

Corporate Risk Register - December 2019

Ref	Risk Description	Opened	Risk score before controls (LxC)	Existing Controls in Place	Risk score after controls (LxC)	Risk Appetite	Further actions required	Residual Risk trend (6 months)	Risk Owner
CRR.01	Children's Operational Staffing / Workforce IF/AS: We are unable to recruit and maintain a stable, experienced social care workforce THEN: Caseloads for social workers will be higher than wanted and may affect the quality of casework for children	Oct-17	25 (5x5)	A recruitment and retention plan has been implemented and specific actions taken to reduce turnover and improve the attractiveness of our offer to experienced staff. We have commissioned an agency to undertake a search process under the 'urgent to rural' banner. We are actively engaging with regional colleagues to influence wider work and to reduce reward package escalation. We have engaged a number of agency workers as a result of regional collaboration which has provided additional capacity. Grow our own activity has been agreed and has been progressed during 2019-20	20 (4x5)	Further mitigation required	Cabinet have approved an additional £1.6m to support reducing caseloads by recruiting to social work posts, we have in place a number of initiatives to recruit social workers into the organisation; including for example ASYE offer; Urban to Rural and through the apprenticeship scheme to train new staff to achieve their social work qualification.	_____	Director Children & Families
CRR.02	Market workforce economy IF: the current limited capacity within the social care workforce continues THEN: will there will be an impact on availability of services - this is particularly true of Registered Managers and Nurses	Mar-17	25 (5x5)	External market workforce project launched - the care heroes campaign to attract and retain more people into care and support providers with recruitment & training costs. Fees have been increased to dom care providers with a steer that front line staff should benefit. Monthly provider forums with commissioning services and close monitoring of market capacity and responses.	16 (4x4)	Further mitigation required	Ensuring that the Adult Social Care agenda is high on priority list for other Directorates. Working with economic partners on master planning to shape the future market.	_____	Director Adults & Communities
CRR.03	Budget and Savings Plans - Children & Families IF/AS: The demand for placements for looked after children and care leavers exceeds that planned for when the budget was set THEN: the spend will be greater than the budget within children and families IF/AS: The savings plans across the directorate are not delivered with support from council services THEN: Resources and the MTFs across the council may be at risk	Apr-17	20 (4x5)	Budget is reviewed monthly DLT/SMT/Management Board and then informing Cabinet. Alternatives to care panel in place on a weekly basis to review cases that may be considered to be moving towards becoming looked after, chaired by the AD safeguarding and family support. Corporate contingency in place as part of 2019/2020 to cover any spend over planned budget	16 (4x4)	Further mitigation required	Business case for Edge of Care Service been developed with input from Staffordshire Council; cabinet agreed in principle to use of earmarked reserves in 2019/20 to start the edge of care service subject to cabinet member decision.	_____	Director Children & Families
CRR.04	Human Rights claims IF: a result of high court decisions regarding children's social care cases THEN: Herefordshire council may face Human Rights claims.	Dec-16	16 (4x4)	Case review work has been undertaken by children's social care and by legal services and submitted to court. Legal services have reviewed current cases to assess for potential human rights claims. Communications briefed on response from council, including training, audit of any cases with similar presenting features and action to address any recommendations from the judgement; communications to cabinet, children's scrutiny and all members; communication to chair of HSCB and also to regional lead for safeguarding with Ofsted. In light of court judgements, cases are reassessed. Practice improvements are identified through this work and steps taken to embed changes in day to day work.	16 (4x4)	Further mitigation required	Children's services and legal services reassess cases in light of court judgements. Practice improvements are identified through this work and steps taken to embed changes in day to day work.	_____	Director Children & Families
CRR.06	Council Redesign/Resources IF: Reducing resources in the form of grant, uncertainty and the requirement to deliver transformation at speed combine THEN: there will be an risk of failure to meet statutory and/or legal duties and powers.	Jun-15	25 (5x5)	Transformation programme within each directorate, corporate plan, refreshed governance and constitution, quarterly performance management reporting and director performance management through appraisal system.	12 (3x4)	Further mitigation required	Benefits realisation and review arrangements through quarterly performance management	_____	Chief Executive
CRR.07	Deprivation of Liberty IF: The authority does not meet the statutory requirements for Deprivation of Liberty Safeguards and individuals are unlawfully deprived of their liberty THEN: The authority faces a risk of being taken to the Court of protection, increasing the risk of Costs and Financial penalties for the Local Authority	Oct-14	20 (4x5)	Additional investment into DoL's has been made and will be maintained. Weekly performance management of waiting list is in place. Regular reporting and review up to Director Level and to Safeguarding Adults Executive Group. Recruitment of external Best Interest Assessors - although these are limited in availability due to national demand. The DoLS team check all referrals for DoLS against list of open safeguarding referrals to ensure these cases are prioritised. ADASS triage criteria are followed to identify cases where there is a high risk to the individual and a high risk to the Council of litigation. Three full time BIA posts have been created and a MCA DoLS team manager post has been created as part of the adults social care restructure. Further awareness training with staff and providers, additional legal support and constant review and prioritisation of cases waiting for assessment. Programme to train staff as BIAs in place. Independent BIA engagement plan ongoing two additional full time seconded posts created and filled. Multi agency MCA and DoLS policies completed. agency MCA and DoLS policies completed.	12 (3x4)	Accept		_____	Director Adults & Communities
CRR.08	Recruitment Strategy IF: the council is unable to recruit the level and scale of staff required to vacant posts across the organisation due to inability to attract and/or an unsustainable employable local demographic THEN: there will be insufficient staff to meet service demands; an inability to progress service development; and a financial implication of using agency staff/contractors.	Aug-18	16 (4x4)	Short term reductions in capacity are accommodated by prioritisation and reallocating work amongst staff. Analysis identifying posts which are hard to recruit to. Involvement in regional workforce development and agency market management. Recruitment and retention initiatives.	12 (3x4)	Accept		_____	Head of HR and Organisational Development
CRR.09	EU exit IF: following the EU exit there is uncertainty or policy decisions that impact the council THEN: there may be an impact on the economic and social programmes of the Council and its partners, including: interest rates and exchange rates impacting on the Affordability of the council's capital programme; and restriction on the free movement of people which could lead to skills gaps and adverse impact on the workforce.	Aug-18	16 (4x4)	Inclusion of an assessment of the risks associated with EU exit in our MTFs and Treasury Management Strategy, and our debt profile is monitored and managed to avoid exposure to interest rate fluctuations. The Capital Programme will include a risk assessment of the cost of borrowing, and it will be reviewed constantly to ensure its continued affordability.	12 (3x4)	Accept		_____	Chief Finance Officer
CRR.10	Failure of council employees to adhere to standing orders and policy IF: officers fail to adhere to standing orders (e.g. contract and finance procedure rules) and policies THEN: the number of internal disciplinary and/or exposure to legal challenge will increase, along with the likelihood of financial and reputational risk, resulting in claims being made and won against the Council with costs and reputational harm incurred.	Sep-17	16 (4x4)	Contract and finance procedure rules have been rewritten and published. Toolkits, guidance and training have been implemented. Schemes of delegation have been written as part of the new constitution. Governance training has been provided. Internal Control Improvement Board to oversee development and implementation of an improvement plan to ensure effective internal controls in respect of capital spend, project management and contract management are in place and complied with across the council.	12 (3x4)	Further mitigation required	Internal Control Improvement Board to oversee development and implementation of an improvement plan to ensure effective internal controls in respect of capital spend, project management and contract management are in place and complied with across the council.	_____	Solicitor to the Council
CRR.11	Emergency events IF: significant events happen (e.g. severe weather, major flooding, terrorism and/or influenza pandemic risks) THEN: there could be a significant cost implication to the Council and it may be necessitate staff redeployment to backfill and maintain critical services. Failing to respond effectively to major emergencies/incidents could result in a loss of public confidence through adverse publicity, loss of life to public or council employees, loss of service, economic damage or environmental impacts. Lack of trained staff (deployed or other) means we may not respond as quickly/effectively as we should.	Apr 11	16 (4x4)	Council and multi-agency plans reviewed as part of wider WM Local Resilience Forum objectives. Resilience Direct (cabinet officer system) to progress information sharing, planning and response mechanisms and data. Council Business Continuity Management System in place. Rest Centre training and provision for 200 people at Three Elms Unit. Gold and Silver officer training sessions and programme completed. BBLP tested new emergency road closure software, which will update the website automatically within the road closure map.	12 (4x3)	Accept		_____	Health Safety and Resilience Manager
CRR.12	Health & Safety IF: Herefordshire Council doesn't comply with Health and Safety legislation THEN: there is an increased risk of: employees injured through work activity; council prosecuted by HSE for breaches of legislation; increased insurance claims and insurance premiums; member of public, contractor or employee killed at work, possible corporate manslaughter, loss of reputation and financial costs to the council; sickness rates increase because of lack of compliance with good health, safety and wellbeing practice; increased employer/employee litigation through inconsistent approach to managing health and safety in the workplace; unable to defend H&S claims or disputes; and, fire damage and financial and reputational costs to the council through fire at a council owned building.	May 11	16 (4x4)	Strategy - Strategy/project plan in place to achieve full compliance with H&S legislation, prioritised by high risk activities; H&S policy current and reviewed each year. Cultural - Sharepoint H&S tool box available via front page of intranet; H&S and Fire Safety part of existing mandatory training; some improvement has been made in last period with wider engagement from employees with H&S systems (when things have gone wrong); employees consulted about H&S issues through 'house' meetings. Systems - Accident reporting/investigation and work based ill health in place; mandatory training; first aid/fire warden training in place; some systems updated (focused on high risk areas); employers liability insurance; Directorate H&S reps kept up to date with current risks and good practice control measures. Property Services buildings statutory compliance system in place.	12 (3x4)	Accept		_____	Health and Safety Advisor
CRR.13	Cyber attack IF: we do not protect against a potential cyber attack THEN: we could be at risk of losing data in breach of principle 7 of the Data Protection Act which would lead to potential fines from the Information Commissioner Office and reputational damage.	Apr-17	15 (3x5)	IT Supplier (Hoople Ltd) holders of ISO 27001:2013, and: Cyber Essentials Plus certificates - both in good standing. Implemented 'defence in depth' strategy covering: Administrative, Technical and Physical controls to maintain our security goals: Confidentiality, Integrity and Availability.	12 (3x4)	Further mitigation required	Greater links to disaster recovery and continuity within services.	_____	Assistant Director, Corporate Support
CRR.14	Development Regeneration Partnership - Keeppmoat IF: there is not an adequate pipeline of suitable residential development projects THEN: we will not be able to deliver the benefits through the contract	Feb-18	12 (3x4)	A pipeline of projects has been identified and discussed with the DRP Board. Work is underway to identify and bring forward suitable sites for inclusion in early phases of the programme, specifically relating to housing development, there are, however, limited opportunities that are immediately available. Draft pipeline of potential development sites being collated Jun 18: A pipeline of projects has been identified and discussed with the DRP Board Business case to cover the life of the partnership being developed in conjunction with each development partner and the council's Finance department. Jan 19: Early phase pipeline is current focus. Release of Merton Meadow for mixed development will provide opportunities for housing development. Mar 19: DRP Housing Strategy and pipeline drafted seeking approval in June 2019.	12 (3x4)	Further mitigation required	Amended pipeline to be reviewed.	_____	Programme Director, Housing and Growth
CRR.15	Workplace / Accommodation Programme IF: The Programme is not managed to time and budget and does not include BWoW principles THEN: there will be significant risks to service delivery, savings plans and the life cycle of buildings.	Mar 16	12 (3x4)	Corporate Property Board. Escalation of high risk items to EP management team and to members for political consideration of priorities. Jun 18: Paper for Cabinet being prepared for July 2018. Cancelled as directive that CWB need to complete service review post OFSTED report - also impacts on BWOW. Aug 18: Undertaking a programme of condition surveys on a cyclical basis will provide detail on scale of backlog maintenance. A programme is being developed for commencement in 2018-19. CWB internal review post-Ofsted needs to be completed before a strategic property review is completed including BWoW. This is likely to be post May 2019. CPB wound up - Outline future estates strategy options to go to Corporate Property Strategy Board in January 2019. March; No Directorate business plans received to underpin estate strategy.	12 (3x4)	Further mitigation required	Data collected and information being prepared for updated strategy for next period; this will update the accommodation plan. Draft for February 2020 will incorporate BWOW principles.	_____	Strategic Property Services Manager

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CRR.17	Demographic Pressures IF: due to increasing financial and demographic pressures, the council is unable to meet its statutory obligations and assess clients in a timely manner and annually review all long-term packages of care THEN: clients might not receive the timely interventions required and we might miss the opportunity to maximise independence	Oct-14	16 (4x4)	New pathway implemented with evidence of improved outcomes for people and reduced amount people requiring social care intervention. In addition, implemented a SAS team to focus on re-assessment work, and an external provider to undertake reassessments and reviews allied to cohorts of service users where review is required. Controlled waiting list, proactive front door, proactive reablement response, regular reporting to monitor any changes. Strengthened commissioning approach to market developments and client need.	9 (3x3)	Further mitigation required	Further embedding the strengths based ethos within the directorate as well as partners. Developing a review dashboard. Pilot scheme being implemented to boost capacity to undertake assessments.		Director Adults & Communities
CRR.18	Capital Programme IF: we are unable to implement the strategic corporate and CWB capital programmes within budget and timescale THEN: operating costs will increase, assets will deteriorate, service delivery could be impacted and opportunities to realise value and benefits could be missed. Strategic change will not be implemented.	Feb-18	16 (4x4)	Corporate Property Strategy Board and CWB Capital Programme Board comprising senior Directors; ongoing monitoring of programme and projects; escalation of high risk items to Directors. Additional project management is being sourced as the previous additional project management resource is committed to the work around property services review. Looking at using framework agreements to backfill design capacity due to further loss in staffing resources which is adding to more pressure in the ability to delivering projects in suitable time frames. Corporate capital programme for 2019/20 is being progressed and delivered on site. The recruitment of a Programme Manager to commence 1/7/19 will help to deliver the CWB capital programme, however staff resources are well under capacity and funding to permit further recruiting allied to the use of framework contracts is still recommended to reduce the time-pressures that currently exist to deliver these programmes. Consultation completed to transfer the administration and responsibilities of the 'helpdesk' over to the provider BBLP to free up and enable the property services technical team to concentrate on delivering corporate and other services capital projects. Operational detail being finalised. Given the late start to the program due to the election purdah and governance process we are reviewing what can be delivered in the programme this year given the resource available, after taking account of the possibility of commissioning project management services. Nov 19: 9 of 11 corporate capital schemes for 2018/19 are forecast to be completed by end of 2019 financial year; 7 of 11 corporate capital schemes for 2019/20 are due to be started and in some cases completed before end of the 2019 financial year; 45 condition surveys completed on schools.	9 (3x3)	Further mitigation required	Support arrangements will be tailored to approved capital programmes for school works in 2020/21.		Strategic Property Services Manager
CRR.19	NMITE University IF: there is a lack of critical infrastructure such as teaching space and student accommodation to meet NMITE's forecast growth THEN: would be unable to reach the critical mass of student numbers to become self-sustaining.	Aug-18	12 (3x4)	The council is working closely with NMITE to plan for the development of critical teaching space and student accommodation. For example, the council has enabled the development of a 178 bedroom purpose build student accommodation at station approach where 50% of rooms are likely to be available for NMITE students for three years from September 2020. The council has agreed to underwrite up to £850,000 of a Local Enterprise Partnership grant funding to develop teaching accommodation at NMITE's Blackfriars Street site. We are commencing feasibility studies to identify opportunities for student accommodation provision at sites such as College Road Campus, and the along the City Link Road, and the council is due to consider a decision to undertake detailed design stage works (including seeking planning approval) for student accommodation to be developed at the football ground (behind the Blackfriars Street Stand) in February. However, there remains a significant gap between NMITE's growth forecasts and the provision of student accommodation within the city over the next few years.	9 (3x3)	Further mitigation required	Jan 2020 seeking to agree nominations contract for provision of 89 student rooms for 3 years to NMITE in the Station Approach development. Feb 2020 Decision on the detailed design stage of the Football Club Student accommodation project Feb 2020 Decision on potential underwrite of second phase LEP grant for additional teaching facilities on the Hereford Enterprise Zone. July 2020 conclude feasibility of options for student accommodation to be developed at College Road Campus.		Head of Economic Development
CRR.20	Good decision-making IF: officers and members do not uphold the principles of good decision-making THEN: the Council may make poor decisions which either result in lost opportunities or increased costs.	Apr-17	12 (3x4)	Decision reports are subject to a quality assurance process which includes review by risk, legal, finance, governance, equality, procurement and the lead director. A programme of training and development has been developed to support implementation of the new constitution. This will include report writing and decision making as appropriate. Internal Audit report commissioned to review quality of information in reports; report received and being actioned.	9 (3x3)	Accept			Solicitor to the Council
CRR.21	Economic Resilience IF: the Invest Herefordshire Economic Vision is not supported by key stakeholders and does not deliver initiatives which address economic growth prospects and local economic concerns and meet local need THEN: there will be a fall in indigenous and new business investment within Herefordshire engagement with the council which could affect large business retention, business rates income, productivity, employment and wage rates, and wider resilience in the local economy.	Jun 15	16 (4x4)	Implementation of the Economic Development Strategy. Economic Masterplan adopted. Delivery of the Fastershire project. Delivering and promoting the Local Development Framework. Implementing the delivery of the Enterprise Zone. Securing external funding. Full approval for Ross Enterprise Park and in the process of contracting Delivery of Hereford Centre for Cyber Security. Joint Venture agreed and start on site commenced	8 (2x4)	Accept			Head of Economic Development
CRR.23	Good internal controls protect against fraud and error IF: good internal controls aren't in place and followed to protect against the potential of fraud, corruption, financial management, malpractice or error THEN: this produces a heightened risk of fraud, corruption and/or poor value for money with the consequent negative reputational impact.	Nov-17	16 (4x4)	Follow-up on SWAP audit recommendations so that they are all dealt with fully so that systems, processes and compliance are improved. EE code of conduct - should be issued with contract of employment. Recruitment process which ensures appropriate background checks. Induction programme. Fraud, bribery and corruption policies. Whistleblowing Policy. Finance procedure rules. Contract procedure rules. Agresso workflow. Governance processes.	8 (2x4)	Accept			Head of corporate finance
CRR.24	Medium Term Financial Strategy IF: we do not have a sustainable Medium Term Financial Plan THEN: we will not achieve a balanced budget, risk serious service failure	Aug 12	20 (4x5)	MTFS to 19/20 approved by Council in February. All savings RAG rated and reviewed. MTFS linked to Corporate Priorities. Monthly financial reports to Management team and Cabinet; Performance Challenge meetings. Base budget review exercise completed. Prudent levels of reserves in place. Regular reviews by Cabinet of reserves and assumptions around inflation.	6 (2x3)	Accept			Chief Finance Officer
CRR.25	ICT Platforms IF: the ICT application /systems/platforms are not appropriate or used to their full effect THEN: we fail to manage our services and cost the organisation more money	Apr 14	16 (4x4)	Programme Boards for major systems e.g. Mosaic for adults and childrens social care. Measures are in place to ensure that access to systems/tech. is in place and will be progressed through a number of initiatives. SWAP audits and related training.	6 (2x3)	Further mitigation required	Applications audit underway; future consideration of transformation of services using ICT linked to the priorities of the Digital Strategy.		Assistant Director, Corporate Support
CRR.26	Partnerships IF: the partnerships that the council's involved in are not developed / fail to operate effectively / or fail entirely THEN: the strategic objectives / priorities may not be achieved.	Aug-18	12 (3x4)	Partnership governance protocol. Updated process for review and publication of partnership. Contractual and partnering agreements.	6 (2x3)	Accept			Head of Corporate Governance
CRR.27	Development Regeneration Partnership - Engie IF: the length of time that regeneration projects take to bring forward leads to a perception that the programme is not delivering THEN: confidence will be reduced	Feb-18	9 (3x3)	A pipeline of regeneration projects has been identified and discussed with the DRP Board. Work is underway to bring these projects into the programme; however, the feasibility, design and approval process does take time. Investment in project management structures and capacity to improve the delivery of the DRP	6 (2x3)	Accept			Head of Economic Development
CRR.29	Information governance IF: staff do not treat the information they access appropriately THEN: this may lead to the risk of referral to the Information Commissioner and/or legal challenge with resultant unbudgeted costs and reputational damage for the Council.	Feb 14	16 (4x4)	A series of mandatory online training modules have been introduced (including Data Protection, Environmental Information Regulations, Freedom of Information, Information Security). All employees must also complete a staff confidentiality agreement in order to acknowledge that they agree to abide by the council's information governance policies. DSP Toolkit completed for 2018 and 2019 being worked on. Mandatory training has been refreshed for 2019	6 (2x3)	Accept			Assistant Director, Corporate Support
CRR.30	Litigation IF: disputes with contractors arise there is potential exposure to litigation THEN: the Council may lose and be liable for costs in excess of £M (affecting budget position) and incurring reputational harm.	Jun 13	16 (4x4)	In house and external legal teams in place dealing with adjudications and litigation. I respect of the current contract dispute, formal mediation has been undertaken and matters resolved through dispute resolution procedures. A Counter claim raised by former provider and response provided by the council.	4 (2x2)	Further mitigation required	The Council will escalate matters through formal dispute resolution processes as required. The timing of these next steps will be set in response to circumstances.		Solicitor to the Council
CRR.31	South Wye Transport Package IF: scheme costs increase as a result of changes to programme THEN: they will exceed current approved budget and it will significantly affect ability to drawdown grant funding within funding window.	Jun-19	16 (4x4)	Continue to review cost forecasts and estimates as programme is revised. Report forecasts each month at MIBD to support decision making.	20 (4x5)	Further Mitigation Required	Following the Cabinet Member decision taken 22 October 2019 to review SWTP, discussions ongoing with funding providers. If costs increase consideration will need to be given to additional funding sources.		Director Economy & Place
CRR.32	South Wye Transport Package IF: The Marches LEP withdraw the existing growth funding THEN: the council will need to identify and seek alternative funding sources to deliver the scheme	Nov-19	25 (5x5)	Ongoing discussions with Marches LEP regarding existing funding, and opportunities to make adjustments to the existing profile. Prepare expressions of interest for Marches LEP call for projects to include SWTP preferred ATM packages.	20 (4x5)	Further Mitigation Required	Further discussions with Marches LEP regarding existing funding allocation. Marches LEP to be informed of decision regarding scope of review for the scheme in January 2020.		Director Economy & Place
CRR.33	South Wye Transport Package IF: The Marches LEP require existing growth funding to be repayed based on any change in approach to the SWTP THEN: Funding will need to be allocated for repayment of the growth funding, impacting on other budgets.	Nov-19	20 (4x5)	Ongoing discussions with Marches LEP regarding existing funding, and opportunities to make adjustments to the existing profile. Prepare expressions of interest for Marches LEP call for projects to include SWTP preferred ATM packages.	15 (3x5)	Further Mitigation Required	Further discussions with Marches LEP regarding existing funding allocation.		Director Economy & Place
CRR.34	Response to police investigation IF: there is an uncoordinated response THEN: there may be disruptions to casework, unsettled staff and service users and the council may not respond effectively to the outcome of the investigation.	Dec-19	16 (4x4)	Interim senior management was put in place to provide additional capacity during the investigation which has now concluded. Staff communicated with and support was put in place. Outcome of police investigation still to be concluded. Risks to current service delivery assessed to be low.	8 (2x4)	Accept			Director Children & Families

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CRR.35	Phosphate Pollution in Lugg Catchment IF/AS: A way forward cannot be found in relation to the moratorium on housing development in the River Lugg catchment arising from elevated phosphate levels THEN: the 5 Year Housing Land Supply figure will fall further which will have a severe impact upon the weight of Neighbourhood Development Plans and the outcome of planning appeals, leading to an increased potential for unplanned development in areas of the county not affected by the phosphate issue.	Dec-19	25 (5x5)	A Nutrient Management Board (NMB) oversees the protection of the Rivers Wye and Lugg and a Nutrient Management Plan (NMP) has been adopted jointly with the Environment Agency and Natural England (NE), with the aim of enhancing the water quality within these catchments. Because of the recent action by Natural England to resist development in the Lugg catchment, the Board is seeking to strengthen the NMP with a view to providing certainty to NE so that they will no longer resist development..	15 (3x5)	Further mitigation required	The Board will be meeting more frequently and has tasked a Technical Advisory Group to explore how the river catchments can be better protected. This is likely to include physical measures that will either reduce phosphate pollution from sewage treatment works or by from diffuse agricultural sources. Once specific proposals have been identified the council will need to consider how these are delivered and funded.		Director Economy & Place
CRR.36	Hillside (former NHS Community Hospital) IF: The Council changes the use of the building and/or takes back occupation due to the ending of the current tenancy agreement (with the NHS) THEN: NHS England may/could insist on implementing the historic Legal Charge on the Building (which is invoked through a change of use) and this could lead to a cost to the Council of a minimum f £1.8Million and a maximum (to date) of £2.9 million. The higher figure being subject to ongoing RPI increases.	Dec-19	20 (4x5)	Detailed discussions have been undertaken and continue with NHSE to establish the conditions under which the Legal Charge can be revoked and/or neutralised for the benefit of the H&SC system in Herefordshire. It is believed that at least a % of the potential cost can be negotiated should the Council reach that stage.	16 (4x4)	Further Mitigation Required	Further detailed and politically supported discussions will continue with NHSE to establish the conditions under which the Legal Charge can be revoked and/or neutralised for the benefit of the H&SC system in Herefordshire.		Director A&C and S151 Officer

Likelihood	Consequence				
	1 Insignificant Impact / Benefit	2 Minor Impact / Benefit	3 Moderate Impact / Benefit	4 Major Impact / Benefit	5 Significant Impact / Benefit
5 Certain	5	10	15	20	25
4 Likely	4	8	12	16	20
3 Possibe	3	6	9	12	15
2 Unlikely	2	4	6	8	10
1 Rare	1	2	3	4	5