

GUILDFORD BOROUGH COUNCIL

CORPORATE RISK REGISTER – Q2 2024/25

Risk management

The council's risk management strategy defines risk as the effect of uncertainty on objectives. Put another way, a risk is an uncertain event that, should it occur, will have an effect on the council's objectives and/or reputation.

Risk management is the set of coordinated activities designed to manage risk and exercise internal control within an organisation. Robust risk management is a core component of effective corporate governance and is fundamental to how the council is directed, managed and controlled at all levels.

Corporate risk register

The corporate risk register sets out the risks that, based on their likelihood and potential impact, threaten the council's objectives and priorities as set out in the Corporate Strategy and/or other key corporate policies and strategies, including the Medium-Term Financial Plan (MTFP).

The risk register provides each risk's assessed score, the controls and mitigations that are in place and those that are to be implemented in order to bring the risk to a level that is acceptable.

Executive Members and Members of the Corporate Leadership Board (CLB) have shared responsibility for managing corporate risks.

CORPORATE RISKS – Q2 2024/25

Ref.	Title (hyperlinked)	RAG rating	Direction of travel ¹
CR1	Incident or accident at a council property or premises	AMBER	-
CR2	Financial sustainability	AMBER	-
CR3	Fraud prevention	RED	-
CR4	Major data breach	AMBER	-
CR5	Failure to make lawful decisions and follow governance	RED	-
CR6	Failure to meet target of becoming net carbon zero by 2030	RED	-
CR7	Safeguarding of vulnerable adults and children	AMBER	-
CR8	Insufficient IT model for level of change	RED	UP
CR9	Non-adherence to procurement processes and contracts	AMBER	-
CR10	Cyber security incident resulting in loss of IT systems or data	AMBER	-
CR11	Recruitment and retention of staff	AMBER	-
CR12	Guildford-Waverley collaboration objectives	AMBER	-
CR13	Governance of companies and charitable trusts	AMBER	-
CR14	Data sharing with Waverley Borough Council	AMBER	-
CR15	NPPF and the new Local Plan (new)	RED	N/A

¹ The direction of travel refers to the total risk score compared to that last reported to the Committee in September 2024 (Q1 2024/25).

IMPACT		RISK HEATMAP – Q2 2024/25						
		(risk reference is hyperlinked)						
DEVASTATING	(4)		CR1 ; CR4 ; CR7	CR2 ; CR9 ; CR10	CR3			
	CRITICAL	(3)			CR12	CR5 ; CR6	CR15	
			SIGNIFICANT	(2)		CR13	CR11 ; CR14	CR8
			SMALL	(1)				
LIKELIHOOD		(1)	(2)	(3)	(4)	(5)	(6)	
		ALMOST IMPOSSIBLE	VERY LOW	LOW	MEDIUM	HIGH	VERY HIGH	

Risk Scoring Criteria: [please note that the scoring criteria will be reviewed as part of the development of a new risk management strategy]

Score	Likelihood	Indicators	Score	Impact	Indicators
1	Almost impossible	Less than 1% chance of occurring Has happened rarely/never before	1	Small	Loss <£100k Trivial breach or non-compliance Insignificant injury (first aid) Negligible disruption/unnoticed by service users Insignificant damage
2	Very low	1-10% chance of occurring Only likely to happen once in three or more years May have happened in the past	2	Significant	Loss from £100k - £250k Isolated legal action or regulatory breach Minor injury (medical attention) Small disruption/inconvenience to service One-off adverse local publicity
3	Low	10-20% chance of occurring Reasonable possibility it will happen in the next three years Has happened in the past	3	Critical	Loss >£250k - £500k Sustained legal action or (limited) regulatory fine Serious injury (not life threatening) Substantial, short-term disruption/inconvenience to service; Short-term, but wide reaching adverse publicity
4	Medium	20-50% chance of occurring Likely to happen at some point in the next one-two years Circumstances occasionally encountered	4	Devastating	Loss >£500k Major legal action or regulatory sanction Death(s) or multiple serious injuries Major, sustained disruption/serious inconvenience to service Major, long-term damage
5	High	50-80% chance of occurring Almost certain to happen within next 12 months Regular occurrences frequently encountered			
6	Very high	Above 80% chance of occurring Inevitable it will happen within the next 6 months; No influence/control over event occurring			

CR1

Incident or accident at a council property or premises

AMBER

Description

There is a risk that a member of staff, council contractor, or the public is involved in an incident or accident at a council property or premises, or at work, relating to the council's work or services carried out by a contractor or partner delivered on the council's behalf. This could result in serious injury, ill health or loss of life and could result in financial loss and reputational impact to the council. This risk is most significant in waste services, parks and countryside, facilities, parking and street cleaning.

Owners

Service: CLB and all Assistant Directors (including Corporate Health & Safety Group and Premises Managers)

Executive Member: All Portfolio Holders

Officer: All Strategic Directors and Assistant Directors

Mitigations and controls**In place**

Safe Systems of Work – this includes risk assessments and procedures (key risks, mitigations, PPE and checks to be carried out), plus step-by-step instructions of how tasks are done.

Training records – in particular, depot training records are reviewed quarterly and repeat training toolbox talks (bitesize refresher training) are provided for all crews who are involved in safety aspects around a task, i.e. the use of bin lifts. If there are particular key issues, briefings are held with individual crews and drivers.

Corporate Induction training for new starters, with all new staff required to attend this training, which explains the responsibilities as an employee under health and safety legislation and for them to understand their duties and responsibilities whilst at work.

Task Specific Induction training for specific roles/crews – in addition to the corporate induction training, specific induction training and a handbook is issued for new crews. There are regular reviews of training records.

Environmental Permitting Exemptions – as part of the Environmental Permitting Regulations, the council is required to hold a licence for different operations Depot (S1 - storage of textiles and S2 - hazardous waste) which requires an audit of the depot site, together with Stoke Park Nursery (T23 – composting) and Millmead sites (S2 - storage of old IT equipment). Teams are required to monitor their own areas and flag areas of concern. Checks are undertaken on a fortnightly basis at the Depot.

Driver Licence Checks – annual licence checks are undertaken on anyone in the organisation who drives any vehicle driven on council business (includes fleet and grey fleet).

Driver Familiarisation Checks – these are carried out for all new drivers of fleet vehicles and when there are vehicle/equipment changes. They are also reviewed in the event of an accident or if there is a trend in a drivers' performance.

Risk assessments are in place for those roles that require it, with appropriate further controls and mitigations identified as necessary, such as additional training.

Corporate Policies include Accident, Occupational Health, Near Miss, Dangerous Occurrence Reporting Procedure; Corporate Construction Design & Management Policy; Corporate Contractor Activity Control Procedure; Fire Safety; Legionella Control and Asbestos; plus Lone Working & Violence at Work policy. Regular policy reviews are undertaken.

The **Corporate Health and Safety Group** meets every two months and is chaired by the lead Director with responsibility for Health and Safety. The Group co-ordinates, monitors and oversees the management of health and safety across the organisation on behalf of the council's Corporate Management Board to ensure compliance with our overall Health and Safety (Part 1) Policy. The Group comprises senior management representatives from key services together with our occupational health and safety officer and a representative from Unison. Accidents and near misses are also reported to the group for lessons to be learned.

Health & Safety Groups – there are Health & Safety Groups for the Depot, Millmead and Outstations, Parks and Countryside and Community & Housing (which includes discussions relating to The Hive,

CR1	Incident or accident at a council property or premises	<u>AMBER</u>
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sheltered housing, building regs, lone working, safeguarding and mental health of staff) – these groups are chaired by the relevant Assistant Director or Lead Specialist. The Groups pass on information from the Corporate Health & Safety Group and ensure action is taken after incidents as well as near misses. The Health & Safety Lead Specialist attends all the Groups.

Contract management of outsourced services – health and safety matters of outsourced services are managed as part of routine contract management. Reports on contractual performance and reported to Council on an annual basis.

Construction and Design Management (CDM) Regulations Group - The Group co-ordinates, monitors and oversees the management of the 2015 CDM regulations across the organisation on behalf of the council's Corporate Health & Safety Group to ensure compliance with our overall Corporate CDM Policy. A third-party Principal Designer has been appointed to manage the CDM regulations on the council's behalf.


Ongoing programme of **re-training of crews** on all vehicles they are authorised to operate, to ensure driver familiarisation.

Fleet users' group – the group has been reintroduced and meets on a quarterly basis. It brings together users of the council's fleet vehicles with the management of the Fleet department, allowing for any operational and health and safety issues to be discussed in an open way. The current composition of the group is mainly drawn from services that operate from the council's depots, though the group will be joined by representatives from Community Services who also utilise vehicles from the council's fleet.

To be implemented

Action	Target date
Institute of Occupational Safety and Health (IOSH) training – the council is exploring the further roll-out of IOSH online training for managers and other relevant officers. Consideration is being given to funding sources, such as the corporate training budget.	Feb-25
Review of crew handbook and health and safety policies by Waste Operations, Fleet and HR. The handbook and policies are subject to regular review.	Feb-25
Housing Revenue Account H&S Compliance – review and appoint contractors and resources to ensure compliance with the six priority health and safety areas, plus damp and mould and working with the regulator of social housing to address issues raised in the regulatory judgment.	Nov-24
Fleet Compliance Officer roles – undertake recruitment of roles together with Operators Licence competency training to be able to carry out work outside of the borough.	Dec-24
Construction and Design Management (CDM) Regulations Group – while the group is established, it has not met for some time and so requires reconvening following the departure of the previous Chair.	TBC

Risk scoring

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Devastating (4)	Low (3)	12	
Residual	Devastating (4)	Very Low (2)	8	
Target	Significant (2)	Very Low (2)	4	

Last updated	13 November 2024
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CR2**Financial sustainability****AMBER****Description**

A combination of factors – including difficult macroeconomic conditions, increased costs and demand for services, as well as the wider challenging local government funding context – have created conditions of significant financial uncertainty and challenge for the council.

If not mitigated, there is a risk that the council will be unable to balance its budget in the medium term, which would have significant negative impacts on the achievement of corporate objectives and service delivery and could similarly result in external intervention. The risk is exacerbated by the revenue budget implications of financing the council's ambitious capital programme.

Owners

Service: Finance and Regeneration and Planning

Executive Member: Cllr Richard Lucas, Lead Councillor for Finance and Property; Cllr Tom Hunt, Deputy Leader of the Council and Lead Councillor for Regeneration

Officer: Richard Bates, Joint Strategic Director of Finance/S151 Officer; Abi Lewis, Joint Assistant Director of Regeneration and Economic Development

Mitigations and controls**In place**

As part of the Financial Recovery Plan, the council has implemented robust financial management arrangements and has invested in skills and expertise to support the ongoing delivery of financial and corporate objectives. The Plan has now concluded, with any remaining actions captured within the Improvement Plan following the Solace governance review (see below for additional information).

A summary of the principal controls and mitigations in place is as follows:

The Annual Revenue Budget (2024/25) – was adopted by [Full Council in February 2024](#). It sets out funding allocations and confirms accountability for ensuring that expenditure and income are managed in accordance with the limits as approved by Members.

Budget monitoring – in year, robust revenue and capital budget monitoring takes place with budget holders; any variances are escalated and mitigations implemented as necessary. Budget monitoring information is regularly reported to Members. The last report was taken to the [Overview and Scrutiny Committee \(Resources\) in September 2024](#).

The Medium-Term Financial Plan (2024/25 to 2026/27) – was [reported to Full Council in February 2024](#). It set out the anticipated budget challenges over the coming years and forms the basis for subsequent annual service and financial planning.

An MTFP update was recently reported to the Overview and Scrutiny Committee, the Executive and [Full Council in December 2024](#). The report updated Council on the anticipated impacts following the Chancellor's Autumn Statement and ahead of the publication of the Local Government finance policy statement for 2025/26 and the final settlement later in December.

Capital and Investment Strategy (2024/25 to 2028/29) – was approved by [Full Council in February 2024](#). It gives an overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of council services. The strategy also details how associated risks are managed and the implications for the council's future financial sustainability. As part of this work, a Strategic Capital Board has been established to monitor project capital expenditure. An update on the Capital and Investment Strategy was reported to the [December 2024 meeting of Full Council](#).

Treasury Management Strategy – was approved by [Full Council in February 2024](#) as part of the Capital and Investment Strategy. It helps ensure that investments achieve returns whilst remaining within approved security and liquidity limits and that borrowing to fund the Capital Programme is affordable. An update was reported to the [December 2024 meeting of Full Council](#).

Asset Disposal Strategy – the strategy was [approved by the Executive in April 2024](#). The strategy included a programme of planned disposals to generate capital receipts to reduce the council's debt levels. The strategy and resultant programme include mechanisms for progress monitoring, including forecasting the time and value of capital receipts to support prudent financial management. An update on the first phase of the programme was [reported to the Executive on 28 November 2024](#).

CR2	Financial sustainability	<u>AMBER</u>
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External funding – where available, the council applies for external revenue and/or capital grant funding to support the delivery of services and projects.

Collaboration with Waverley – the collaboration agreement with Waverley has realised savings and created greater economies of scale for the council, helping to offset budget pressures.

Improvement Plan – in January 2024, the council commissioned Solace to undertake a corporate governance review to encompass the entirety of the council’s business, structure, processes, systems and culture. The review found areas for improvement, which have been incorporated into an Improvement Plan that was reported to [Corporate Governance and Standards Committee in May 2024](#). The first six-monthly update on Improvement Plan progress was [reported to Full Council on 3 December 2024](#). Full Council resolved to refer the report to the Overview and Scrutiny Committee (Resources) for the purpose of reviewing the report and progress being made.

Debt Recovery Strategy – monitored and reported to CLB on a monthly basis, Executive Briefing and Overview and Scrutiny Committee bi-monthly.


Joint Housing Fraud Investigation Team – an options analysis is being developed, for an in-house fraud investigation team, shared between Waverley and Guildford Borough Councils.

A monthly **Strategic Capital Board** was established in July 2024 to robustly monitor capital project expenditure and the associated budgeting requirement.

To be implemented

Action	Target date
Weyside Urban Village mitigation plan – as reported to Full Council in May 2024 , a mitigation plan to address the potential financial deficit arising from a growth in external borrowing costs and construction cost increases and reduction in land value will be prepared for the Executive and Full Council. An update was reported to the Overview and Scrutiny Committee (Resources) on 2 December 2024 . The report outlined the ongoing financial mitigation work and options available to the council to address the identified potential deficit. A full report for decision on how to proceed will be presented to Full Council in the spring, following an all Councillor briefing in March/April	Feb-25
Service and financial planning – over the summer, significant work has been undertaken to prepare the council’s budget for 2025/26. This year, service budgets have undergone robust challenge to ensure that best value is derived from spend and that unavoidable budget growth is managed. The 2025/26 budget will be presented to Full Council in February 2025.	Feb-25

Risk scoring

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Devastating (4)	Medium (4)	16	
Residual	Devastating (4)	Low (3)	12	
Target	Significant (2)	Low (3)	6	

Last updated	4 December 2024
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Description

There is a risk that our systems are not sufficiently robust to prevent fraud by a resident, staff member, contractor or service user. This could result in the loss/misapplication of public money or property, potential investigation into the council's operating procedures and a compromised democratic process.

Owners

Service: Finance

Executive Member: Cllr Richard Lucas, Lead Councillor for Finance and Property

Officer: Richard Bates, Joint Strategic Director of Finance/S151 Officer

Mitigations and controls**In place**

Anti-Fraud and Corruption Policy – the policy was reviewed and updated and was approved by the [Corporate Governance & Standards Committee on 11 April 2024](#) and approved by the [Executive at their meeting on 16 May 2024](#). The council encourages staff and others to report any cases of suspected wrongdoing or misconduct, illegal acts, or failure to act within the council, as part of its commitment to act with integrity and openness in the best interest of its residents and communities.

Whistleblowing Policy – this policy was adopted by [the Executive at their meeting on 25 January 2024](#), with further updates by the Monitoring Officer presented to [Corporate Governance & Standards Committee on 11 April 2024](#). The Policy aims to encourage and enable anyone to raise issues of concern about suspected improper conduct in the way the council carries out its business. It aims to give staff, councillors and others, the confidence to raise concerns by assuring them that they can do so without fear of harassment, victimisation or reprisals. It also confirms the council's commitment to investigate and rectify any malpractice reported to us swiftly and thoroughly. An annual report on whistleblowing for 2023/24 was reported to the [Corporate Governance and Standards Committee on 6 June 2024](#).

Independent Governance Review – in January 2024, the council commissioned Solace to undertake a corporate governance review to encompass the entirety of the council's business, structure, processes, systems and culture. Alongside this, they were also commissioned to look at Guildford's housing landlord function, following the findings to a wider housing investigation into criminal offences. An Improvement Plan resulting from both reviews was reported to [Corporate Governance and Standards Committee on 15 May 2024](#) with key actions to reduce the future risk of fraud. This includes improved budget monitoring, procurement and contract management practices. The first six-monthly update on Improvement Plan progress was [reported to Full Council on 3 December 2024](#).

Contract Procedural Rules (CPRs) – the new Contract Procedural Rules (Part 4 of the Constitution) came into effect on 24 July 2024. The Rules apply to all purchases of works, goods, and services by the council. Their observance is mandatory.

Head of Procurement – a new Head of Procurement joined the council in June 2024, bringing with them a considerable amount of knowledge in relation to procurement regulations, in particular the forthcoming Procurement Act 2023. Since August, they have been delivering two types of workshops to staff and Cllrs across both GBC and WBC (workshop 1: Procurement Awareness including CPRs; workshop 2: Procurement Act 2023 – implications & considerations). The purpose is to ensure staff are aware of their obligations under both the CPRs and procurement law to mitigate risk to the council.

Procurement toolkit – recognising that staff require guides, training resources, and support, a procurement toolkit is being established. Guidance such as contract management guides, managing contract criticality (to understand the impact to the council due to contract failure), conflict of interest, etc. The toolkit is available on the council's intranet.

Procurement milestone reporting – new gateway reports are being introduced to track and record key milestones of procurement activity. This will ensure that there is a detailed record of the procurement cycle and from handover into management of the contract in order to ensure that the process is lawful and that best value is indeed attained in the contract, which also helps mitigate the risk of fraud.

Internal training – key officers from Finance, Housing and Governance have recently attended fraud prevention and awareness training and are actively using the insight gained to improve the internal fraud control environment.

Transaction analysis – the finance and procurement teams undertake routine reconciliation of expenditure against control values and report to the responsible officer and the Joint Leadership team. This process would highlight any variances, allowing appropriate action to be taken.

Fraud checks – several fraud checks are carried out by different services across the council, including:


- Fraud checks for Housing (undertaken by Reigate & Banstead Borough Council on our behalf) to check for tenancy fraud and eligibility to purchase a Right to Buy property.
- The Casework team routinely undertake eligibility/identity checks for applicants registering for homes and when allocating and letting homes. Checks are also made by the Benefit Fraud team.
- The Casework team undertake supplier checks, particularly when there is a change of bank details.
- As part of the recruitment process, the Casework team carry out employee checks, including proof of right to work; DBS checks for relevant roles (including casuals); medical checks to ensure fit to work; obtain references to the cover the last 5 years, but if not available, recruitment is made at the managers' discretion.
- The National Fraud initiative also provides data which enables the council to do cross checks on public sector data to identify potential fraud.

Internal audit – as part of the risk based internal audit plan, the council's internal auditors (the Southern Internal Audit Partnership) carry out audits in service areas where there is a potential fraud risk. Any areas of weakness identified are addressed through comprehensive management actions.

Housing maintenance – limits on expenditure with suppliers have been built into Orchard and are monitored. Regular housing maintenance reporting takes place against budgets. Payments are approved by senior officers based on documented and approved processes.

To be implemented

Action	Target date
Housing Improvement Plan – to carry out the actions included within the council's Improvement Plan (available here). The plan will continue to evolve until the council has demonstrated sufficient improvement against the observations made by Solace.	Ongoing
Contracts database – commissioned and will be in place as a business as usual tool by end November but wider training still required hence target date.	Jan-25
Procurement Act 2023 compliance – the council's new Head of Procurement will ensure that the council is fully compliant with the requirements of the Act, including staff training and implementing new systems and processes where necessary.	Feb-25
Replacement of the housing system – as per the council's Improvement Plan, a new housing system will be implemented to interface with the council's finance system.	2027
Joint Housing Fraud Investigation Team – an options analysis is being developed, for an in-house fraud investigation team, shared between Waverley Borough Council and Guildford Borough Council.	TBC

CR3	Fraud prevention			<u>RED</u>
<u>Risk scoring</u>				
	Impact	Likelihood	TOTAL	Direction of travel
Gross	Devastating (4)	Very High (6)	24	
Residual	Devastating (4)	Medium (4)	16	
Target	Critical (3)	Low (3)	9	
Last updated	28 October 2024			

CR4

Major data breach

AMBER

Description

There is a risk that the council experiences a major data breach. This could result in multiple sensitive records of service users' personal data being inadvertently disclosed and could result in associated legal governance and potentially reputational (and/or financial) damage to the council.

Owners

Service: Organisational Development; Legal and Democratic Services

Executive Member: Cllr Carla Morson, Lead Councillor for Community and Organisational Development; Cllr Merel Rehorst-Smith, Lead Councillor for Regulatory and Democratic Services; Cllr Angela Goodwin, Lead Councillor for Engagement and Customer Services

Officer: Robin Taylor, Interim Senior Information Risk Officer (SIRO)/Joint Assistant Director of Strategy & Corporate Services; Peter Stevens, Joint Assistant Director for Communications and Customer Services; Claire Beesly, Joint Assistant Director of Legal Services & Information Governance

Mitigations and controls**In place**

Information Assurance Officer – has started reviewing council systems to ensure that teams and providers have appropriate security policies and procedures in place. The officer is also supporting services with data security issues and will provide skills and awareness training.

Privacy and Data Protection Policy – is in place and is due to be reviewed in 2025. It forms part of the council's Information Security Framework and is subject to review in the light of changes in the law and Information Commissioner's guidance. It sets out the roles and responsibilities of officers and is managed by the Information Governance Manager. The policy includes guidance on data breaches and the process to follow.

Information Risk Group – chaired by the Joint Assistant Director of Organisational Development, the role of this group is to identify information related risk and provide advice on the effective management of all council-held information by ensuring compliance with relevant legislation and effective risk management practices.


Data Protection and Information Security – an annual update was reported to the [Corporate Governance & Standards Committee in September 2024](#). The report included an update on compliance with statutory requirements.

Data Protection training – the training is a requirement for all staff to complete and is included in the council's induction training for new-starters. Regular refresher training sessions is also offered to staff.

Information Commissioner (ICO) – as well following the guidance set out in the Privacy and Data Protection Policy, from time to time we seek advice from the ICO and when necessary, an independent review is undertaken if breaches are escalated at the second stage, prior to submission to the ICO.

To be implemented

Action	Target date
In recognition of the importance of information governance and data protection , a review of the service will be carried out to ensure it is appropriately resourced and is resilient. Any actions arising from this review will be addressed as necessary.	Dec-24
The ICT user policies are undergoing a review to ensure it appropriately covers all data protection and information governance considerations.	Ongoing
Privacy and Data Protection Policy – is in place and is due to be reviewed in 2025. The policy forms part of the council's Information Security Framework and is subject to review in the light of changes in the law and Information Commissioner's guidance.	Dec-25

CR4	Major data breach			<u>AMBER</u>
<p>ICT Users and Information Systems Security Policies – these policies are provided to new starters on their first working day as part of the induction process. They provide guidance on the proper usage of corporate IT resources. These policies are due for review, and will be refreshed by the end of the 2024/25 financial year.</p>				Mar-25
<u>Risk scoring</u>				
	Impact	Likelihood	TOTAL	Direction of travel
Gross	Devastating (4)	Medium (4)	16	
Residual	Devastating (4)	Very Low (2)	8	
Target	Critical (3)	Very Low (2)	6	
Last updated	30 October 2024			

CR5

Failure to make lawful decisions and follow governance

RED

Description

There is a risk that the council fails to make lawful decisions and follow governance procedures as set out in the council's Constitution. This could result in legal challenge, reputational damage, costs to the council in relation to time, quality and budget slippage on capital projects, as well as fraud, and may lead to overspends/underspends, lower quality results and delayed projects and programmes.

Owners

Service: Legal & Democratic Services; Organisational Development; Regeneration and Planning Policy; Finance

Executive Member: Cllr Carla Morson, Lead Councillor for Community and Organisational Development; Cllr Richard Lucas, Lead Councillor for Finance and Property; Cllr Tom Hunt, Deputy Leader of the Council and Lead Councillor for Regeneration; Cllr Merel Rehorst-Smith, Lead Councillor for Regulatory and Democratic Services

Officer: Susan Sale, Joint Strategic Director of Legal & Democratic Services/Monitoring Officer; Claire Beesly, Joint Assistant Director of Legal Services & Information Governance; Robin Taylor, Joint Assistant Director of Strategy & Corporate Services; Richard Bates, Joint Strategic Director of Finance/S151 Officer; Abi Lewis, Joint Assistant Director of Regeneration and Economic Development

Mitigations and controls**In place**

Monitoring Officer – this is a statutory function carried out by the Strategic Director of Legal and Democratic Services or nominated deputies. As set out in Part 4 of the council's [Constitution](#), the responsibilities include provision of professional legal and ethical advice to the council and reporting to Full Council if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or mission has given to maladministration.

Constitutional training – training on constitutional decision making with members and officers undertaken on a regular basis.

Independent Governance Review and Improvement Plan – in January 2024 the council commissioned Solace to undertake a corporate governance review to encompass the entirety of the council's business, structure, processes, systems and culture. Alongside this, they were also commissioned to look at Guildford's housing landlord function, following the findings of a wider housing investigation into criminal offences. An Improvement Plan for both reviews was reported to the [Corporate Governance and Standards Committee on 15 May 2024](#). The first six-monthly update on Improvement Plan progress was [reported to Full Council on 3 December 2024](#). Full Council resolved to refer the report to the Overview and Scrutiny Committee (Resources) for the purpose of reviewing the report and progress being made.

Establishment of an Audit Committee – following a review of the terms of reference of committees which arose as an action from the Solace review, on [3 December 2024 Full Council](#) resolved to establish an Audit and Risk committee to improve governance and oversight of risk.

Contract Procedural Rules – the new Contract Procedural Rules (Part 4 of the Constitution) came into effect on 24 July 2024. The Rules apply to all purchases of works, goods, and services by the council. Their observance is mandatory.

Head of Procurement – a new Head of Procurement joined the council in June 2024, bringing with them a considerable amount of knowledge in relation to procurement regulations, in particular the forthcoming Procurement Act 2023. Since August, they have been delivering two types of workshops to staff and Cllrs across both GBC and WBC (workshop 1: Procurement Awareness including CPRs; workshop 2: Procurement Act 2023 – implications & considerations). The purpose is to ensure staff are aware of their obligations under both the CPRs and procurement law to mitigate risk to the council.

Procurement toolkit – recognising that staff require guides, training resources, and support, a procurement toolkit is being established. Guidance such as contract management guides, managing contract criticality (to understand the impact to the council due to contract failure), conflict of interest, etc. The toolkit is available on the council's intranet.

CR5	Failure to make lawful decisions and follow governance	RED
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Procurement milestone reporting – new gateway reports are being introduced to track and record key milestones of procurement activity. This will ensure that there is a detailed record of the procurement cycle and from handover into management of the contract in order to ensure that the process is lawful and in conformance with the constitution.

Scheme of Delegation – an updated Officer Scheme of Delegation was [approved by Full Council on 23 July 2024](#). The updated scheme ensures its ongoing robustness in setting out the responsibilities of officers and the limits of their decision-making powers. The Scheme of Delegation has been aligned with Waverley Borough Council to support efficient decision making at the joint management level.

Financial Procedural Rules – updated Financial Procedural Rules were approved by [Full Council on 23 July 2024](#). The updated procedural rules, aligned with Waverley Borough Council, will improve the governance procedures for each council and will enhance efficient joint working and ongoing collaboration.

To be implemented

Action	Target date
Improvement Plan – there are several governance specific actions included within the council’s Improvement Plan (available here). The plan will continue to evolve until the council has demonstrated improvement against the observations made by Solace.	Ongoing
Constitution review – a review is underway to ensure its ongoing robustness, particularly as the council continues to collaborate with Waverley Borough Council.	Sept-25
Procurement Key Performance Indicator (KPI) – as part of the new suite of corporate performance indicators for 2024/25, a KPI is being developed to monitor third party spending.	Jan-25
Decision-making protocol – is being produced. It will set out the legal and governance framework for decision-making and establish a procedure to transparently document decisions taken by Officers under their delegated authority. Compliance with the Protocol safeguards the Council by ensuring good governance, promotes transparency to our local communities and ensures compliance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and The Openness of Local Government Bodies Regulations 2014. The document will be considered by the Constitution Review Group in November 2024.	Jan-25

[Risk scoring](#)

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Critical (3)	High (5)	15	
Residual	Critical (3)	Medium (4)	12	
Target	Critical (3)	Very Low (2)	6	

Last updated	4 December 2024
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CR6

Failure to meet target of becoming net carbon zero by 2030

RED

Description

In 2019 the council declared a climate emergency and resolved to achieve net zero by 2030. An action plan was developed to guide the council's journey to net zero, which recognised that doing so was a significant challenge, dependent on technological advances, reductions in costs, wider financial support from central government and other agencies, as well as societal shifts. Despite making progress on the journey to net zero, there remains a risk that the council will not achieve its target. This could negatively impact on the council's reputation as well as result in the non-achievement of potential savings from energy use reduction.

Owners

Service: Strategy & Corporate Services

Executive Member: Cllr George Potter, Lead Councillor for Environment and Climate Change

Officer: Robin Taylor, Joint Assistant Director of Strategy & Corporate Services; Nat Prodger – Climate Change Officer

Mitigations and controls**In place**


Climate Change Action Plan – was adopted to provide a clear pathway to net zero carbon. A revised carbon reduction trajectory report will allow the council to better forecast its success at reaching the target. The action plan is reviewed annually and a top ten of priority areas is agreed for delivery. The annual report was received by the [Climate Change Board on 18 September 2024](#).

Climate Change Board – this board provides an overview and scrutiny role to oversee and help develop the action plan. It also offers support to services within the council to push our climate change agenda.

To be implemented

Action	Target date
Continue to pursue initiatives identified in the Climate Change Action Plan .	Ongoing
Carbon budget – as identified in the Corporate Strategy, consideration is being given to the establishment of a carbon budget to account for the carbon impacts of the council's operations.	TBC
Carbon offsetting – as part of the Climate Change Action Plan, the council is looking at ways of offsetting their carbon emissions, for example, tree planting in certain areas, to help to absorb carbon.	TBC

Risk scoring

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Critical (3)	High (5)	15	
Residual	Critical (3)	Medium (4)	12	
Target	Significant (2)	Very Low (2)	4	

Last updated

21 August 2024

CR7

Safeguarding of vulnerable adults and children

AMBER

Description

There is a risk that vulnerable adults and children are not properly safeguarded. This could result in harm to them if we do not fulfil our obligations. The risk is currently heightened due to the thresholds of intervention of statutory services. The thresholds leave a gap of care and support that cannot always be met by the council but involve residents accessing our services regularly. This could result in more serious adult or children case reviews which involve challenge and possible reputational damage.

Owners

Service: Community Services

Executive Member: Cllr Carla Morson, Lead Councillor for Community and Organisational Development

Officer: Sam Hutchison, Joint Assistant Director of Community Services

Mitigations and controls**In place**

Safeguarding policy and procedures - reviewed regularly and included in the corporate induction training.

DBS checks are carried out for all key roles and where this is required by the Joint Assistant Director of Community Services, particularly for officers who interface with vulnerable customers.

Refer all safeguarding cases and notify team and maintain and monitor the operational corporate spreadsheet.

To be implemented

Action	Target date
Recruitment of an officer to manage the strategic development of safeguarding across the organisation and to fulfil recent internal audit recommendations.	Dec-24
A safeguarding children and adults at risk policy will be developed and implemented. The policy is due to be considered by the Overview & Scrutiny Committee (Services) on 3 February 2025, but will be dependent on the recruitment of an officer to drive this forward.	Mar-25

Risk scoring

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Devastating (4)	Low (3)	12	
Residual	Devastating (4)	Very Low (2)	8	
Target	Critical (3)	Very Low (2)	6	

Last updated

19 November 2024

CR8	Insufficient IT model for level of change	RED
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Description

There is a risk that the current IT model and level of resource is not sufficient or viable for the level of change happening in the organisation and accordingly governance actions have had to be reduced to enable a level of change to be sustained. This could result in impact on the collaboration with Waverley Borough Council and/or business as usual for the ICT team and other services.

Owners

Service: Communications and Customer Services

Executive Member: Lead Cllr Angela Goodwin for Engagement and Customer Services

Officer: Peter Stevens, Joint Assistant Director of Communications and Customer Services

Mitigations and controls

In place

Service and financial planning – the council undertakes an annual budget setting process where resources are allocated to meet objectives.

ICT and Digital Programme Board – the Board oversees the strategic delivery of the ICT and digital programme(s) within the council and helps ensure its alignment with wider objectives, as well as security and technological priorities. The Board reviews and recommends demand on ICT change capacity with the council’s resources.

Project and programme management framework – the council’s programme and portfolio management framework requires change initiatives, delivered via projects and programmes, to develop robust business cases. Internal staff resource is considered within business case development.

To be implemented

Action	Target date
Improvement Plan – there are several resource specific actions included within the council’s Improvement Plan (available here). The plan will continue to evolve until the council has demonstrated sufficient improvement against the observations made by Solace.	Ongoing
Development of a new ICT Strategy – to be aligned with the ambitions of the new Corporate Strategy as well as other emerging strategies.	TBC

Risk scoring

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Critical (3)	Very High (6)	18	
Residual	Significant (2)	Very High (6)	12	
Target	Significant (2)	Low (3)	6	

Last updated 30 October 2024

CR9

Non-adherence to procurement processes and contracts

AMBER

Description

There is a risk that procurement processes and contracts are not being managed or adhered to across the council. This could result in reduced value for money and lack of financial and legal control.

Owners

Service: Finance; Regeneration & Planning Policy

Executive Member: Cllr Richard Lucas, Lead Councillor for Finance and Property; Cllr Tom Hunt, Deputy Leader of the Council and Lead Councillor for Regeneration

Officer: Richard Bates, Joint Strategic Director of Finance; Claire Beesly, Joint Assistant Director of Legal Services & Information Governance

Mitigations and controls**In place**

Contract Procedural Rules (CPRs) – the new Contract Procedural Rules (Part 4 of the Constitution) came into effect on 24 July 2024. The Rules apply to all purchases of works, goods, and services by the council. Their observance is mandatory.

Head of Procurement – a new Head of Procurement joined the council in June 2024, bringing with them a considerable amount of knowledge in relation to procurement regulations, in particular the forthcoming Procurement Act 2023. Since August, they have been delivering two types of workshops to staff and Cllrs across both GBC and WBC (workshop 1: Procurement Awareness including CPRs; workshop 2: Procurement Act 2023 – implications & considerations). The purpose is to ensure staff are aware of their obligations under both the CPRs and procurement law to mitigate risk to the council.

Contracts Database: now commissioned and will capture key data including what contracts are in place, what procurement legislation governs them, contract break point dates before extensions, expiry dates and total values. It will also hold copies of contracts and contract management documentation.


Procurement toolkit – recognising that staff require guides, training resources, and support, a procurement toolkit is being established. Guidance such as contract management guides, managing contract criticality (to understand the impact to the council due to contract failure), conflict of interest, etc. The toolkit is available on the council's intranet.




Procurement milestone reporting – new gateway reports are being introduced to track and record key milestones of procurement activity. This will ensure that there is a detailed record of the procurement cycle and from handover into management of the contract in order to ensure that the process is lawful and that best value is indeed attained in the contract.

Project and programme management framework – project and programme delivery invariably requires the procurement of goods and services. As such, where a procurement is contributing to a wider programme updates on the procurement activity will be reported into the programme however the process itself will sit outside of the programme and controlled by milestone reporting and a newly developed procurement tracker. An overarching officer governance board (Enterprise Portfolio Board) oversees the governance of all projects and programmes.

To be implemented

Action	Target date
Procurement Act 2023 compliance – the council's Head of Procurement will ensure that the council is fully compliant with the requirements of the Act, including implementing new systems and processes where necessary.	revised to Feb-25
Key Performance Indicators (KPIs) – as part of the new suite of corporate performance indicators for 2024/25, a KPI is being developed to monitor third party spend on compliance which will be shown as a whole council then with a breakdown per directorate.	Jan-25

CR9	Non-adherence to procurement processes and contracts			<u>AMBER</u>
Central Contracts Database – commissioned and will be in place as business as usual tool by end November but wider training still required hence target date.				Jan-25
<u>Risk scoring</u>				
	Impact	Likelihood	TOTAL	Direction of travel
Gross	Devastating (4)	Very high (6)	24	
Residual	Devastating (4)	Low (3)	12	
Target	Critical (3)	Low (3)	9	
Last updated	11 October 2024			

CR10	Cyber security incident resulting in loss of IT systems or data			<u>AMBER</u>																		
Description There is a risk that the council experiences a loss of IT systems or data, for example as a result of a cyber security incident.																						
Owners Service: Communications and Customer Services Executive Member: Lead Cllr Angela Goodwin for Engagement and Customer Services Officer: Peter Stevens, Joint Assistant Director of Communications and Customer Services, James Beach, IT Lead Specialist.																						
Mitigations and controls In place The council has multi-layered defences to maintain systems and network resilience and is working to bring the Council in line with government guidelines and requirements. Business continuity plans – the council maintains an overarching strategic business continuity plan to manage disruption from an IT outage, resulting from a malicious cause or otherwise. To be implemented																						
<table border="1"> <thead> <tr> <th data-bbox="113 978 1294 1043">Action</th> <th data-bbox="1294 978 1485 1043">Target date</th> </tr> </thead> <tbody> <tr> <td data-bbox="113 1043 1294 1144">ICT refresh programme – a re-scoped programme will include the planned decommissioning of Guildford’s legacy IT network.</td> <td data-bbox="1294 1043 1485 1144">Dec-24</td> </tr> <tr> <td data-bbox="113 1144 1294 1279">Cyber resilience programme – will be implemented, comprised of a number of key deliverables to heighten cyber resilience and defences across the council in line with evolving threats.</td> <td data-bbox="1294 1144 1485 1279">Ongoing</td> </tr> </tbody> </table>					Action	Target date	ICT refresh programme – a re-scoped programme will include the planned decommissioning of Guildford’s legacy IT network.	Dec-24	Cyber resilience programme – will be implemented, comprised of a number of key deliverables to heighten cyber resilience and defences across the council in line with evolving threats.	Ongoing												
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Last updated	30 October 2024																					

Description

There is a risk that the council is unable to recruit and retain suitably qualified and motivated staff. This could result in reduced capacity to deliver, compromise service delivery and quality, redirection of resources and increased spend on consultants and agency staff.

Owners

Service: Strategy & Corporate Services

Executive Member: Cllr Carla Morson, Lead Councillor for Community and Organisational Development

Officer: Robin Taylor, Joint Assistant Director of Strategy & Corporate Services; Francesca Chapman, Lead Specialist - HR

Mitigations and controls**In place**


Pay Policy Statement 2024-25 - we aim to design our pay policies and procedures to ensure that pay levels reflect the relative demands and responsibilities of posts, together with the knowledge, skills and capabilities necessary to ensure that the post's duties are undertaken to the required standard. The aim behind this [Pay Policy Statement](#) is to ensure that our approach to pay is transparent. This policy statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued by the Secretary of State for Housing, Communities and Local Government to which the authority is required to have regard under Section 40 of the Act.

Monitoring of staff turnover data – while a level of turnover is healthy for any organisation, elevated levels can cause service delivery issues as well as being indicative of wider organisational issues. Turnover data is closely monitored by Human Resources, with leavers' surveys and exit interviews undertaken with staff to monitor and understand trends. Staff turnover data is reported to senior officers and the Overview and Scrutiny Committee (Resources) as a corporate KPI. Turnover in Q1 of this year stands at 10%, down from 14% in Q1 2023/24.

Use of interim and agency staff – to meet short-term capacity pressures and to deliver specific pieces of work.

To be implemented

Action	Target date
A staff survey has been commissioned. The survey is an important way to gather feedback from staff about job satisfaction. It will help identify areas for improvement and measure staff engagement. The survey closes on 6 December 2024.	Dec-24
New People Strategy – a joint People Strategy is in the process of being developed for both Guildford and Waverley. The new strategy will recognise that our staff are our greatest asset and will articulate how we will invest in them so that they have the skills and expertise needed to deliver on our priorities as set out in our new corporate strategy. The strategy will foster, promote and nurture a positive, high performing culture that encourages and supports staff to innovate, challenge and achieve for our residents and businesses. It will also set out specific initiatives for how the council will manage any recruitment and retention challenges.	Spring 2025
Key Performance Indicator (KPI) – as part of developing a new suite of KPIs for 2024/25, consideration is being given to reporting on the ratio of interim (agency) staff against permanent staff. The aim is to report on the balance between using agency staff to meet short term capacity pressures against the need to recruit to posts on the establishment with the long-term aim of reducing costs on staffing.	Jan-25

CR11	Recruitment and retention of staff			<u>AMBER</u>
<u>Risk scoring</u>				
	Impact	Likelihood	TOTAL	Direction of travel
Gross	Critical (3)	Very High (6)	18	
Residual	Significant (2)	Medium (4)	8	
Target	Significant (2)	Low (3)	6	
Last updated	8 November 2024			

CR12

Guildford-Waverley collaboration does not meet objectives

AMBER

Description

There is a risk that the Guildford-Waverley collaboration does not meet its objectives or is not politically supported. This could result in increased/sustained financial difficulty to the council and may cause resources to be redirected; the council being unable to produce a balanced budget and reputational damage; disruption to service delivery.

Owners

Service: All

Executive Member: Leader of the Council, Cllr Julia McShane, Cllr Carla Morson, Lead Councillor for Community and Organisational Development

Officer: Pedro Wrobel, Joint Chief Executive; Robin Taylor, Joint Assistant Director of Strategy & Corporate Services

Mitigations and controls**In place**

Transformation & Collaboration Programme – in July 2021 both councils agreed to enter a collaboration, starting with the appointment of a Joint Management Team as a way of bringing forward further business cases for collaboration. In [November 2023, the Executive](#) adopted a programme of work setting out the progress made so far, together with recommendations in respect of future collaboration, including options analyses, governance, and financial matters. The Corporate Leadership Board continues to oversee the programme.

An interim approach for the **creation of joint posts** was approved by the [Executive on 3 October 2024](#).

The **Guildford and Waverley Joint Governance Committee** is the overarching body to review and monitor the actions and changes set out in the Inter-Authority Agreement and the Collaboration programme risk register.

Inter-Authority Agreement (IAA) between Guildford and Waverley Borough Councils sets out the legal framework under which the partnership will operate. It sets out the principles of how the two organisations will work together and how assets will be used, how staff will work for both councils, and how costs and savings achieved from the benefits of the partnership will be shared. It also contains a formal dispute resolution process, should the two councils be unable to reach agreement on a particular issue. The heads of terms for the IAA were approved by both [Full Councils in April 2022](#), following weekly meetings of a councillor working group. Proposed changes to the IAA were reported to the [Joint Governance Committee on 3 June 2024](#).

Collaboration programme risk register – risks relating to the collaboration are reported on the collaboration risk register and reported to the Joint Governance Committee. The risk register was last reported to the [Committee on 3 June 2024](#).

Constitutional Training – training on constitutional decision making was held in December/January 2023 with members and officers.

Scheme of Delegation – an updated Officer Scheme of Delegation was [approved by Full Council on 23 July 2024](#). The updated scheme ensures its ongoing robustness in setting out the responsibilities of officers and the limits of their decision-making powers. The Scheme of Delegation has been aligned with Waverley Borough Council to support efficient decision making at the joint management level.


Financial Procedural Rules – updated Financial Procedural Rules were approved by [Full Council on 23 July 2024](#). The updated procedural rules, aligned with Waverley Borough Council, will improve the governance procedures for each council and will enhance efficient joint working and ongoing collaboration.

To be implemented

Action	Target date
Improvement Plan – there are several collaboration specific actions included within the council's Improvement Plan (available here). The plan will continue to evolve until the	Ongoing

CR12	Guildford-Waverley collaboration does not meet objectives	<u>AMBER</u>
council has demonstrated sufficient improvement against the observations made by Solace.		
Local Partnerships , an in-house consultancy of the Local Government Association, have been commissioned to undertake a cost benefit analysis of the collaboration to date. The subsequent report will also consider future opportunities for collaboration and will be reported to Full Council in the autumn.		Feb-25
Constitution review – a review is underway to ensure its ongoing robustness, particularly as the council continues to collaborate with Waverley Borough Council.		Sept-25

Risk scoring

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Critical (3)	Medium (4)	12	
Residual	Critical (3)	Low (3)	9	
Target	Significant (2)	Very Low (2)	4	

Last updated: 8 November 2024

Description

The council has an interest in various companies and charitable trusts. As a recent report commissioned by the council from Solace notes, there are concerns regarding the governance of these entities. Inadequate governance arrangements create several risks, including that the council's objectives and interests are not being best served, that financial risks and liabilities are not well understood, as well as risking non-compliance with legislative requirements, such as statutory reporting and the filing of accounts.

Owners

Service: Legal and Democratic Services

Executive Member: Cllr Merel Rehorst-Smith, Lead Councillor for Regulatory and Democratic Services

Officer: Susan Sale, Joint Strategic Director of Legal and Democratic Services; Claire Beesly, Joint Assistant Director of Legal Services & Information Governance; Richard Bates, Joint Strategic Director of Finance/S151 Officer; and Pedro Wrobel, Joint Chief Executive.

Mitigations and controls**In place**

An **Executive Shareholder and Trustee Committee** is in operation and discharges the shareholder and trustee functions of the council in accordance with the Companies Act (2006) and Charities Act (2011).

A **draft work programme** was agreed for routine matters within the remit of the Committee, including an annual business plan, quarterly/annual accounts and performance reporting for each Council Company.


An update on companies governance matters was reported to [Full Council on 8 October 2024](#). The report presents changes to improve the governance arrangements for existing council companies and defined clear arrangements for how they should be dealt with for the future. Further updates were reported to the meeting of the [Executive and Shareholder Trustee Committee on 28 November 2024](#), which included a general update on companies as well as specific updates on Guildford Sportsground Management Company.

As reported to the Executive Shareholder and Trustee Committee on [8 August 2024](#) the Lead Officer for North Downs Housing Ltd approval was given for an **options appraisal** be undertaken to inform the future of the Company. An update on the loan was reported to the [Executive on 28 November 2024](#).

A **temporary company lawyer** was appointed in October 2024 to review governance documents including Articles of Association and Shareholder Agreements and provide training to Trustees, Directors and Officers.

To be implemented

Action	Target date
A review will be carried out by the Joint Strategic Director of Finance/S151 Officer concerning loans to companies.	TBC
The Joint Chief Executive Officer to exercise his delegated authority, in consultation with the Leader of the Council to make the Director appointments to the Board of the Guildford Sportsground Management Company and Guildford Borough Council Holdings Limited.	Ongoing
To receive a report from the Lead Officer for Guildford Sportsground Management Company reviewing the objectives and arrangements for the Council's interest in that Company.	Nov-24
To receive a report from the Lead Officer for Guildford Borough Council Holdings Limited reviewing the objectives and arrangements for the future of Guildford Borough Council Holdings Limited.	Nov-24

CR13	Governance of companies and charitable trusts			<u>AMBER</u>
To receive a report from the Council’s Statutory Officers starting the process of reviewing the governance arrangements and Council’s interests in Charities and Trusts.				Nov-24
<u>Risk scoring</u>				
	Impact	Likelihood	TOTAL	Direction of travel
Gross	Critical (3)	Low (3)	9	
Residual	Significant (2)	Low (3)	6	
Target	Significant (2)	Very Low (2)	4	
Last updated	5 December 2024			

Description

Data sharing is key to the collaboration programme between Guildford and Waverley. There is a risk, however, that the personal data of residents and staff is being shared with Waverley as part of the collaboration and in the absence of a robust information sharing policy, as well as the underlying IT solutions. It is possible that any such sharing would be contrary to the Data Protection Act (2018). There is also a risk of non-compliance with the Freedom of Information Act (2000), as well as data loss, ultimately resulting in inefficient service delivery.

Owners

Service: Legal and Democratic Services

Executive Member: Cllr Merel Rehorst-Smith, Lead Councillor for Regulatory and Democratic Services

Officer: Susan Sale, Joint Strategic Director of Legal and Democratic Services; Claire Beesly, Joint Assistant Director of Legal Services & Information Governance

Mitigations and controls**In place**

A **data sharing agreement** is in place between the two authorities in respect of joint staff, though it is no longer adequate for the needs of the collaboration and must therefore be improved (see below).

Privacy and Data Protection Policy – is in place and is due to be reviewed in 2025. It forms part of the council's Information Security Framework and is subject to review in the light of changes in the law and Information Commissioner's guidance. It sets out the roles and responsibilities of officers and is managed by the Information Governance Manager. The policy includes guidance on data breaches and the process to follow.


Information Risk Group – the role of this group is to identify information related risk and provide advice on the effective management of all council-held information by ensuring compliance with relevant legislation and effective risk management practices.

Data Protection and Information Security – an annual update was reported to the [Corporate Governance & Standards Committee in September 2024](#) which includes an update on compliance with statutory requirements.

Data Protection training – the training is a requirement for all staff to complete and is included in the council's induction training for new-starters. Regular refresher training sessions are also offered to staff.

To be implemented

Action	Target date
A staff survey will be circulated to understand the scale of data sharing issues, which may result in further training sessions and change of practices.	Jan-25
Following the outcome of the staff survey, actions will include: <ul style="list-style-type: none"> an audit of data that is shared between the two councils, helping to target efforts for improvement. update key policies and procedures, including privacy notices to cover the processing of data. explore an IT solution to improve the functionality and compliance of data sharing between the two councils. 	TBC
Data sharing agreement refresh in relation to both personal and commercial data – to introduce a new, fit for purpose data sharing agreement for the sharing of data of all joint staff and other officers employed by both authorities.	Jan-25

CR14	Data sharing with Waverley Borough Council			<u>AMBER</u>
Carry out data protection impact assessments for datasets and services.				When identified
Each service to update their Privacy Statements published on the council's website.				Mar-25
<u>Risk scoring</u>				
	Impact	Likelihood	TOTAL	Direction of travel
Gross	Critical (3)	High (5)	15	
Residual	Significant (2)	Medium (4)	8	
Target	Significant (2)	Low (3)	6	
Last updated	13 November 2024			

Description

The government has published a new National Planning Policy Framework (NPPF). The new NPPF has significantly increased the housing need figure for the borough. The need figure is now mandatory with limited scope to argue exceptions. The targets will be difficult to achieve given local constraints and land designation, as well as capacity issues in the construction sector. Further, based on the new target the borough will not have a five-year housing supply by summer 2025. In the absence of a five-year land supply, there is a high risk of speculative applications on non-allocated sites, some of which will not be supportable resulting in the council defending more appeals at potentially significant financial cost and a strain on resources. Developing a new Local Plan within the context of the new NPPF will also be challenging, where it will be expected to demonstrate how the borough will meet the increased housing need in the years ahead. Failure to deliver on the increased figure risks the loss of local control over shaping the borough with development occurring in the wrong place with inadequate infrastructure to support existing and future residents.

Owners

Service: Planning

Executive Member: Cllr Fiona White, Lead Councillor for Planning

Officer: Claire Upton-Brown, Assistant Director of Planning

Mitigations and controls**In place**

Current Local Plan – the borough's current Local Plan was adopted in April 2019. The Local Plan and five-year land supply provides the necessary policy background for delivery sustainable development on allocated and non-allocated sites.

Pre-application advice service – the council operates a pre-application advice service which offers an opportunity for the early shaping of developments. Whilst this will not prevent speculative applications it may help mitigate their impacts/harms.


Proactive working with developers of existing allocations – proactive working with developers, land owners and site promoters will help delivery housing on more acceptable sites. Continued proactive work on the allocated strategic sites will derisk delivery in the later years of the current Plan.

To be implemented

Action	Target date
Development of a new Local Plan – a report to the Executive in February 2025, will confirm the timetable for preparing the new Local Plan in accordance with the new NPPF.	TBC
Green Belt review – a review into the Green Belt will be commissioned as part of the Local Plan review. The review will identify any sites appropriate for release and potential allocation in the new Local Plan together with grey belt sites as defined by the new NPPF.	Dec-25
Brief councillors – continue to keep all members briefed on the implications of the new NPPF and the development of the new Local Plan, further work/training with the Planning Committee to ensure robust decision making.	Ongoing
Promote the pre-application advice service – continue to promote this service as per the above. Work directly with developers to encourage collaboration on future allocated sites.	Ongoing

CR15 (new)	NPPF and the new Local Plan	RED
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Risk scoring

	Impact	Likelihood	TOTAL	Direction of travel
Gross	Devastating (6)	Very High (6)	24	
Residual	Critical (3)	High (5)	15	
Target	Significant (2)	Very Low (2)	4	

Last updated	2 January 2025
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