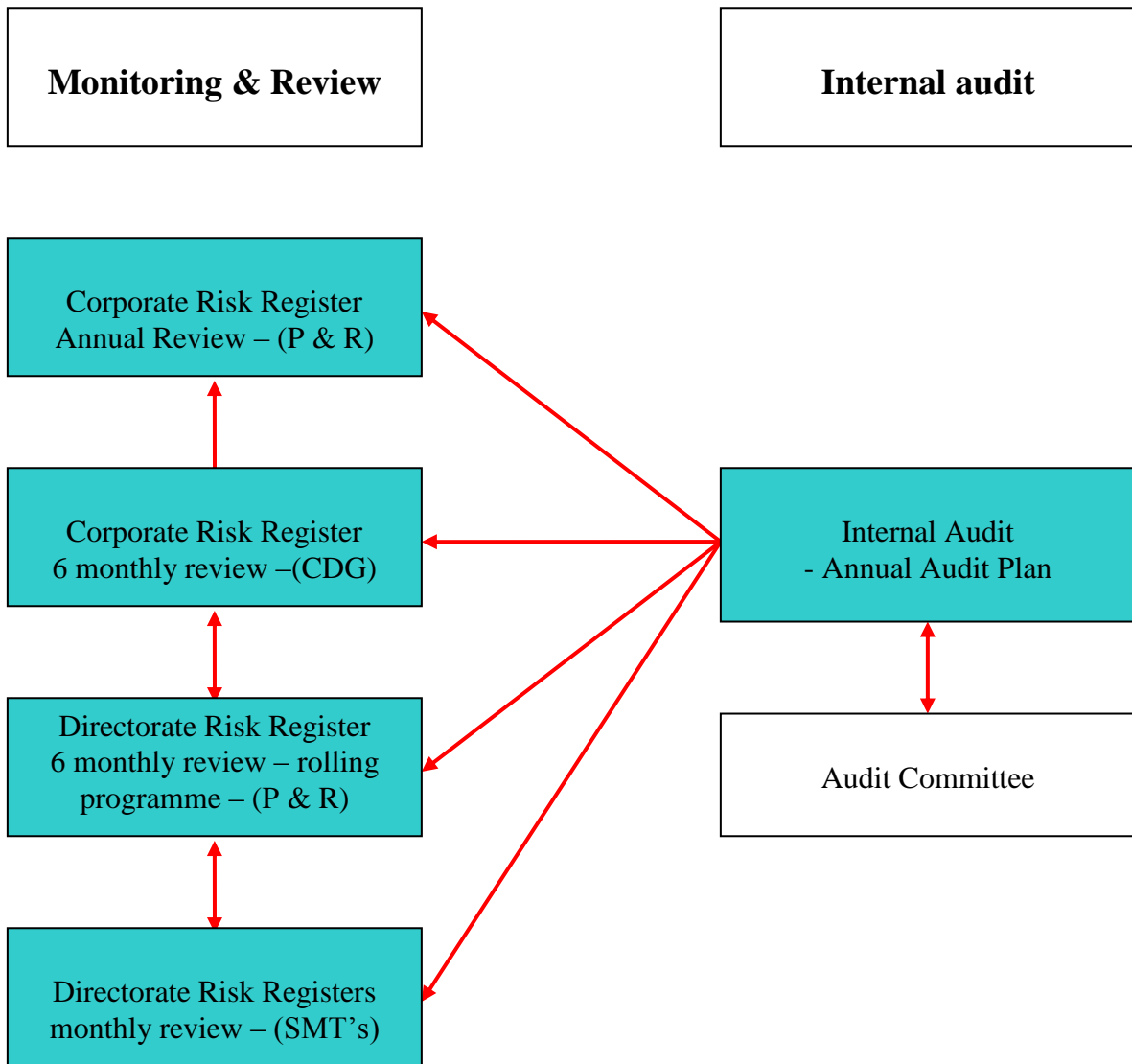
- the extent to which the risk is being controlled / mitigated
- follow – up actions from previous management reviews
- changing circumstances including developments in legal and other requirements related to the risk which may need to be added to the register and re-prioritised

Information shall be collated by the Corporate Director in advance of each review to enable the Group to address the need, if appropriate for changes to the way in which the corporate risk is being controlled / mitigated and the resources allocated.

The Corporate Risk Register will be reported to Policy & Resources Cabinet / Scrutiny Committee on an annual basis.

c) Internal Audit

Internal audit will function as “an independent, objective assurance and consulting activity designed to add value and improve the Council’s operations. It will assist the Council to accomplish its objectives by bringing a systematic, disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes”. The framework for monitoring and reviewing the Council’s risks will contribute to the development of the Council’s Internal Audit annual audit plan (see overleaf).



7. Implementation

Following approval of this policy, an implementation plan will be developed to ensure the policy aims are achieved. The Director of Finance and Corporate Services will be responsible for overseeing the implementation of the policy.

8. Review

The contents of this policy will be regularly reviewed by the Director of Finance and Corporate Services. Changes to legislation and the working practices of the Council will be kept under review to identify any changes that maybe necessary. If required, expert advice will be obtained.

Reference Publications

1. OHSAS 18002: 2007 Guidelines for the implementation of BS OHSAS 18001.
2. Revised Wales Programme for Improvement Guidance for Local Authorities 2005 (Circular 28/2005).
3. Local Government (Wales) Measure 2009
4. "Managing Successful Projects with PRINCE2 (OGC) 2002"

Roles and Responsibilities within the Corporate Risk Management Strategy

High standards of risk management shall be achieved through proactive and positive leadership. To achieve this it is necessary to detail the organisational arrangements within which corporate risk can be managed and to specify the responsibilities for the identification and management of risk.

Chief Executive:

- i) The Chief Executive is ultimately responsible for this corporate risk management policy.
- ii) He will ensure that Corporate Directors establish and maintain effective risk management systems and ensure the arrangements are followed as appropriate.

Director of Finance:

- i) Will ensure that an effective policy is in place to manage risks throughout the Council
- ii) Will be responsible for the overseeing the implementation and continuous development of the Policy, the Corporate Risk Register and procedures.

Elected Members:

Policy & Resources Scrutiny Committee:

- i) Will assist in the monitoring and evaluation of risk management.

All Members:

- ii) Will assist in the provision of risk management direction for the Council and ensure the corporate risk management policy is implemented

Corporate Directors' Group:

- i) Will monitor and review the approach proposed in relation to corporate risk management
- ii) Will review on a 6 monthly basis the Corporate Risk Register and take actions to mitigate those risks.
- iii) Will report annually to Members on the progress made in controlling and mitigating corporate risks.

Heads of Service:

- i) Will monitor and review respective Directorate Risk Registers on a monthly basis
- ii) Will identify those significant Directorate risks to be escalated up to the Corporate Risk Register
- iii) Will report on a six monthly rolling programme basis to Members on the progress made in controlling and mitigating Directorate risks
- iv) Promote and embed the Corporate Risk Management Policy into the day to day decision making process and culture within Neath Port Talbot County Borough Council

Risk Management Team:

(Corporate Health & Safety Manager; Chief Accountant; Internal Auditor; Insurance Manager; Corporate Programme Manager; Senior Change & Innovation Officer)

- i) Will maintain and monitor the current risk management processes and report to the Director of Finance
- ii) Promote and embed the Corporate Risk Management Policy into the day to day decision making process and culture within Neath Port Talbot County Borough Council
- iii) Will support Corporate Directors Group and Senior Management Teams

Employees:

- i) Will understand their role in the risk management process with regard to risk identification, analysis, control and risk management action plans
- ii) Will manage risk effectively in their job

Risk Factor Scenarios:

<p style="text-align: center;">Political</p> <p><i>Arising from the political situation</i></p> <ul style="list-style-type: none"> • Change of government policy • Delivery of local policy & strategic priorities • Change of local policy or priorities • Unfulfilled promises to electorate • Political make-up • Stability of political situation • Election cycles • Decision-making structure • Meddling / abuse (e.g. fraud) • Leadership issues • Reputation management • Response to innovation / modernisation 	<p style="text-align: center;">Economic</p> <p><i>Arising from the national, local and organisational specific economic situation</i></p> <ul style="list-style-type: none"> • Treasury – investments, reforms • Borrowing, lending, investments and interest rates • Budgetary position • Poverty indicators • Key employment sectors • Demand predictions (e.g. social care) • Competition between suppliers • General / regional economic situation • Unrecorded liabilities • Value / cost of capital or assets • Impact of civil emergency (e.g. flood) • Council tax levels 	<p style="text-align: center;">Social</p> <p><i>Arising from the national and local demographics and social trends</i></p> <ul style="list-style-type: none"> • Social changes • Demographic profile (e.g. age, race) • Residential patterns and profiles • Health statistics / trends • Leisure and cultural provision • Crime statistics / trends • Children at risk • Older people • Employment • Lifelong Learning • Regeneration • Disadvantaged groups / communities 	<p style="text-align: center;">Technological</p> <p><i>Arising from technological change and the organisational technological situation</i></p> <ul style="list-style-type: none"> • Technological strategy • Technological change / advance • Current use / reliance on technology • Current or proposed technology partners • State of architecture • Obsolescence of technology • Current performance and reliability • Security and standards • Technological demand (e.g. customer needs) • Failure of key system • Technological support for innovation • Procurement of best technology and sustainability of system
<p style="text-align: center;">Legislative / Regulatory</p> <p><i>Arising from current and potential legal changes and the organisations regulatory responsibilities</i></p> <ul style="list-style-type: none"> • European directives • New / existing legislation • Exposure to regulators • Responsiveness to criticism • Local Government (Wales) Measure 	<p style="text-align: center;">Environmental</p> <p><i>Arising from inherent issues concerned with the physical environment</i></p> <ul style="list-style-type: none"> • Nature of the environment • Land use (e.g. green belt etc) • Waste disposal and recycling issues • Exposure to drainage problems • Traffic problems / congestion • Planning / transportation • Pollution, emissions, noise • Climate change • Energy efficiency 	<p style="text-align: center;">Competitive</p> <p><i>Arising from the organisation's competitive spirit and the competitiveness of services, etc</i></p> <ul style="list-style-type: none"> • Relationships with neighbouring authorities and stakeholders • Success in securing funding • Nature of service provision • Competition for service users, e.g. car parks • Bids for Government funds • Cost, quality, value for money • Public against Private Sector or other Agency 	<p style="text-align: center;">Customer / Citizen</p> <p><i>Arising from the need to meet current and changing needs or expectations of customers and citizens</i></p> <ul style="list-style-type: none"> • Customer care • Extent and nature of consultation with/involvement of community • Demographics • Relationship with community leaders, tenant groups etc • Visibility of services (e.g. refuse collection) • Service delivery – response, feedback, complaints etc • Reputation management

<p>Professional / Managerial <i>Arising from the need to be managerially and professionally competent</i></p> <ul style="list-style-type: none"> • Views arising from peer reviews • Professional / managerial standing of key officers • Stability of officer structure • Competency and capacity • Turnover, recruitment and retention • Change – implementation and management • Training and development • Partnership working • Mission, vision and values 	<p>Financial <i>Arising from the financial planning and control framework</i></p> <ul style="list-style-type: none"> • Financial situation of authority • Level of reserves • Budgetary policy and control • Delegation of budget and financial disciplines • Monitoring and reporting systems • Control weaknesses • Grants and external funding • Insurance – adequacy of covers • Capital • Interest rates, inflation, income tax • Efficiency, invest in priorities, disinvestment non-priority areas 	<p>Legal <i>Arising from changes to legislation and / or possible breaches of legislation</i></p> <ul style="list-style-type: none"> • Legal challenges, judicial review • Adequacy of legal support • Boundaries of corporate and personal liabilities • Sufficient reserves to defend legal challenge or unrecorded liabilities • Reputation management • Partnership – legal liabilities, contractual liabilities 	<p>Physical <i>Arising from physical hazards or possible gains associated with people, land, buildings, vehicles, plant and equipment</i></p> <ul style="list-style-type: none"> • Assets – nature and state of asset base including record keeping • Commitment to health and safety and well being of staff, partners and the community • Risk assessments • Accident and incident record keeping • Maintenance practices • Business continuity • Security – staff, assets, buildings, equipment, plant, machinery, vehicles • Assets – purchase, leasing, sales, rent, revenue, income, maintenance • HR Strategy – training, development, health etc
<p>Partnership / Contractual <i>Arising from partnerships and contracts</i></p> <ul style="list-style-type: none"> • Key partners – from public, private and voluntary sectors • Accountability frameworks and partnership boundaries • PFI Schemes • Large scale projects involving joint ventures • Outsourced services • Relationship management • Procurement arrangements / contract renewal policy • Performance of partnerships / contractors 	<p>The categories are neither prescriptive nor exhaustive but provide a prompt for identifying and categorising a broad range of opportunities and risk based scenarios facing the Council. Each category cannot be considered in isolation. Managers must consider the risks/opportunities associated with each of the sub-categories and their inter-relationships if a full assessment is to be carried out.</p>		

Assessment

A manager’s risk tolerance level is based on their knowledge, skills and experience which is ultimately subjective to the individual. One of the key aims of this policy is to help managers view risks in a consistent way and ensure the Council has a balanced “risk appetite”. Therefore the completion of the scenario tolerances table (overleaf) for those new risks identified at the Directorate / Corporate level will facilitate consistency of the “risk appetite”

Each of the **13** critical risk factors contained in the table **must** be considered and scored appropriately to a maximum of **39** points i.e. **13** risk factors X **3** =**39**. A narrative should be included on the table illustrating why that level of risk has been given.

Green	(1 point)	-	Low
Yellow	(2 points)	-	Medium
Red	(3 points)	-	High

The minimum score is **13** points i.e. **13** risk factors X **1** = **13**. In such circumstances, the risk should be managed at operational level as part of the services day to day activities e.g. via business plans and should not be included within the Directorate or Corporate risk registers.

The score of the critical risk factors should then be weighted against the standard **5X5** matrix (see Appendix 5) using the conversion table at the bottom of page 12 to determine the “risk factor”. Where appropriate the score (**1- 5**) will then be transferred to the Directorate and Corporate risk register.

Risk Factor Scenarios	Scenario Tolerances		
	1	2	3
1. Political			
2. Economic			
3. Social			
4. Technological			
5. Legislative			
6. Environmental			
7. Competitive			
8. Citizen			
9. Professional			
10. Financial			
11. Legal			
12. Physical			
13. Partnership/ Contractual			

Conversion Table

		Risk Factors to Risk Evaluation Conversion																											
Risk Factors	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39			
Risk Evaluation	1L	1H	2L	2H	3L	3H	4L	4M	4H	5L	6L	5H	6H	8L	8H	9	10L	10H	12L	12H	15L	15H	16	20L	20H	25			

Standard 5 x 5 Risk Matrix

Key								
Likelihood	Impact							
1. Very likely 2. Unlikely 3. Likely 4. Very Likely 5. Certainty	1. Low 2. Low / Medium 3. Medium 4. Medium / High 5. High	Likelihood	5	5H	10H	15H	20H	25
			4	4H	8H	12H	16	20L
			3	3H	6H	9	12L	15L
			2	2H	4M	6L	8L	10L
			1	1L	2L	3L	4L	5L
			0	1	2	3	4	5
		Impact						



Low Risk



Medium Risk



High Risk

DIRECTORATE RISK REGISTER

Directorate:

Ref / No	Raised on	Raised by	Risk Description	Impact	Likelihood	Overall Risk Factor	Proximity	Control Measures	Action Owner	Risk Re-Evaluation	Done by	Risk Movement
South Wales Local Resilience Forum Community Risk Registers												
SWLRF1												
SWLRF2												
SWLRF3												
Health and Safety												
HS1												
HS2												
HS3												
Programme Management												
PM1												
PM2												
PM3												
Improvement Planning												
IP1												
IP2												
IP3												

CRMS/02/01

CORPORATE RISK REGISTER

Ref / No	Raised on	Raised by	Risk Description	Impact	Likelihood	Overall Risk Factor	Proximity	Control Measures	Action Owner	Risk Re-Evaluation	Done by	Risk Movement
South Wales Local Resilience Forum Community Risk Registers												
SWLRF1												
SWLRF2												
SWLRF3												
Health and Safety												
HS1												
HS2												
HS3												
Programme Management												
PM1												
PM2												
PM3												
Improvement Planning												
IP1												
IP2												
IP3												

CRMS/03/01