

Committee(s)	Dated:
Establishment Committee	16 September 2016
Subject: Comptroller and City Solicitor's Departmental Risk Management report	Public
Report of: Michael Cogher – Comptroller and City Solicitor	For Information
Report author: Nick Senior – Comptroller and City Solicitor's Department	

Summary

The purpose of this report is to provide an update on the Comptroller and City Solicitor's departmental risks as at 30 August 2016.

Recommendation(s)

The Committee is recommended to note the report.

Main Report

Background

1. The Audit and Risk Management Committee require departments to maintain a risk register using the Covalent risk management system and provide a quarterly risk management report to their respective committee.

Current Position

2. The departmental risks are summarised in Appendix 1.
3. Strategic and operational risks are reviewed by the C&CS Senior Management Team on a monthly basis.
4. The Committee are requested to note that the risk rating for Risk CCS003 Managing Legal Risk has been reduced to the target risk rating of 4 on the basis that the risk management procedures in place were audited during the LEXCEL (Law Society quality standard) assessment in June 2016 and were found to be highly compliant with the standard required.

Conclusion

5. The Establishment Committee is requested to approve this report.

Appendices

- Appendix 1 – Comptroller and City Solicitor’s Departmental Risk Register

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Appendix 1

Comptroller and City Solicitor – Departmental Strategic Risk Report

Code	CCS 001	Title	Recruitment and retention of experienced legal staff
Description	Cause - Private sector legal firms and other local authorities may offer more attractive remuneration packages Event - Loss of critical expertise and competence Effect - Delivery of legal advice and documentation delayed, loss of income, assets exposed to higher risks		
Category	Legal	Approach	Accept (the costs of mitigation outweigh the benefits)
Risk Level	Departmental	Risk Owner	Michael Cogher
Strategic Aim	SA2- To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.	Key Policy Priority	KPP2- Maintaining the quality of public services whilst reducing our expenditure and improving our efficiency
Department	Comptroller & City Solicitors	Committee	Establishment Committee
Current Risk Assessment, Score & Trend Comparison			
Likelihood	Possible	Target Risk Assessment & Score	
Impact	Serious	Likelihood	Unlikely
Risk Score	6	Impact	Serious
Review Date	09-Aug-2016	Risk Score	4
		Target Date	31-Mar-2017
Latest Note	A benchmark of salaries with market supplements, salary progression opportunities and flexible working arrangements across London local authorities indicates that CCS offers a competitive and attractive package.		

Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
CCS 001a	Monitor market conditions	Review workforce reports to monitor staff turnover	Michael Cogher	30-Sep-2016	100%	Benchmark of local authority salaries indicates that CoL salaries with the option of market supplements are competitive
CCS 001b	Review MFS	MFS will be reviewed by HR at the next corporate review.	Michael Cogher	01-Apr-2017	100%	Market Forces Supplement review now complete market supplements increased. CoL Market forces supplements considered sufficient to attract staff.
CCS 001c	Review Salary Competitiveness	Benchmark salary data against other local authorities to ensure salaries and market supplements are competitive	Nick Senior	31-Mar-2017	0%	Further review of CCS remuneration package commencing on 1 October 2016

Code	CCS 002	Title	Loss of Information Assets
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Description	Cause - Inadequate checking of content before despatch, lack of adequate supervision, failure to follow agreed procedures Event - Loss of personal data and/or COL hardware Effect - severe financial penalty, reputation damaged, breach of confidentiality
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Category	Financial	Approach	Reduce (By appropriate remedial action)
Risk Level	Departmental	Risk Owner	Michael Cogher

Strategic Aim	SA2- To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.	Key Policy Priority	KPP2- Maintaining quality of our public services whilst reducing our expenditure and improving our efficiency
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Department	Comptroller & City Solicitors
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Committee	Establishment Committee
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Current Risk Assessment, Score & Trend Comparison	 6 ↔ No change
Likelihood	Possible
Impact	Serious
Risk Score	6
Review Date	10-Aug-2016

Target Risk Assessment & Score	 4
Likelihood	Unlikely
Impact	Serious
Risk Score	4
Target Date	31-Mar-2017

Latest Note	DPA audits continue. A review of CCS hard copy data security is underway with the objective of improving the security of hard copy data.
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Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
CCS 002a	Carry out periodic DPA audits	Undertake periodic DPA audits to test compliance levels.	Michael Cogher	31-May-2016	100%	Further DPA audits undertaken with high levels of compliance.
CCS 002b	Undertake quarterly DPA audits	Quarterly DPA audits to be undertaken by CCS Information Team	Michael Cogher	31-Mar-2017	0%	Next DPA audit to be undertaken October 2016 with report on findings to CCS SMT and corrective action plan.

Code	CCS 003	Title	Managing Legal Risk
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Description	<p>Cause - Lawyers not up to date with law, poor communication, lack of supervision, agreed procedures not followed, file reviews not completed</p> <p>Event - physical and intellectual property assets at risk, court hearings missed, high risk matters not reported, inadequate advice provided, cases not progressed in a timely fashion</p> <p>Effect - financial penalty, clients loss of confidence in the legal service, reputation</p>
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Category	Legal	Approach	Reduce (By appropriate remedial action)
Risk Level	Departmental	Risk Owner	Michael Cogher

Strategic Aim	SA2- To provide moder, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.	Key Policy Priority	KPP2- Maintaining quality of our public services whilst reducing our expenditure and improving our efficiency
Department	Comptroller & City Solicitors	Committee	Establishment Committee

Current Risk Assessment, Score & Trend Comparison	
Likelihood	Unlikely
Impact	Serious
Risk Score	4
Review Date	19-Aug-2016

Target Risk Assessment & Score	
Likelihood	Unlikely
Impact	Serious
Risk Score	4
Target Date	31-Mar-2017

Latest Note	Legal risk management procedures assessed as robust and compliant with the Law Society LEXCEL standard following the annual audit on 13 June 2016. Compliance with these procedures tested internally, likelihood reduced to unlikely on this basis.
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Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
CCS 003a	Staff undertake regular risk reviews	Each matter is risk assessed on receipt and marked as high risk where appropriate	Michael Cogher	30-Sep-2016	100%	Risk data reviewed
CCS 003b	SMT reviews risk data quarterly	SMT reviews quarterly legal risk and performance data to ensure legal matters are progressed in a timely fashion	Michael Cogher	30-Sep-2016	100%	SMT quarterly review of high risk matters on-going
CCS 003c	DMT review monthly High Risk reports	SMT reviews high risk reports and agrees future strategy	Michael Cogher	30-Sep-2016	100%	SMT reviewed risks on 31/03/2016
CCS 003d	Review risk management procedures	Risk management procedures review and testing to ensure effectiveness and compliance	Michael Cogher	31-Mar-2017	25%	Procedures checked August 2016 and found to be robust and working effectively

Code	CCS 004	Title	Successful operation of Oracle OPN
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Description	<p>Cause - Oracle OPN replaced the Manhattan commercial property management and rent system</p> <p>Event - Continued operational difficulties caused by OPN</p> <p>Effect - If the application does not function as planned there is a risk that commercial income will not be invoiced on the due dates resulting in increased arrears</p>
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Category	Financial	Approach	Transfer (To a third party or insurer)
Risk Level	Departmental	Risk Owner	Nick Senior

Strategic Aim	SA2- To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.	Key Policy Priority	KPP2- Maintaining quality of our public services whilst reducing our expenditure and improving our efficiency
Department	Comptroller & City Solicitors	Committee	Establishment Committee

Current Risk Assessment, Score & Trend Comparison	 8 ↔ No change
Likelihood	Unlikely
Impact	Major
Risk Score	8
Review Date	22-Aug-2016

Target Risk Assessment & Score	 4
Likelihood	Unlikely
Impact	Serious
Risk Score	4
Target Date	31-Mar-2017

Latest Note	As the 2016 Q1 billing was generated successfully from OPN the likelihood status is now rare this will be further evaluated based on the system performance at Q2.
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Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
CCS 004a	Migrated data needs significant cleansing	Migrated data was poor in quality and impacted on accurate billing and reporting	Nick Senior	31-Mar-2016	100%	Some data was reprocessed to ensure that accurate OPN reports are published
CCS 004b	Adjust migrated accounts to ensure accurate billing	Certain billing information requires changing to ensure that accounts are billed in accordance with the legal agreements	Nick Senior	01-Oct-2015	100%	Pre-billing reports are checked to ensure accuracy of invoices.
CCS 004c	Document procedures to generate knowledge base	Very little documentation exists as user manuals. New documentation needs to be produced to act as a definitive user guide and single reference point	Nick Senior	31-Mar-2016	100%	First draft of documentation has been completed. Further information will be added as processes are developed.
CCS 004d	Assess system performance following Q2 rent billing	Continuing system performance assessment	Nick Senior	31-Oct-2016	0%	Concerns that system performance continues to create operational efficiencies.

Code	CCS 005	Title	Ability to access critical systems at disaster recovery site
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Description	Cause - critical system (KMX) was not available during last business continuity exercise Effect - key officers unable to identify current legal work and access key legal documents.		
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Category	Legal
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Approach	Transfer (To a third party or insurer)
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Risk Level	Departmental
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Risk Owner	Nick Senior
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Strategic Aim	SA2- To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.
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Key Policy Priority	KPP2- Maintaining quality of our public services whilst reducing our expenditure and improving our efficiency
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Department	Comptroller & City Solicitors
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Committee	Establishment Committee
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Current Risk Assessment, Score & Trend Comparison	<p>6 ↔ No change</p>
Likelihood	Possible
Impact	Serious
Risk Score	6
Review Date	19-Aug-2016

Target Risk Assessment & Score	<p>2</p>
Likelihood	Rare
Impact	Serious
Risk Score	2
Target Date	31-Mar-2017

Latest Note	2016 Business Continuity test date in November 2016. Access to ICT systems from mobile devices of increasing significance and use to be further extended to further mitigate this risk.
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Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
CCS 005a	BCP - access to critical systems test	IS Division to test access to critical systems at business continuity exercises	Nick Senior	30-Nov-2016	0%	Next BCP test to be undertaken in November 2016.

Code	CCS 006	Title	Access to fully functioning office environment in the event of displacement
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Description	Cause - Disaster resulting in inability to use the North Block Event - immediate inability to continue to use the North Block as offices Effect - legal work would not be progressed or completed, delays for clients and delivery of projects and other services
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Category	Legal	Approach	Transfer (To a third party or insurer)
Risk Level	Departmental	Risk Owner	Nick Senior

Strategic Aim	SA2- To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.	Key Policy Priority	KPP2- Maintaining quality of our public services whilst reducing our expenditure and improving our efficiency
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Current Risk Assessment, Score & Trend Comparison	
Likelihood	Possible
Impact	Serious
Risk Score	6

Target Risk Assessment & Score	
Likelihood	Unlikely
Impact	Minor
Risk Score	2

Review Date	22-Aug-2016	Target Date	31-Mar-2017
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Latest Note	Details of ICT/Office facilities and 2016 business continuity arrangements and testing required. Access to hard copy files critical to service delivery hence the major impact rating.
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Actions related to this risk:

Ref No:	Title	Action Description	Action Owner	Due Date	Progress	Latest Note
CCS 006a	Office space if North wing vacated	The CCS requires allocated office accommodation if the North Wing were not accessible for more than two working days	Michael Cogher	31-Mar-2017	0%	The current BCP is limited to short-term accommodation. CCS has been allocated 4 workstations at the London Metropolitan Archive. Longer-term arrangements for office accommodation are unclear, clarification required via corporate business continuity planning process.