

<b>Committee(s)</b> Port Health & Environmental Services Committee	<b>Dated:</b> 19 September 2017
<b>Subject:</b> Port Health & Public Protection Risks	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Information</b>
<b>Report author:</b> John Smith Department of Markets and Consumer Protection	

### **Summary**

This report has been produced to provide the Port Health & Environmental Services Committee with assurance that risk management procedures in place within the Department of Markets and Consumer Protection are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

Risk is reviewed regularly by the departmental Senior Management Team as part of the on-going management of operations within the Department of Markets and Consumer Protection. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register.

The Department of Markets and Consumer Protection have identified a number of departmental risks. Of these, the most significant risks for this Committee to consider are:

- CR21 – Air Quality (Current Risk: RED no change )
- MCP-PHPP 001 Brexit (Current Risk: AMBER no change)

### **Recommendation(s)**

Members are asked to:

- Note the report and the actions taken in the Department of Markets and Consumer Protection to monitor and manage effectively risks arising from our operations.

### **Main Report**

#### **Background**

1. The Risk Management Framework of the City of London Corporation requires each Chief Officer to report regularly to Committee the key risks faced in their department.

#### **Current Position**

2. This report provides an update of the key risks that exist in relation to the operations of the Port Health & Public Protection Services within the Department of Markets and Consumer Protection. The report also outlines the processes adopted for the on-going review of risk and mitigating actions.

## **Risk Management Process**

3. The Department of Markets and Consumer Protection risk management is a standing agenda item at the two-monthly Departmental Senior Management Group (SMG) meeting, over and above the suggested quarterly review. SMG receives the risk register for review, together with a briefing note highlighting any changes since the previous review. Consideration is also given as to whether any emerging risks exist for inclusion in the risk register as part of Divisional updates on key issues from each of the Superintendents and Assistant Directors, ensuring that adequate consideration is given to operational risk.
4. Between each SMG meeting, risk and control owners are consulted regarding the risks for which they are responsible, with updates captured accordingly.
5. Regular risk management update reports are provided to this Committee in accordance with the City's Risk Management Framework.
6. The Director, accompanied by the Chairman, appeared before the Audit and Risk Management Committee in July for a 'Risk Challenge' session, so that the Committee could be assured that Risk within the Director's area of responsibility is adequately managed. The Director set out the department's key Risks as being about: Workplace Transport; Brexit; and Air Quality. Only the latter two are relevant to the PHES Committee. On both Brexit and Air Quality, which is also a Corporate Risk, the Director covered the ground that is explained in this report. There was also a discussion about illegal street trading, especially concerning nut-sellers by the bridges and ice-cream sellers, which led to a rather wider discussion about inspections of food establishments and the display of the Food Standards Agency's Food Hygiene Rating System (FHRS). In concluding the discussion, the Chairman of the ARM Committee thanked the Director for explaining how he was managing some very challenging risks and for his candour and insight.

## **Identification of New Risks**

7. New and emerging risks are identified through a number of channels, the main being:
  - Directly by SMG as part of the monthly review process.
  - In response to regular review of delivery of the departmental Business Plan; slippage against key deliverables, for example.
  - Annual, fundamental, risk register review, undertaken by the tier of management below SMG.

The risk register may be refreshed over and above the stated process for review and oversight, in response to emerging issues or changing circumstances.

## **Summary of Key Risks**

8. The Department of Markets and Consumer Protection's Risk Register for Port Health & Public Protection Services, attached as Appendix 1 to this report, includes one Red (Corporate) risk and one Amber risk:

### **CR21 – Air Quality (Current Risk: RED no change)**

Cause: Small particulate pollution has chronic health impacts from long term exposure at very low concentrations and is in evidence within the City and central

London. There is also a health impact associated with long term and short term exposure to nitrogen dioxide.

Event: Under certain atmospheric conditions there is a higher probability of poor air quality within the City and it is more likely that residents, workers and visitors would suffer the acute consequences.

Effect: The consequences both acute and chronic may include:

An increase in hospital referrals placed upon both emergency services and the NHS for those already suffering from respiratory or cardiovascular conditions (it may also place a strain on City social services).

An increase in deaths, particularly of those already suffering from respiratory or cardiovascular conditions (both residents and workers).

Economic costs such as acting as a deterrent of businesses coming to London or staying and financial penalties for non-compliance with air quality limits.

Persistent poor air quality may affect the longer term health of the City population.

Persistent poor air quality may attract adverse media coverage making the City seem a less attractive place to live and work.

### **MCP- PHPP 001 – Brexit (Current Risk: AMBER no change)**

Cause: UK decision to terminate membership of E.U (Brexit).

Event: Legislative changes

Effect: Increased risk to public, animal and environmental health. Increased risk to consumers. Reduction in income. Scarcity of qualified staff, e.g. Official Veterinarians (OVs). Potential for Increased workload depending on agreement reached

## **Conclusion**

9. Members are asked to note that risk management processes within the Department of Markets and Consumer Protection adhere to the requirements of the City Corporation's Risk Management Framework. Risks identified within the operational and strategic responsibilities of the Department of Markets and Consumer Protection are proactively managed.

## **Appendices**

- Appendix A – Port Health & Public Protection Risk Register Summary
- Appendix B – Risk Matrix

## **Background Papers**

Department Business Plan  
Department Risk Review  
Department Business Plan Progress Report  
Risk Management Strategy

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# MCP PH&PP Committee Risk Report Appendix A

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Rows are sorted by Risk Score

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>CR21 Air Quality</b> 07-Oct-2015 Jon Avern	<p><b>Cause:</b> Small particulate pollution has chronic health impacts from long term exposure at very low concentrations and is in evidence within the City and central London. There is also a health impact associated with long term and short term exposure to nitrogen dioxide.</p> <p><b>Event:</b> Under certain atmospheric conditions there is a higher probability of poor air quality within the City and it is more likely that residents, workers and visitors would suffer the acute consequences.</p> <p><b>Effect:</b> The consequences both acute and chronic may include:                      An increase in hospital referrals placed upon both emergency services and the NHS for those already suffering from respiratory or cardiovascular conditions (it may also place a strain on City social services).                      An increase in deaths, particularly of those already suffering from respiratory or cardiovascular conditions (both residents and workers).                      Economic costs such as acting as a deterrent of businesses coming to London or staying and financial penalties for non-compliance with air quality limits.                      Persistent poor air quality may affect the longer term health of the City population.                      Persistent poor air quality may attract adverse media coverage making the City seem a less attractive place to live and work.</p>	Likelihood 	16	no change from previous assessment  29 Aug 2017	Likelihood 	6	31-Dec-2020	 No change

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
CR21 001a Implement policies	Implement the policies contained in the City of London Air Quality Strategy 2015-2020. The strategy contains 10 policy areas with 60 specific actions. An annual report will be produced demonstrating progress with each action.	This action is now complete.	Jon Averbs	06-Oct-2016	31-Aug-2016
CR21 001b Review Air Quality	Review and assess air quality in line with statutory obligations of the Environment Act 1995. Submit all relevant statutory reports. Approval of all reports by Defra and the GLA will demonstrate compliance with statutory obligations.	This action is now complete.	Jon Averbs	06-Oct-2016	31-Aug-2016
CR21 001c Become an Exemplar Borough	Ensure the City Corporation becomes a Mayor of London Exemplar Borough for air quality.	This action is now complete.	Jon Averbs	06-Oct-2016	29-Dec-2017
CR21 001d Develop communication strategy.	Develop and implement a robust communications strategy to ensure people have sufficient information to reduce their exposure on days of 'high' air pollution.	This is now complete.	Jon Averbs	01-Mar-2017	31-Mar-2017
CR21e Develop plan	Develop and implement a plan for reducing the impact of diesel vehicles on air pollution in the Square Mile. This is to complement the work being undertaken by the Mayor of London to reduce air pollution in the central zone through the implementation of the Ultra-Low Emission Zone.	An initial feasibility study has been undertaken to look at options for reducing levels of pollution in Beech Street through vehicle management Vehicles have been restricted passing through Bank Interchange, the air quality impact is being assessed Several measures have been implemented in the City Low Emission Neighbourhood including: greening at a number of locations including Moor Lane, installation of 90 secure cycle parking spaces, audit of construction sites, detailed air quality monitoring, business engagement and workshops, business air quality grant scheme, freight surveys, clean air footprints and the provision of zero emission equipment for open spaces dept.	Jon Averbs	29-Aug-2017	31-Dec-2018

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
MCP-PHPP 001 Brexit  08-Nov-2016 Jon Aaverns	<b>Cause:</b> UK decision to terminate membership of E.U (Brexit). <b>Event:</b> Legislative changes <b>Effect:</b> Increased risk to public, animal and environmental health. Increased risk to consumers. Reduction in income. Scarcity of qualified staff, e.g. Official Veterinarians (OVs). Potential for increased workload depending on agreement reached.	 Likelihood	12	An independent report has been commissioned on the potential impacts of Brexit. An interim report is scheduled to go to the September 2017 Port Health Committee.  <b>13 Jul 2017</b>	 Likelihood	3	29-Mar-2019	  No change

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-PHPP 001a Liaise with Government departments and agencies.	Contribute to UK Government Listening mode.	Meetings continue to be held with relevant government departments and agencies, including hosting visits to the Port and HARC	Jon Aaverns	29-Aug-2017	29-Mar-2019
MCP-PHPP 001b Relevant legislation	Commission an independent report on the potential implications of the UK's exit from the EU on Animal Health and Port Health	The report has been commissioned and an interim report will go to the September 2017 PHES Committee.	Jon Aaverns	13-Jul-2017	30-Sep-2017
MCP-PHPP 001c Liaison with Remembrancer and other CoL depts.	Engage with stakeholders to assist in the identification of impacts and possible mitigations. Ensure Remembrancer and CoL depts. are fully aware of the implications of Brexit on PH and PP and that they lobby accordingly.	Meetings have been held with trade bodies, EDO and Remembrancer. A Senior Government Minister has been invited to visit Heathrow including the HARC on 25 September 2017.	Jon Aaverns	13-Jul-2017	31-Mar-2019
MCP-PHPP- 001d Respond promptly to developments	Respond promptly to policy decisions from the UK Government and the outcome of negotiations.	No specific proposals received to date.	Jon Aaverns	13-Jul-2017	31-Mar-2019

# City of London Corporation Risk Matrix (Black and white version)

Note: A risk score is calculated by assessing the risk in terms of likelihood and impact. By using the likelihood and impact criteria below (top left (A) and bottom left (B) respectively) it is possible to calculate a risk score. For example a risk assessed as Unlikely (2) and with an impact of Serious (2) can be plotted on the risk scoring grid, top right (C) to give an overall risk score of a green (4). Using the risk score definitions bottom right (D) below, a green risk is one that just requires actions to maintain that rating.

## Appendix B

### MCP Port Health & Public Protection Risk Report

#### (A) Likelihood criteria

	Rare (1)	Unlikely (2)	Possible (3)	Likely (4)
Criteria	Less than 10%	10 – 40%	40 – 75%	More than 75%
Probability	Has happened rarely/never before	Unlikely to occur	Fairly likely to occur	More likely to occur than not
Time period	Unlikely to occur in a 10 year period	Likely to occur within a 10 year period	Likely to occur once within a one year period	Likely to occur once within three months
Numerical	Less than one chance in a hundred thousand (<10-5)	Less than one chance in ten thousand (<10-4)	Less than one chance in a thousand (<10-3)	Less than one chance in a hundred (<10-2)

#### (C) Risk scoring grid

Likelihood	X	Impact			
		Minor (1)	Serious (2)	Major (4)	Extreme (8)
Likely (4)		4 Green	8 Amber	16 Red	32 Red
Possible (3)		3 Green	6 Amber	12 Amber	24 Red
Unlikely (2)		2 Green	4 Green	8 Amber	16 Red
Rare (1)		1 Green	2 Green	4 Green	8 Amber

#### (B) Impact criteria

Impact title	Definitions
Minor (1)	<b>Service delivery/performance:</b> Minor impact on service, typically up to one day. <b>Financial:</b> financial loss up to 5% of budget. <b>Reputation:</b> Isolated service user/stakeholder complaints contained within business unit/division. <b>Legal/statutory:</b> Litigation claim or find less than £5000. <b>Safety/health:</b> Minor incident including injury to one or more individuals. <b>Objectives:</b> Failure to achieve team plan objectives.
Serious (2)	<b>Service delivery/performance:</b> Service disruption 2 to 5 days. <b>Financial:</b> Financial loss up to 10% of budget. <b>Reputation:</b> Adverse local media coverage/multiple service user/stakeholder complaints. <b>Legal/statutory:</b> Litigation claimable fine between £5000 and £50,000. <b>Safety/health:</b> Significant injury or illness causing short-term disability to one or more persons. <b>Objectives:</b> Failure to achieve one or more service plan objectives.
Major (4)	<b>Service delivery/performance:</b> Service disruption > 1 - 4 weeks. <b>Financial:</b> Financial loss up to 20% of budget. <b>Reputation:</b> Adverse national media coverage 1 to 3 days. <b>Legal/statutory:</b> Litigation claimable fine between £50,000 and £500,000. <b>Safety/health:</b> Major injury or illness/disease causing long-term disability to one or more people <b>objectives:</b> Failure to achieve a strategic plan objective.
Extreme (8)	<b>Service delivery/performance:</b> Service disruption > 4 weeks. <b>Financial:</b> Financial loss up to 35% of budget. <b>Reputation:</b> National publicity more than three days. Possible resignation leading member or chief officer. <b>Legal/statutory:</b> Multiple civil or criminal suits. Litigation claim or find in excess of £500,000. <b>Safety/health:</b> Fatality or life-threatening illness/disease (e.g. mesothelioma) to one or more persons. <b>Objectives:</b> Failure to achieve a major corporate objective.

#### (D) Risk score definitions

<b>RED</b>	Urgent action required to reduce rating
<b>AMBER</b>	Action required to maintain or reduce rating
<b>GREEN</b>	Action required to maintain rating

This is an extract from the City of London Corporate Risk Management Strategy, published in May 2014.  
 Contact the Corporate Risk Advisor for further information. Ext 1297  
 Version date: December 2015