

Committee Services  
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DIRECTOR OF STRATEGY,  
PERFORMANCE AND  
GOVERNANCE  
Paul Dodson

22 September 2022

Dear Councillor

You are summoned to attend the meeting of the;

**PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE**

on **THURSDAY 29 SEPTEMBER 2022 at 7.30 pm**

in the **Council Chamber, Maldon District Council Offices, Princes Road, Maldon.**

Please Note: All meetings will continue to be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely. Public participants wishing to speak remotely at a meeting can continue to do so via Microsoft Teams.

To register your request to speak please submit a [Public Access form](#) (to be submitted by 12noon on the working day before the Committee meeting). All requests will be considered on a first-come, first-served basis.

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

**COMMITTEE MEMBERSHIP:**

CHAIRMAN	Councillor W Stamp, CC
VICE-CHAIRMAN	Councillor Mrs J L Fleming, CC
COUNCILLORS	M R Edwards A S Fluker A L Hull J V Keyes N J Skeens E L Stephens Mrs J C Stilts Mrs M E Thompson





**AGENDA**  
**PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE**  
**THURSDAY 29 SEPTEMBER 2022**

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1. **Chairman's Notices**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 5 - 8)

To confirm the Minutes of the Performance, Governance and Audit Committee held on 21 July 2022, (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Exclusion of the Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

6. **Cyber Security Update** (Pages 9 - 36)

To consider the report of the Director of Service Delivery, (copy enclosed).

7. **Resumption of Business in Open Forum**

8. **Public Participation**

To receive the views of members of the public, of which prior notification in writing has been received (no later than noon on the Tuesday prior to the day of the meeting).

Should you wish to submit a question please complete the online form at:  
[www.maldon.gov.uk/publicparticipation](http://www.maldon.gov.uk/publicparticipation).

9. **Review of Corporate Performance - Quarter 1** (Pages 37 - 68)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

10. **Review of Corporate Risk - Quarter 1** (Pages 69 - 80)
- To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
11. **Review of Health and Safety - Quarter 4 2021/22 & Quarter 1 2022/23** (Pages 81 - 90)
- To consider the report of the Director of Service Delivery, (copy enclosed).
12. **Balance Scorecard Exceptions Report** (Pages 91 - 106)
- To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
13. **Risk Management Policy** (Pages 107 - 120)
- To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
14. **Annual Governance Statement Actions Update - Quarter 1** (Pages 121 - 124)
- To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).
15. **Council Constitution and Scheme of Delegation General Powers Update** (Pages 125 - 126)
- To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
16. **Any other items of business that the Chairman of the Committee decides are urgent**
- 

### **NOTICES**

#### **Recording of Meeting**

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session.

#### **Fire**

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#### **Health and Safety**

Please be advised there is a step up when you enter the Council Chamber.

#### **Closed-Circuit Televisions (CCTV)**

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**MINUTES of  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
21 JULY 2022**

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**PRESENT**

Chairman	Councillor W Stamp, CC
Vice-Chairman	Councillor Mrs J L Fleming, CC
Councillors	M R Edwards, A S Fluker, A L Hull, J V Keyes, E L Stephens, Mrs J C Stilts and Mrs M E Thompson
In Attendance	Councillor Mrs P A Channer

**1. CHAIRMAN'S NOTICES**

The Chairman welcomed all present and took the Committee through some housekeeping arrangements for the meeting.

**2. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor N J Skeens.

**3. MINUTES OF THE LAST MEETING**

**RESOLVED** by assent that the Minutes of the meeting of the Committee held on 9 June 2022, be approved and confirmed.

**4. DISCLOSURE OF INTEREST**

Councillor Mrs J L Fleming declared a registrable interest as a Member of Essex County Council on any agenda items pertaining to that organisation.

Councillor W Stamp declared that she was a Member of Essex County Council but there was nothing registrable on the agenda for this meeting.

**5. PUBLIC PARTICIPATION**

No requests had been received.

**6. INTERNAL AUDIT REPORT**

The Committee considered the report of the Director of Resources and associated Internal Audit reports from BDO LLP, attached on the agenda at 6a to 6g, *Progress Report; Follow-up of Recommendations; Workforce Management; Customer Relationship Management (CRM); Internal Audit Annual Report and Annual Statement of Assurance, Risk Maturity and Corporate Governance.*

The Chairman introduced the reports and deferred to the Internal Audit Partner to present the detail. He advised the Committee that he would present the seven reports in three tranches, dealing with 6a) and b) first and any questions arising, followed by 6c) d) and e) and finally 6f) and g). It was noted that the *Progress* report covered four reports on the agenda, two from the 2020/21 programme of work and two from 2022/23 programme. Internal Audit was finalising management responses on two further draft reports for 2020/21 covering Contract Management and Commercialisation,

The *Follow-up* report showed overall reasonable progress and the recommendations outstanding, namely Flood Risk Management and Safeguarding, would be covered in new audits on the 2022/23 programme of work. It was noted that a lot of work had been undertaken in respect of affordable housing.

In response to issues raised Officers provided the following information:-

- That the data on affordable housing had been collated, the next step was to report upwards to CLT via the balance scorecard.
- That the Housing Strategy due date would slip slightly, many issues will be delivered. A report was due to Strategy & Resources on 15 September 2022 when the timeline will be extended, The Strategy is still valid and ongoing.
- That Management of Property will be linked to the Asset Management Working Group. The work will not be completed by the current due date; however, the groundwork will have been laid.
- That work on Flood Risk carried on in the background, there was no specific strategy for Maldon District as Essex County Council, the Lead Local Flood Authority determined the strategy working with the Environment Agency and supported by Maldon District Council. It was agreed that the Flood Strategy Masterplan be circulated to the Committee following the meeting.

The Internal Audit Partner then addressed reports 6c), d) and e). The *Workforce Management Audit* attained a level of assurance of substantial on both design and effectiveness. It was noted that this was very positive and of significance for the Council. *Customer Relationship Management* achieved moderate in both design and effectiveness. This had been impacted by some issues with Firmstep, work was underway to address those which was a positive sign and management had a clear Action Plan in place. The overall assurance in the *Annual Report* was moderate which was the second highest assurance allocated by BDO and given the challenging circumstances over the past year this was considered a good performance.

At this point, and in response to a query regarding potential problems with the Dash system, the Director of Resources said he would review and report back outside of the meeting.

The Internal Audit Manager then took the Committee through the final two reports. The *Risk Maturity* report noted that the Council scored above average against the key indicators when compared to other Councils, which demonstrated that risk management was being taken seriously. Finally the *Corporate Governance* review achieved substantial on design and moderate on design effectiveness. A number of areas of strength were highlighted including adoption of the new Model Councillor Code of Conduct, Members' Onboarding process, Member training etc. An area of concern was the limited consideration given to the recommendations in the Planning Advisory Service report. It was noted that this would be brought back to Council for review.

The Chairman then moved the recommendations which were duly seconded and the Committee agreed them by assent.

**RESOLVED** that the committee considered, commented, and approved the following:

- (i) Internal Audit Progress Report – July 2022 at **6a**;
- (ii) Follow-up of Recommendations Report – July 2022 - **6b**;
- (iii) Workforce Management – May 2022 – **6c**;
- (iv) Customer Relationship Management (CRM) – March 2022 – **6d**;
- (v) Internal Audit Annual Report and Annual Statement of Assurance – 21/22 – **6e**;
- (vi) Risk Maturity – June 2022 – **6f**;
- (vii) Corporate Governance – July 2022 – **6g**.

## **7. INFRASTRUCTURE FUNDING STATEMENT (IFS)**

The Committee considered the report of the Director of Strategy, Performance and Governance that provided Members with an update on the monitoring of Section 106 planning obligations and sought approval of the Maldon District Infrastructure Funding Statement for the financial year 2021/22, in accordance with the Council's legal duties.

The Chairman introduced the report and deferred to the Lead Specialist, Planning, Policy and Implementation to present the detail. She took the Committee through the report and advised that in order to align with the Council's monitoring processes and the financial year it was best going forwards to submit the Infrastructure Funding Statement at this point for approval as opposed to previously in December. It was noted that the layout had been changed with more visual information included. The Chairman then opened the discussion.

In response to issues raised the Lead Specialist, Planning Policy and implementation advised as follows:-

- That the only funding gap at the moment related to the South Maldon Relief Road and that the size of the funding gap would not be known until the design had been agreed.
- That the monies received for health were historic and that a large spend was imminent in this area.

It was further agreed that the Lead Specialist, Planning Policy and Implementation circulate information on the following outside of the meeting:-

- Clarification from Essex County Council (ECC) regarding the s106 Toucan Crossing spend;
- A breakdown of the health monies in respect of where it was generated and where it had been spent;
- The net figure on parking spend;
- Clarification from ECC regarding the investment in Burnham-on-Crouch primary school;
- A breakdown of s106 spend on youth facilities. It was noted that spend had been delayed due to Covid however capacity was now in place to move forward

She concluded by advising that meetings were now taking place on a 6 weekly cycle with NHS, Education and Highways which was a much better way of interacting and encouraging funding coming forward.

The Chairman then moved the recommendations, duly seconded by Councillor Fleming, and the Committee agreed these by assent.

**RESOLVED**

- (i) That the Committee considered the update on Section 106 planning obligations.
- (ii) That the Committee approved the Maldon District Council Infrastructure Funding Statement for the financial year 2021 - 2022 for publication as set out in appendix 1.

**8. EQUALITY, DIVERSITY AND INCLUSION ACTION UPDATE- ANNUAL REVIEW**

The Committee considered the report of the Equality, Diversity and Inclusion Officers that updated Members on the progress towards achieving the Equality, Diversity and Inclusion (EDI) objectives set out within the EDI Policy.

The Chairman introduced the report and deferred to the Director of Resources to present the detail. He drew Members' attention to the three objectives outlined in the report, the Action Plan at appendix 1 and highlighted the recommendation to Council. The Chairman then opened the discussion..

A brief debate ensued around the preferred title to be used when running a meeting. The general consensus was that it was good to have choices which both the recommendation to Council and section 3.1 of the report provided. Councillor Fluker said that Councillor Siddall, as the EDI Member Sponsor, should be commended for bringing this issue forward.

At this point Councillor Stephens raised an issue regarding public access to the Council phone system and the Director of Service Delivery, referring to the Customer Strategy, said he would liaise with her outside of the meeting to address the matter.

The Chairman then moved the recommendations, duly seconded by Councillor Fleming and the Committee agreed these by assent.

Councillor Thompson asked that it be noted she did not assent.

**RESOLVED** that the Committee reviewed the report, and noted progress and the EDI action plan;

**RECOMMENDED** that the Council's constitution be updated to reflect gender neutral terms rather than him/chairman from the options as set out in section 3.5 of this report, and member salutations are removed as standard practice.

**9. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT**

There were none and the Chairman thanked all present for their contributions.

The meeting closed at 8.30 pm.

W STAMP, CC  
CHAIRMAN

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## **REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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to  
**PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE**  
**29 SEPTEMBER 2022**

### **REVIEW OF CORPORATE PERFORMANCE – QUARTER 1**

#### **1. PURPOSE OF THE REPORT**

- 1.1 The Corporate Performance framework requires this Committee to undertake a quarterly review of the Thematic Strategies, and Commercial Strategy performance, as assurance that performance is being managed effectively to achieve the corporate outcomes as set out in the Council's Corporate Plan 2021 - 2023.
- 1.2 **APPENDIX 1** to this report provides an overview of Thematic strategies and Commercial Strategy performance as of the end of Quarter 1 (April 2022 – June 2022).
- 1.3 Online versions are available to view on the Members' SharePoint site.

#### **2. RECOMMENDATIONS**

- (i) That Members review the information as set out in this report and **APPENDIX 1** with priority focus given to the Strategic Outcome level performance.
- (ii) That Members confirm they are assured through this review that corporate performance is being managed effectively.

#### **3. SUMMARY OF KEY ISSUES**

- 3.1 Since the Corporate strategies were adopted, the Council has had to respond to the local impacts of the Covid-19 pandemic. At all levels in the organisation, this resulted in redeployment and reprioritisation of resources to respond to the community's needs; many of which were not forecast to be priorities.
- 3.2 **APPENDIX 1** now includes Commercial Strategy performance; this will be reported each quarter and will continue to develop through subsequent officer and committee reviews. Commercial financials and strategic actions updates will be reported on from quarter 2.
- 3.3 Any concerns affecting the corporate outcomes are set out in **APPENDIX 1** for the three Thematic Strategies. To summarise:
  - **Overall Place Strategy Performance**
    - Work continues to progress positively. Overall, the performance delivery is on-track, there are some conditional elements identified which are not currently a concern.

- **Overall Prosperity Strategy Performance**
  - Work continues to progress and support delivery of prosperity strategy, however, the impacts of Covid has had an enormous impact on tourism, local economy, and all local businesses. This has significantly delayed progress on strategic objectives.
  - The following outcomes are rated as `at risk`
    - `Enabling future economic investments and new jobs;
    - `Support Existing Local business`;
    - `Enhancing & Promoting the Districts visitor economy.
- **Overall Community Strategy Performance**
  - Work continues to progress positively. Overall, the performance delivery is on-track, there are some conditional elements identified which are not currently a concern.

3.4 The following Key Performance Indicators (KPIs) have been annotated as 'At Risk' for Q1:

Place Thematic Strategy KPIs.	At Risk.	<ul style="list-style-type: none"> <li>• Five Year Housing Land Supply Statement updated and Published.</li> <li>• Implement Air Quality Management Area (AQMA) action plan.</li> </ul>
Prosperity Thematic Strategy KPIs.	At Risk.	<ul style="list-style-type: none"> <li>• Business satisfaction with MDC services;</li> <li>• Business Benefit through tourism activity;</li> <li>• Economic value of events;</li> <li>• Tourism Value to the District (£ and %);</li> <li>• Number of business groups engaged with Sense of Place network;</li> <li>• Estimated % reach of the Maldon District business network.</li> </ul>
Community Thematic Strategy KPIs.	At Risk.	<ul style="list-style-type: none"> <li>• None.</li> </ul>

## 4. CONCLUSION

- 4.1 Most of the reported performance measures at Q1 are on track despite resource re-allocation due to conflicting priorities and delayed effects of COVID 19.
- 4.2 Where Strategies are seeing negative impacts of performance, priority and focused recovery work will continue to progress to bring measures back on track.

## 5. IMPACT ON STRATEGIC THEMES

- 5.1 It is important that performance is monitored and managed effectively, to ensure that Maldon District Council progresses towards and/ or achieves its stated outcomes.

## 6. IMPLICATIONS

- (iii) **Impact on Customers** – Performance management covers the monitoring of corporate outcomes. The Corporate Plan includes delivery for our customers.
- (iv) **Impact on Equalities** – None.
- (v) **Impact on Risk** – If performance is not managed effectively by the Council, it puts the Council's corporate outcomes' delivery at risk and increases unnecessary exposure to potential, operational, reputational, or regulatory consequences.
- (vi) **Impact on Resources (financial)** – All performance management is undertaken within existing planned budgets.
- (vii) **Impact on Resources (human)** – All performance management is undertaken within existing planned budgets.
- (viii) **Impact on the Environment** – None.
- (ix) **Impact on Strengthening Communities** – None.

Background Papers: None.

Enquiries to: Paul Dodson, Director of Strategy, Performance and Governance.

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# Corporate Performance Report Q1

Year: 2022/2023

Report Generated: August 2022



# Corporate Performance Overview

APPENDIX 1

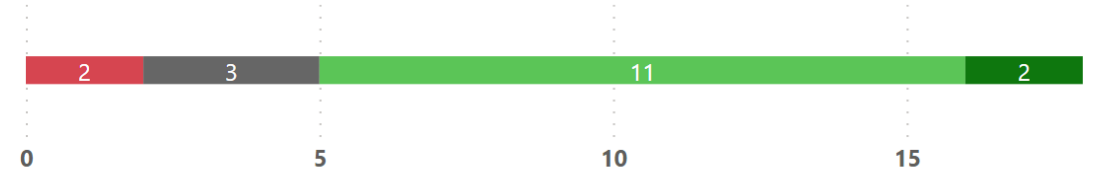
## Place Outcomes

Status ● On Track ● On Track - Conditional Elements



## Place Key Performance Indicators (KPI)

Status ● At Risk ● Not Started ● On Track ● On Track - Conditional Elements



## Prosperity Outcomes

Status ● At Risk



## Prosperity Key Performance Indicators (KPI)

Status ● At Risk ● On Track - Conditional Elements



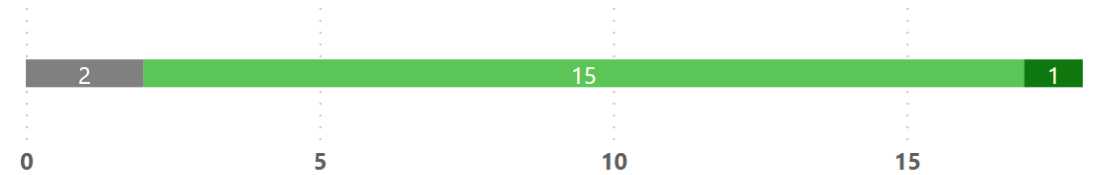
## Community Outcomes

Status ● On Track ● On Track - Conditional Element



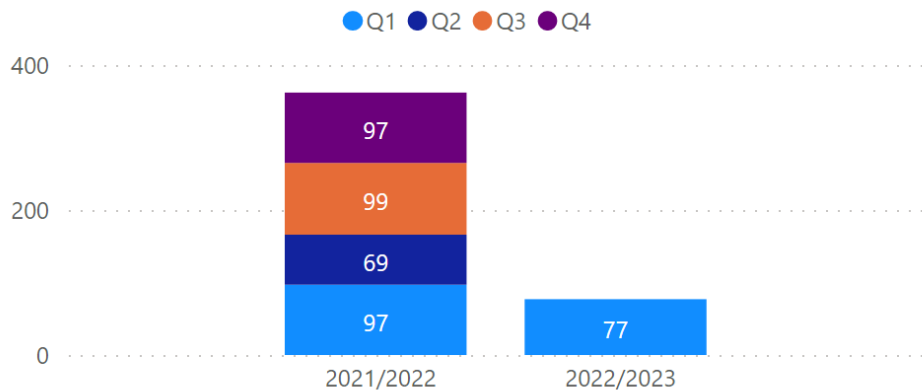
## Community Key Performance Indicators (KPI)

Status ● Not Started ● On Track ● On Track - Conditional Elements



Outcome	Status	22/23 Q1 Commentary
Promote Civic Pride And Maintain The District's Environmental Quality	On Track - Conditional Elements	Q1: Fly tipping incidents for Q1 are down on previous Q1 last year (97 to 77 incidents). However costs for clearance have increased for non-hazardous waste removal from £4.4K Q1 last year to £6.8K. The 95% target clearance rates have been achieved. Satisfaction rates within flagship open spaces remain as reported in Q4. Delivery of Promenade Park Management Plan template and programme features in the UKSPF Investment Plan (August 2022).

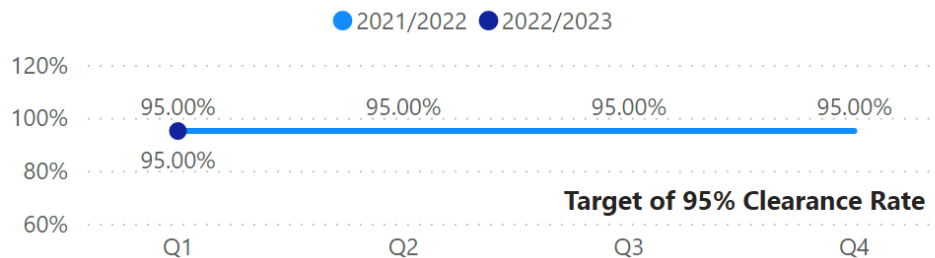
(PL1) Number Of Fly Tipping Incidents (On Public Land)



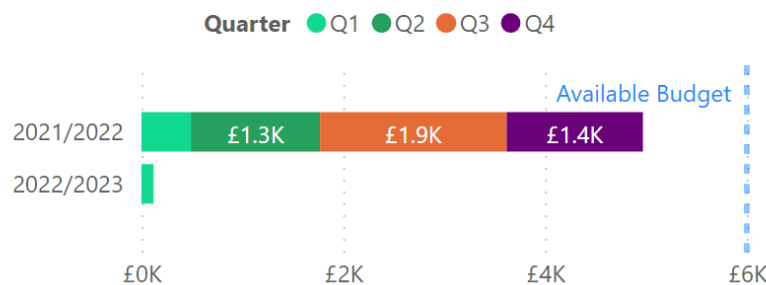
(PL1) Costs For Fly Tip Clearance - Non Hazardous



(PL1) Percentage Removed Within 24 Hours (Contractor Time)



(PL1) Fly tipping - Hazardous



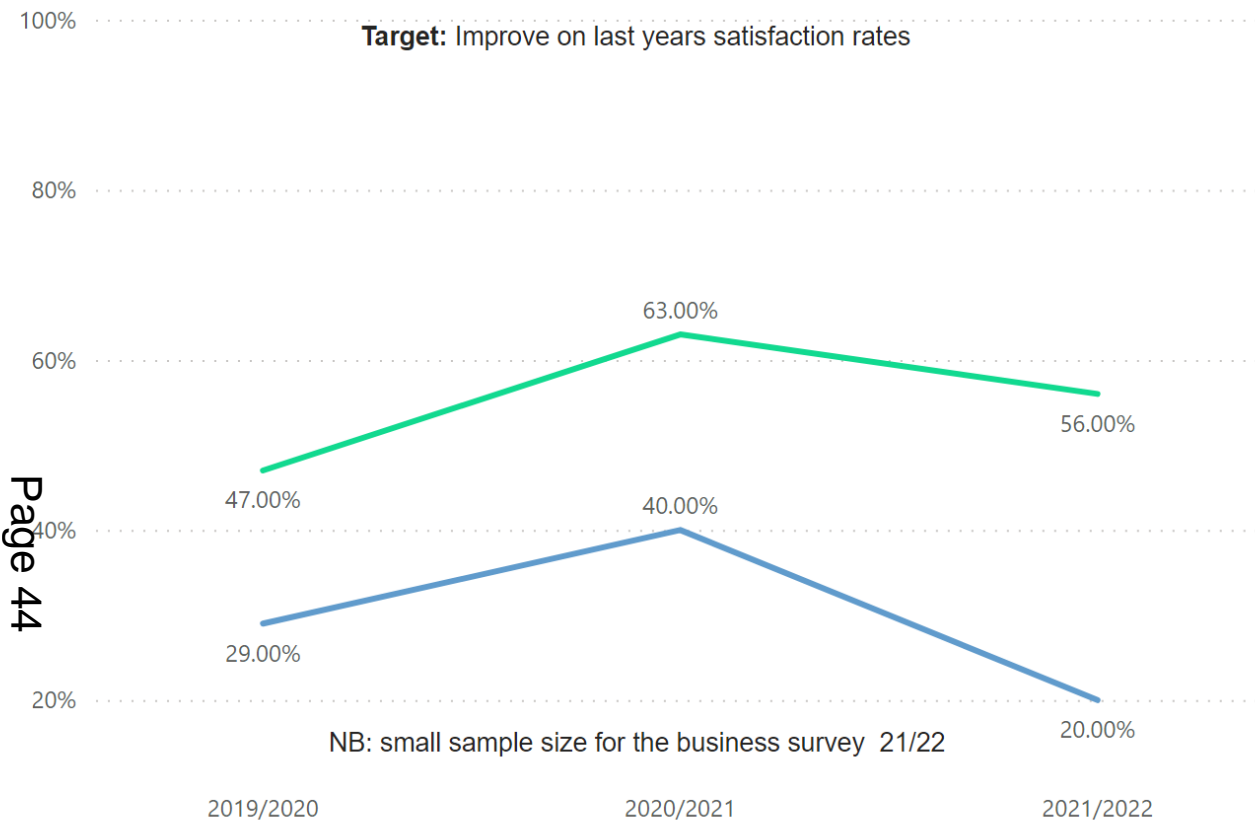
(PL1) Total fly tip removals 2022/2023 (Excluding investigation &amp; enforcement costs)

**£4,487**

### (PL1) Prom Park & Riverside Park Satisfaction

● Prom Park Satisfaction ● Riverside Park Satisfaction

**Target:** Improve on last years satisfaction rates

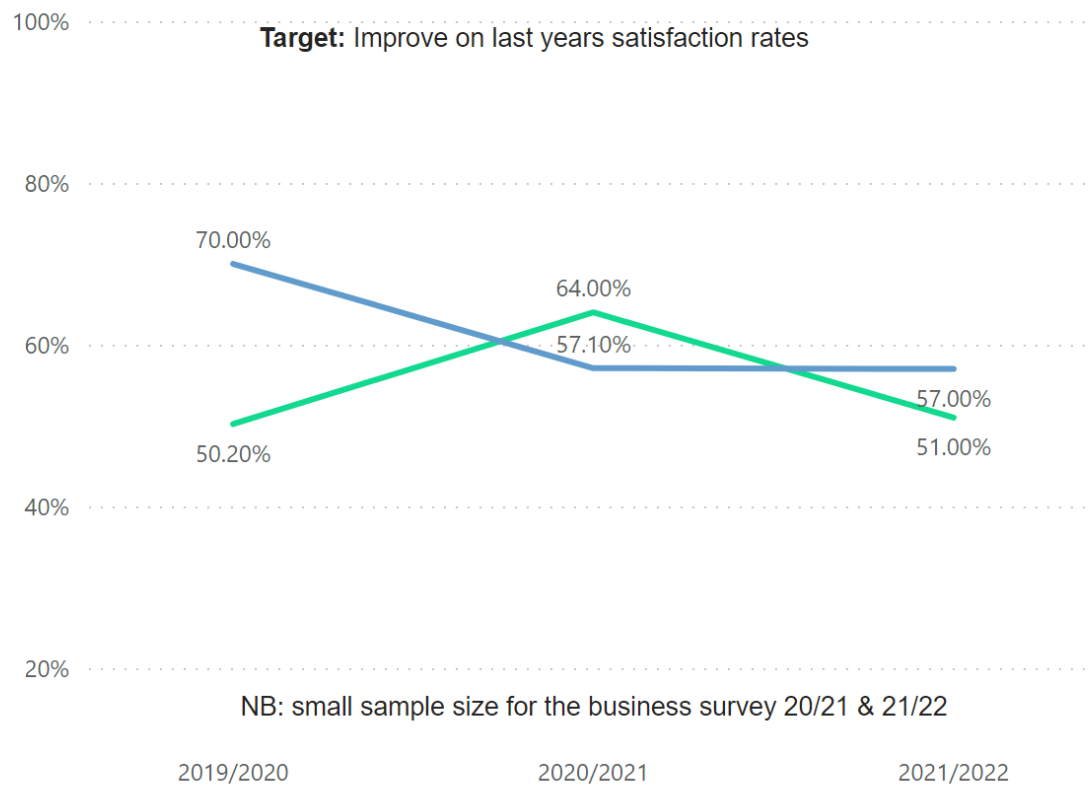


### (PL1) Resident & Business Satisfaction rates to: 'Maldon is a Clean & Tidy District'

#### APPENDIX 1

● Resident Satisfaction Rates ● Business Satisfaction Rate

**Target:** Improve on last years satisfaction rates

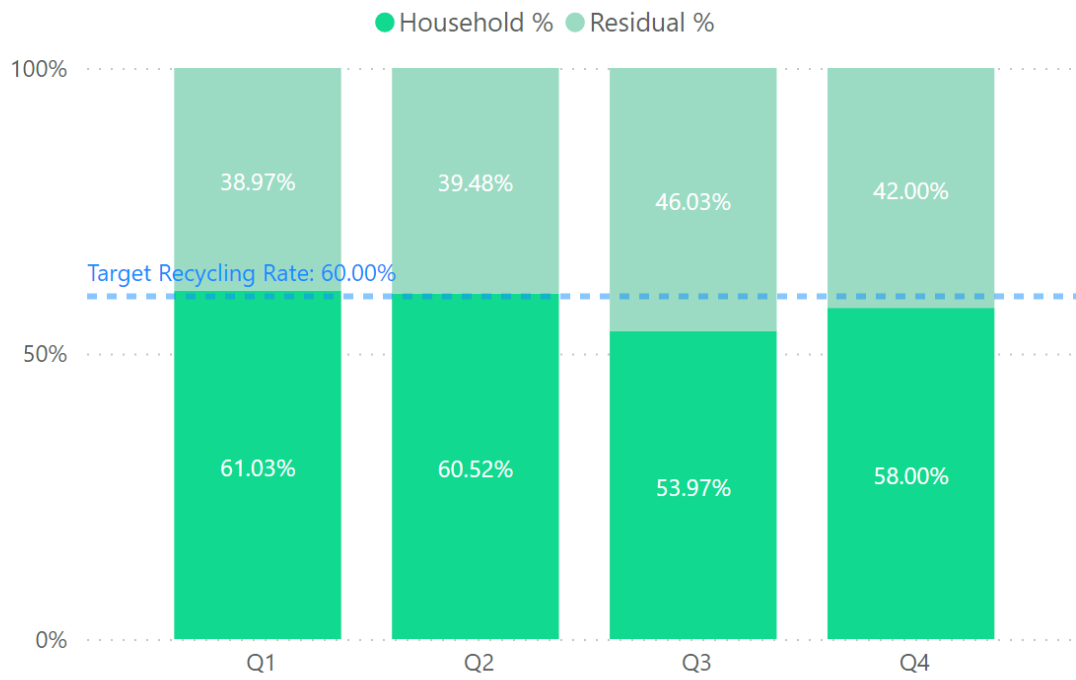


Place Actions Plans	Status	22/23 Q1 Commentary	Target
Delivery of Management Plans for all Maldon District Council owned Public open spaces	Not Started	Q1 - As per previous KPI for Promenade Park Management Plan, no additional finance or staff resources have been allocated in order to be able to initiate this project.	Delivery of Management plan template and programme.

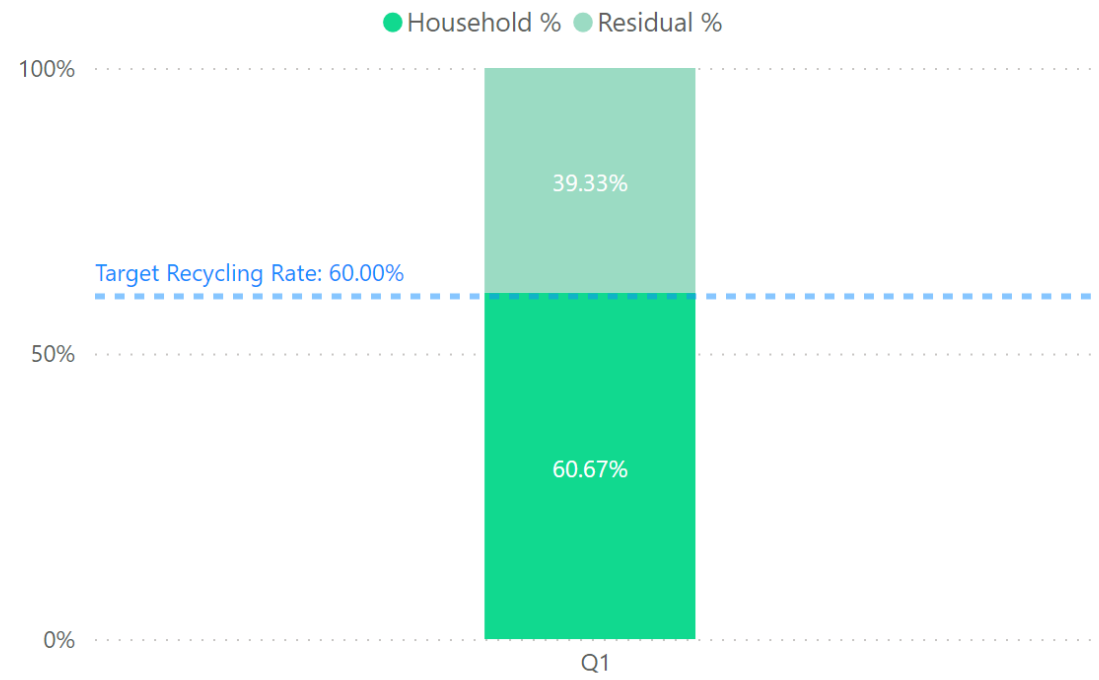


Outcome	Status	22/23 Q1 Commentary
Reduce Impacts Of Waste Disposal And Pollution On The Environment	On Track - Conditional Elements	Q1 - Household recycling rates have slightly exceeded 60% target at 66.67% (residual waste 39.33%). Awaiting outcome of DEFRA funding bid to progress AQMA Action Plan 2020-2025 Measures to reduce Nitrogen Dioxide emissions on Market Hill, Maldon. Climate Action Officer joins organisation end August to progress Climate Action Plan based on 5 Climate Action Strategy 5 Pledges.

(PL2) Percentage Of Household Recycling Rates - 2021/2022



(PL2) Percentage Of Household Recycling Rates - 2022/2023

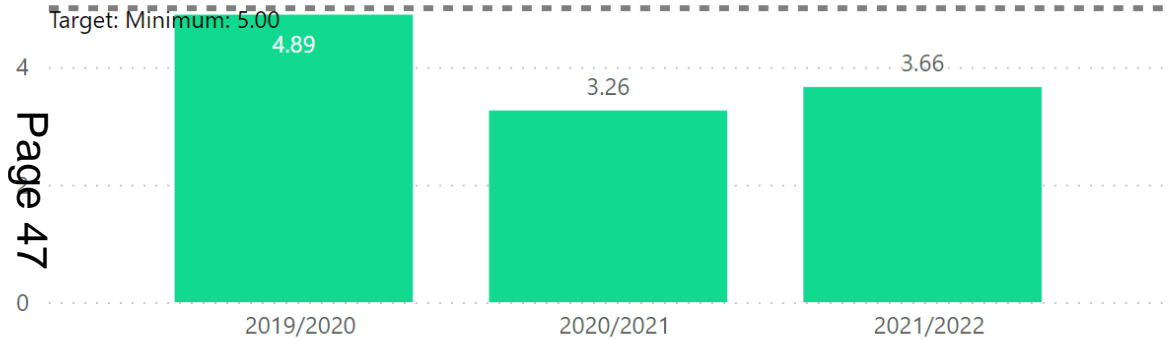


**APPENDIX 1**

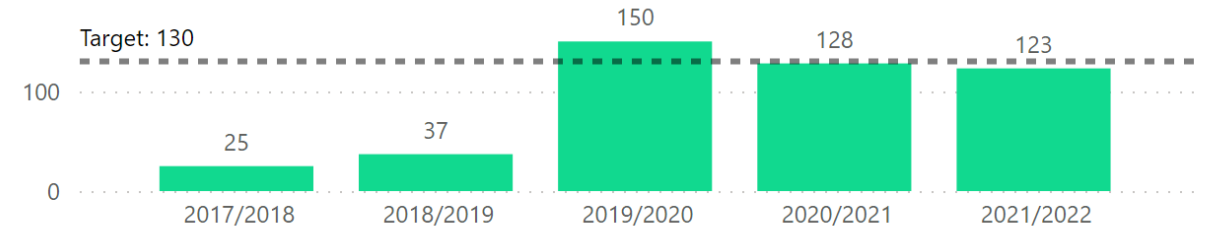
Place Actions Plans	Status	22/23 Q1 Commentary	Target
Implement Air Quality Management Area (AQMA) Action Plan 2020-2025	At Risk	Q1 - Work on delivering the AQMA still remains suspended following the unsuccessful bid for grant funding for 2020/2021. We are awaiting the outcome of the ECC assistance in the grant application for 2021/2022 funding round.	Delivery to AQMA Action Plan Timetable
Preparation and delivery of annual Climate Action Plan	On Track	Q1 - Our action plan work began with kick starting a climate action culture. This was to ensure we first embed climate action thinking across the organisation. This also helps to ensure we have an engaged workforce for when our Climate Action Officer starts on the 30th August. Climate Action Connectors (Strategy Officers and Members of ELT) have been assigned a Pledge and regularly keep Climate Action activities 'connector spreadsheets' up to date. This will help our Climate Action Officer shape a more formal plan once she is on board. This KPI will transfer to the officer once they have joined. We are also working with ECC to develop a transport strategy for the District. And our Staff Travel Plan (which reduces Carbon Emissions) is work that is being fed into the Future Ways of Working Project.	Delivery to Climate Action timetable

Outcome	Status	22/23 Q1 Commentary
Deliver The Housing The District Needs	On Track - Conditional Elements	Q1: 5YHLS is published and has increased slightly to 3.66 years. 45 affordable homes delivered in Q1 (39 affordable rented and 6 shared ownership) towards 130 annual target for affordable housing delivery. The Housing Delivery Test remains as published in Q4 at 154% (exceeding 95% target).

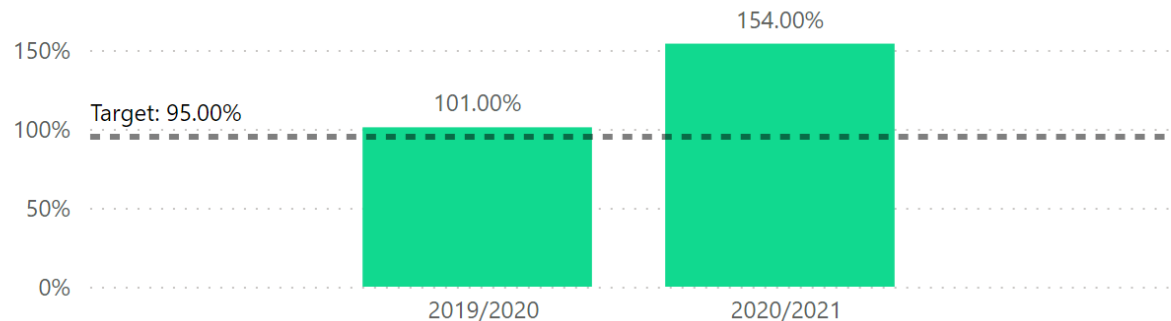
(PL3) Five Year Housing Land Supply Statement Updated And Published (Supply In Years)



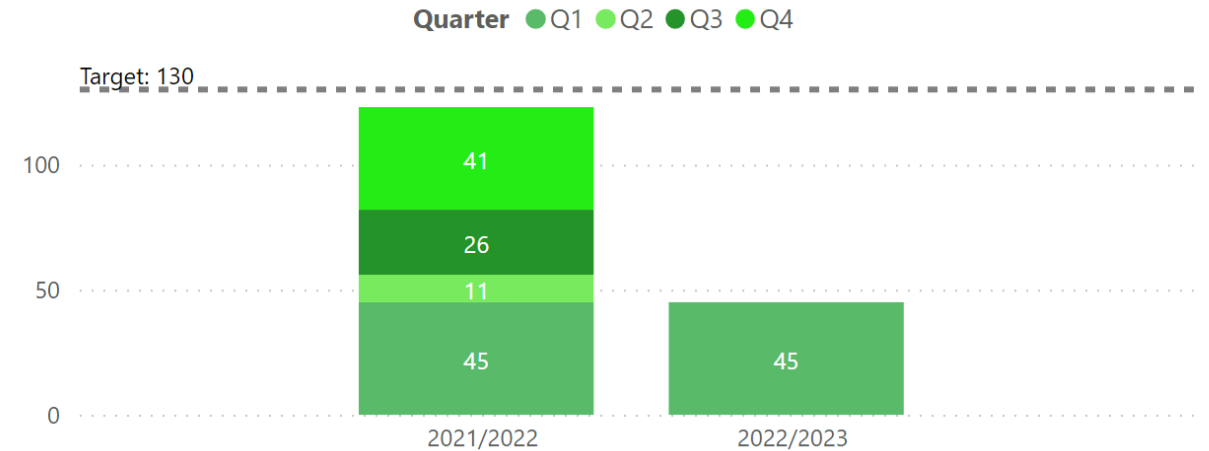
(PL3) Total Number Of Affordable Homes Delivered



(PL3) Housing Delivery Test (HDT) Results Published By MHCLG



(PL3) Quarterly Number Of Affordable Homes Delivered



Place Actions Plans	Status	22/23 Q1 Commentary	<b>APPENDIX 1</b> target
Five Year Housing Land Supply Statement Updated And Published	At Risk	Q1 - The 5 year supply is 3.66 years. Slightly higher than the last report, the amount has been published now with the inclusion of phase 1 of Burnham Waters Retirement Complex and the inclusion of the nursing home - which is not one unit but 39 because it is calculated using the formula set out by the Government for the inclusion of this type of housing.	5 Year Minimum
Number Of Affordable Homes Delivered	On Track	Q1 - Strategic Housing sites continue to progress affordable housing - Q1 - 45 in total - 39 Affordable Rented and 6 Shared Ownership.	130 p.a.
Housing Delivery Test (HDT) Results Published By MHCLG	On Track	Q1 - No change the HDT is only published once a year and has already been published in January 2022, it will not be published again until late 2022, early 2023.	95%

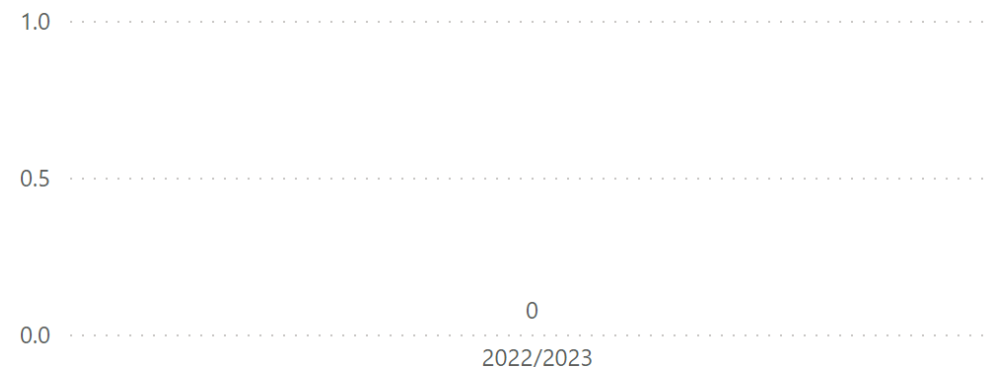
Outcome	Status	22/23 Q1 Commentary
Work With Partners To Maintain And Improve The District's Resilience To The Effects Of Climate Change	On Track	Q1: Partnership working progressing with ECC appointing a Local Nature Recovery Strategy/Local Nature Partnership Development Officer to work with Blackwater Conservation Partnership to progress Blackwater Estuary Conservation Strategy. ECC are proposing the Blackwater and Colne Estuaries as Climate Action Focus Areas. Tree planting from October (when the tree planting season commences) will work towards targets to plant trees in the District and work in partnership for area tree coverage in the District.

(PL4) Number Of Trees Planted Within The District



**We will start to see tree planting & area coverage from October, which is when tree planting season begins.**

(PL4) Area Coverage Of Newly Trees In Partnership



Place Actions Plans	Status	22/23 Q1 Commentary	Target
Develop and adopt Blackwater Estuary Conservation Strategy with partners	On Track	Q1: Essex CC have appoint Local Nature Recovery strategy/Local Nature Partnership development officer, work will complement & overlap with Blackwater Conservation Partnership work to date and strategy. Blackwater Conservation Strategy also aligns with proposals from Essex CC for the Blackwater & Colne Estuaries to be one of the County's Climate Action Focus Areas.	Quarterly Progress

Outcome	Status	22/23 Q1 Commentary
Deliver Sustainable Growth And New Infrastructure Through Development	On Track	Q1: Updated Infrastructure Financial Statement presented to PGA 21 July and will be published on MDC website. Outstanding S106 infrastructure progressed with infrastructure providers to expedite delivery. Superfast Essex Broadband rollout continues with 96.16% of targeted premises in the District being 'superfast' (target 99% by December 2022).

Place Actions Plans	Status	22/23 Q1 Commentary	Target
Monitor all S106 Agreements and Publish Infrastructure Delivery Statement (£)	On Track	Q1 - An updated IFS went to Performance, Governance and Audit Committee on the 21st July 2022 in order to bring the IFS in line with end of financial year reporting, this will be published on the Councils website.	100% Implementation and Publish Yearly
Supporting Infrastructure delivery secured through s106 Agreements and unilateral undertakings from Strategic sites in the approved LDP & Major planning applications	On Track	Q1 - The Planning Policy Team meet with ECC education and highways every 6 to 8 weeks and the NHS every 6 weeks to discuss the outstanding infrastructure in the District and to expedite it coming forward. The team have brought together ECC highways and the NHS and facilitated their discussions around the Maldon Health Hub, ECC have now served notice on the relevant land in order to obtain control over it, a business case is being worked up for the Health hub. There is work being carried out on bringing forward a new doctors surgery in Burnham on Crouch and Southminster.	Effective management of S106agreement s/ unilateral undertakings
Monitor Delivery Of Superfast Broadband To Essex CC Programme Rollout To Ensure Targets Are Met Within The Maldon District	On Track	Q1 - The average LA Superfast premises coverage in Essex is 97.74%, that is across all Essex Districts, Boroughs and City Councils. The Phase 4b rollout continues in the Maldon District as reported in Q4 to move towards the 99% premises coverage plan. 96.16% of premises in Maldon District are Superfast	99% Coverage December 2022

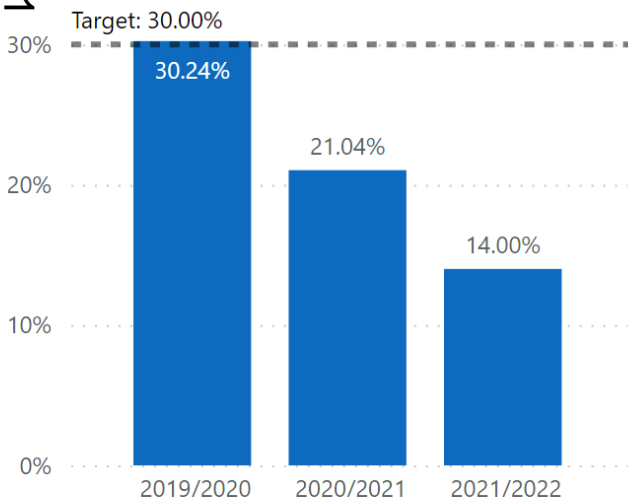


Outcome	Status	22/23 Q1 Commentary
Enabling Future Economic Investment And New Jobs	At Risk	Q1 - The creation of the Maldon District Investment Prospectus is now progressing well and in line with new project timeline - soft launch in Q2/3 2022/23. We continue to engaged well with ECC's Sector Development Strategy, Inward Investment approach and particularly Marketing Essex work and the recent visit of ECC's Political Leadership Team will support our cross Council work in this area. The LDP review and Employment Land Premises Study is still being progressed along with other service priorities. An updated LDP project timetable is expected by Q3 2022/23. Status remains At Risk but improvement is expected

(P6) Business Satisfaction With MDC Services. (%)

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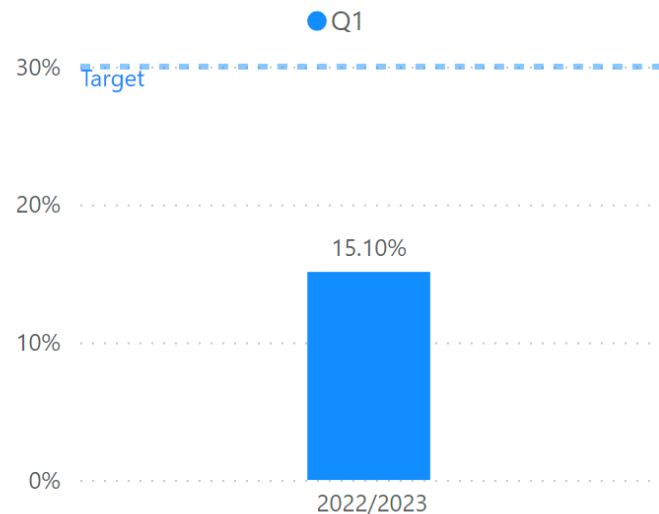
NB: small sample size for the business survey  
20/21 & 21/22



Prosperity Actions Plans	Status	22/23 Q1 Commentary	Target
Build And Deliver Maldon District Investment Prospectus	On Track - Conditional Elements	Q1 - The creation of the Maldon District Investment Prospectus is now progressing and in line with new project timeline - soft launch in Q2/3 2022/23. We continue to engaged well with ECC's Sector Development Strategy, Inward Investment approach and particularly Marketing Essex work and the recent visit of ECC's Political Leadership Team will support our cross Council work in this area. Status changed to On Track, with conditional elements.	Delivered by Q3 2022/23
Business Satisfaction With MDC Services. (Via Survey)	At Risk	Q1 - While a number of CERT Projects are continuing to be delivered through commissioned partners, largely the Covid19 Economic Recovery and Transformation (CERT) Programme has concluded. The programme delivered on a range of projects beneficial to businesses with good feedback. It is hoped our Levelling Up Round 2 Bid (LUF) and UK Shared Prosperity Funding (UKSPF) Investment Plan will build on this work and improve business satisfaction. Unfortunately, Maldon Business Board and the membership has diminished along with our ability to reach and communicate with local businesses. The Burnham Board and T22 are also yet to stabilise. Accordingly this measure remains 'at risk'.	30%

Outcome	Status	22/23 Q1 Commentary
Supporting Existing Local Businesses	At Risk	Q1 - While a number of CERT Projects are continuing to be delivered through commissioned partners, including through the North Essex Economic Board (NEEB), largely the Covid19 Economic Recovery and Transformation (CERT) Programme has concluded. Regrettably, local performance and participation in the NEEB support programmes is low. Efforts have now focused on Levelling Up Round 2 Funding (LUF) and development of the UK Shared Prosperity Funding (UKSPF) Investment Plan. Our LUF bid will focus around Hythe Quay and development of the area's cultural and maritime heritage offering. In doing so it will support local businesses in these and related 'tourism' sectors. UKSPF will draw from and work with the new One Maldon District and Sense of Place Plan's. Proposing a range of interventions to deliver on the fund's Investment Priorities. Unfortunately, the Maldon Business Board and the membership has diminished along with our ability to reach and communicate with local businesses. The Burnham Board and T22 is also yet to stabilise. Coupled with national issues, poor performance of NEEB support programmes, this has placed our ability to support local businesses at this time 'at risk'. However there are opportunities through UKSPF that will provide an opportunity to engage with local businesses

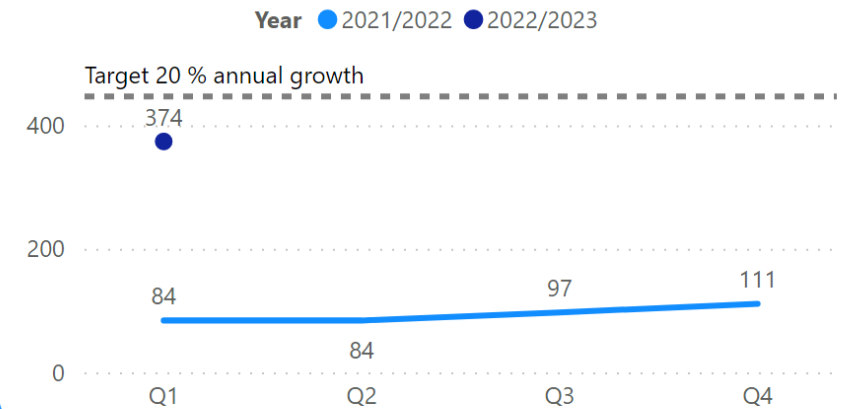
(P7) Estimate % reach of the Maldon district business network.



(P7) Number Of Business Groups Engaged In SOP Business Network (Cumulative)



(P7) Number of subscribers to Sense of Place business communication channels

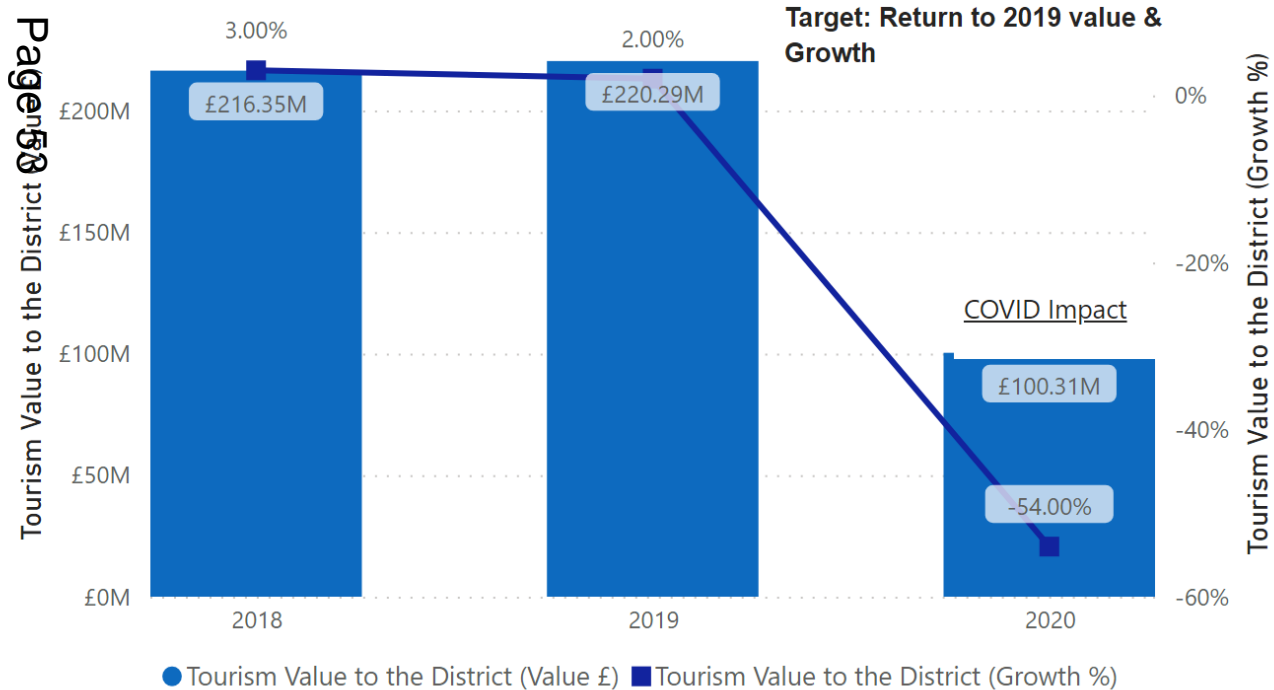


Q1 - Measure now includes Sense of Place Business Newsletter along with Linkd In

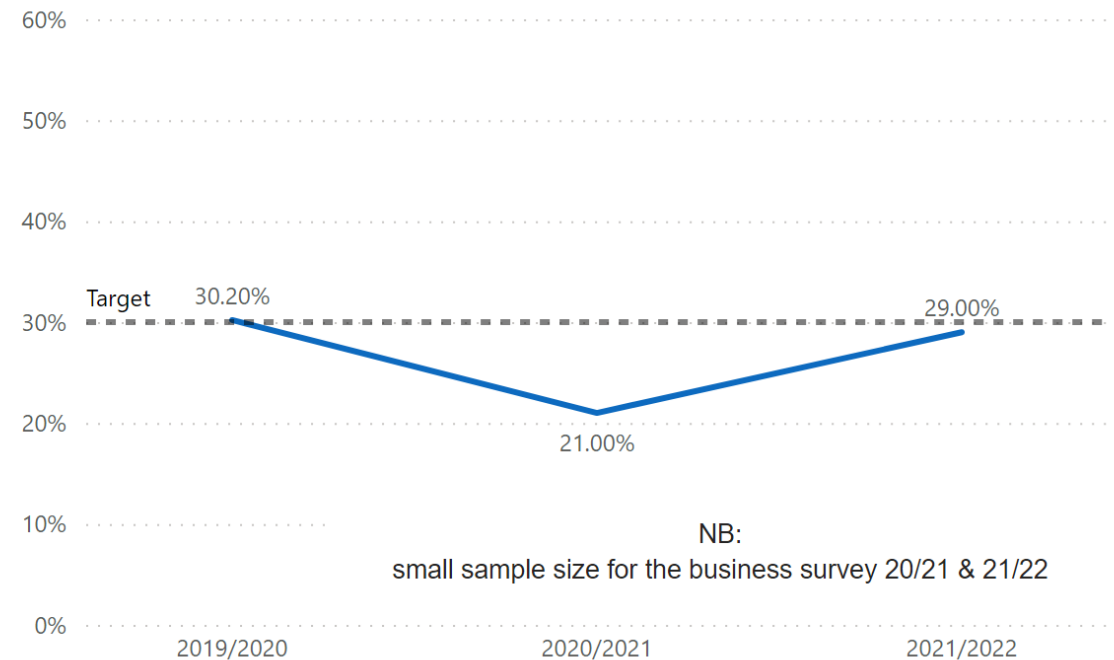


Outcome	Status	22/23 Q1 Commentary
Enhancing And Promoting The District's Visitor Economy	At Risk	Q1 - The end of national restrictions has enabled the return of large events to the District, including 'In the Park' events, RideLondon and Queens Baton/UFESt. The improving weather has also seen a return to more normal activity in our parks and coast, all supporting the visitor economy and raising the area's profile. It is hoped The Tourism (T22) Board and strategy (Tourism Framework) work, along with UKSPF and Levelling Up Funding Bid will support a return to pre-pandemic levels. However, this will take time and our events and concessions strategies are being progressed. Accordingly this objective remains at risk, although improvement is expected.

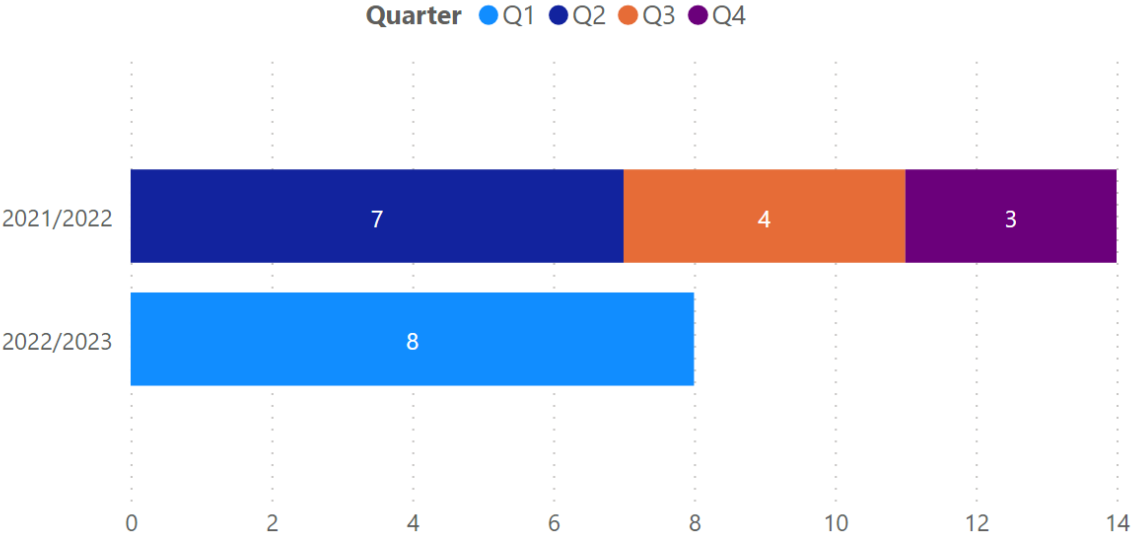
(P8) Tourism Value To The District In £ And Growth In %



(P8) Business Benefit Through Tourism Activity - (Businesses Surveyed That Perceive A Benefit)



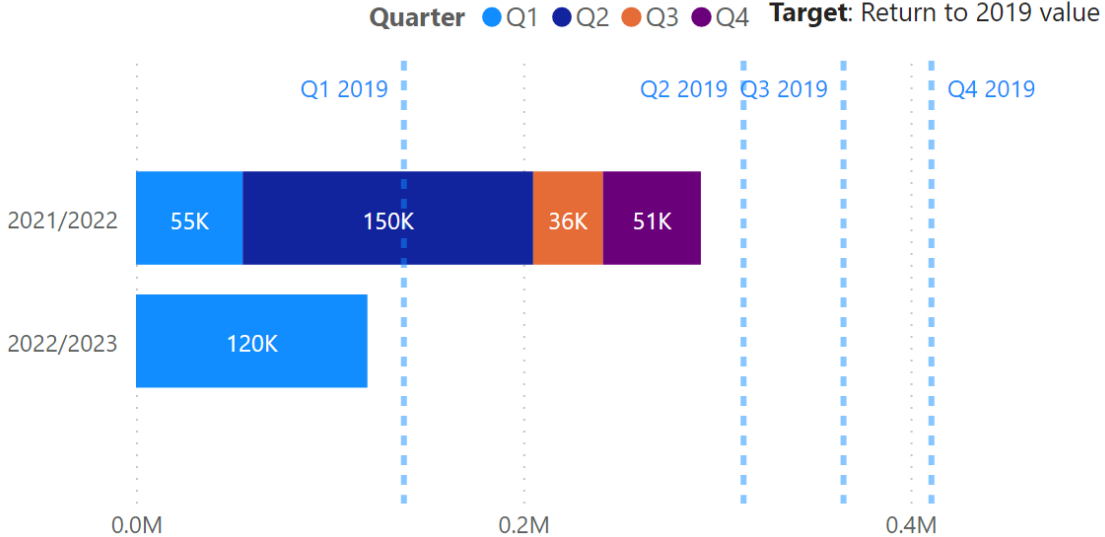
(P8) Campaigns Delivered



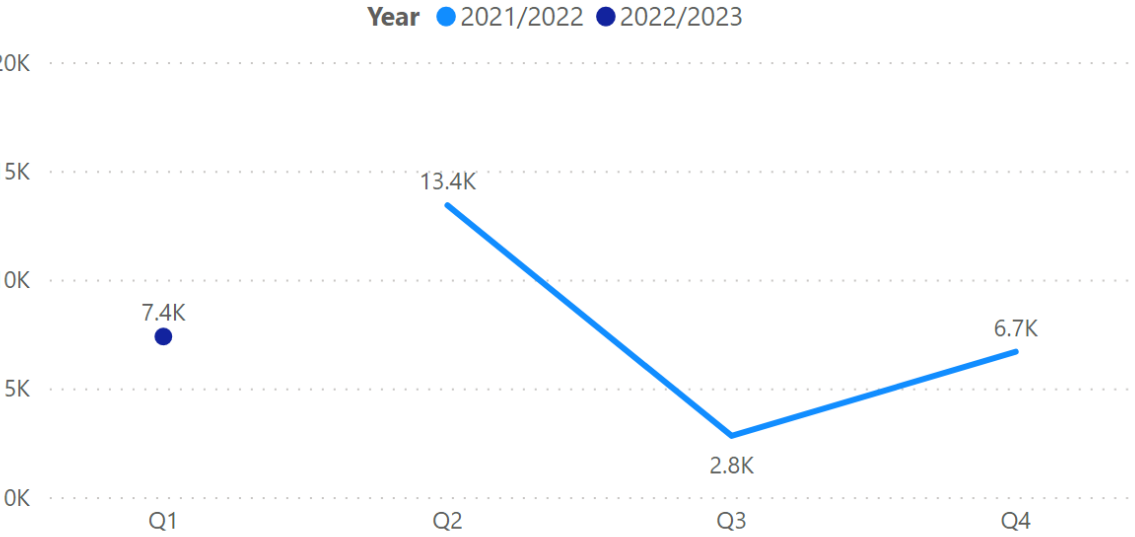
(P8) Visit Maldon District Web Traffic

APPENDIX 1

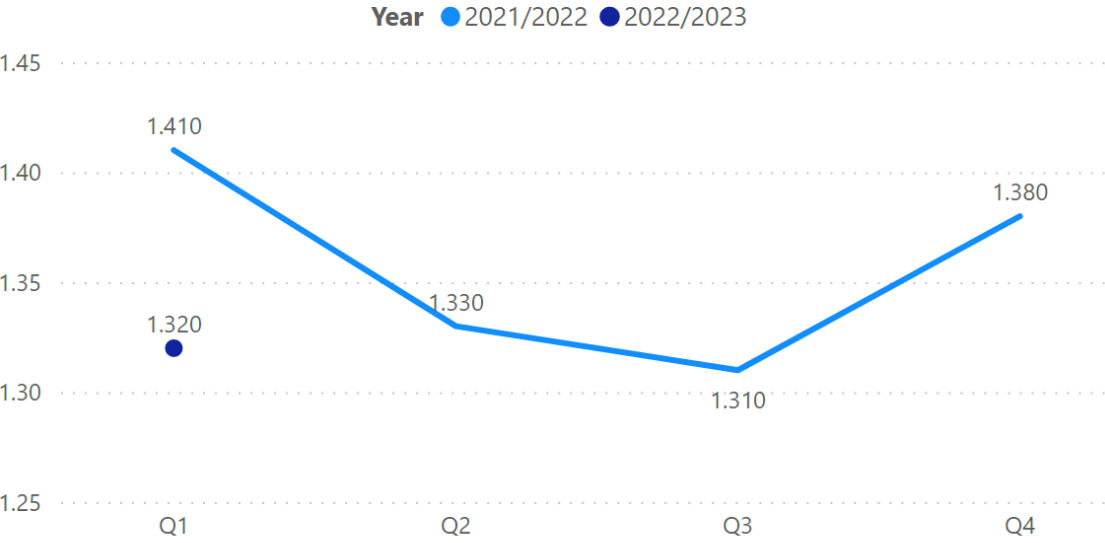
Target: Return to 2019 value



(P8) Social Media Engagement With Campaigns



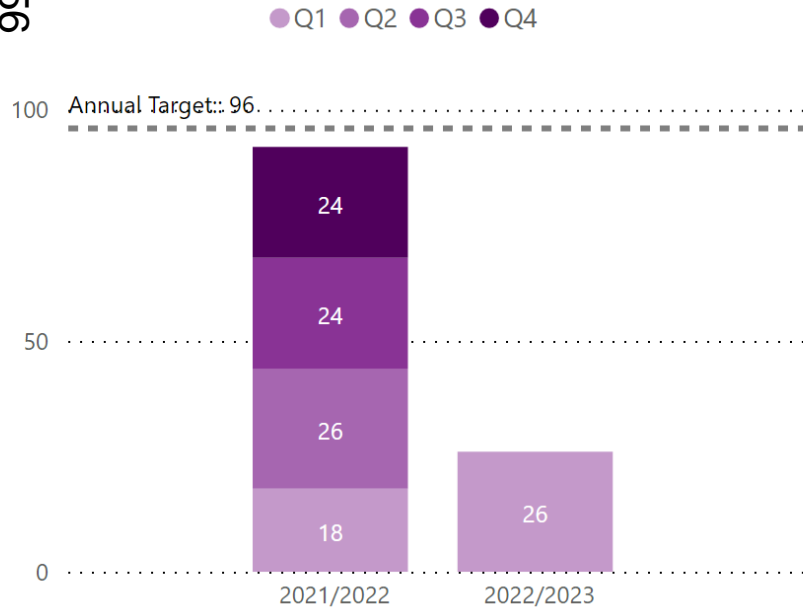
(P8) Visit Maldon District Web Page Dwell Time (mm:ss)



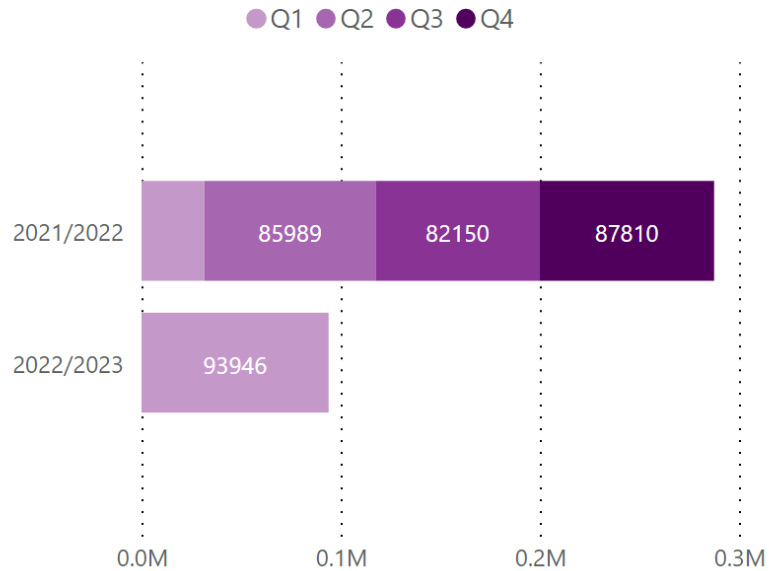
Prosperity Actions Plans		Status	22/23 Q1 Commentary	APPENDIX 1 Target
Business Benefit Through Tourism Activity - Evidence (Via Survey)		At Risk	Q1 - The end of national restrictions has enabled the return of large events to the District, including 'In the Park' events, RideLondon and Queens Baton/UFEST. The improving weather has also seen a return to more normal activity in our parks and coast, all supporting the visitor economy and raising the area's profile. It is hoped The Tourism (T22) Board and strategy (Tourism Framework) work, along with UKSPF and Levelling Up Funding Bid will support a return to pre-pandemic levels. However, this will take time and our Tourism Strategy (Framework), events and concessions strategies, along with stabilisation of the T22 (Tourism Group) are still not in place. Accordingly this objective remains at risk, although improvement is expected.	30%
Engagement With Campaigns		On Track - Conditional Elements	Q1 - Campaign activity has focused on the return of large-scale music events to Promenade Park, as well as supporting smaller events within the parks and wider district areas. The main challenge for this quarter is the cost of living crisis, with Visit England data showing that 48% of people are cutting back on tourism activities, and 28% have stopped altogether.	Target being developed following benchmarking
Economic value of events		At Risk	Q1 - Owing to the time required to compile event attendance data and undertake analysis, statistical updates are likely to be provided retrospectively on a regular basis. The removal of Covid19 restrictions has enabled a cautious return to major events and more normal activity. This has included the annual Maldon Mud Race, Carters Steam Fair 'in the Park' concerts. The Council also supported UCI Ride London and a range of smaller & community events and activities. Data is now being collected to retrospectively to understand the economic value of this activity. Work is underway on the Council's Events Strategy which is due in the autumn and the Promenade Park Management Plan which is delayed. Accordingly, this measure remains 'at risk'.	Evaluate Data & Establish baseline

Outcome	Status	22/23 Q1 Commentary
Working With Our Communities And Partners To Improve The Physical Health And Well-being Of Our Residents	On Track - Conditional Elements	Q1 – Officers have continued to work with our communities and partners to improve the physical health and well-being of our residents. Season 1 of the MAN v FAT football programme has concluded, we have seen a combined total weight loss from participants of 212.05kg, with 96% of the participants losing weights whilst 59% achieved over a 5% weight loss. The second season has now commenced and is at full capacity. In this period, we have worked closely with our partners to deliver Stage One of the Ride London Women's Classique event, where we took every opportunity to promote cycling and healthy living to residents. The event itself was a 'huge success' (words from Jason Fergus, Director of Active Essex). To complement RideLondon coming to the Maldon District we also hosted a community activation zone, where residents could browse community stalls and take part in free exercise classes. We estimated that 400 people attended the community activation zone throughout the day.

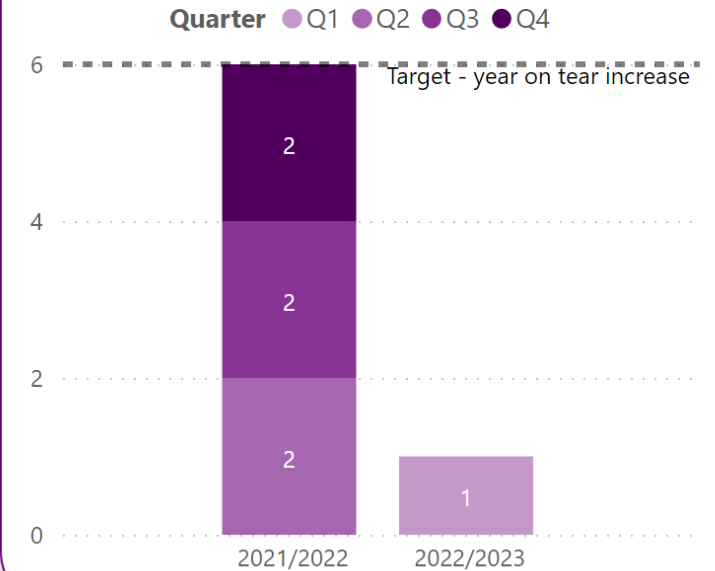
(C9) Number Of Physical Activity Promotions



(C9) Participation At Leisure Centres (Places Blackwater Leisure And Dengie 100)



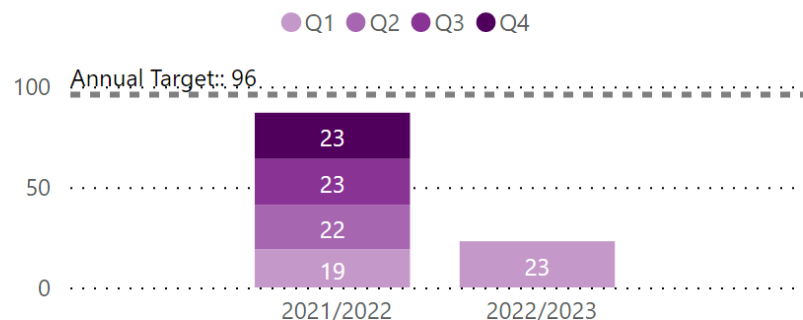
(C9) Number Of Organisations Supported To Improve Inclusion And Accessibility



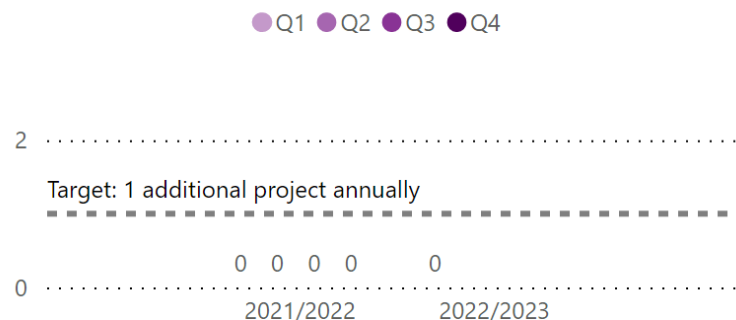
Community Actions Plans	Status	22/23 Q1 Commentary	<b>APPENDIX 1</b> target
Residents engaged & feel supported with weight management sessions in the District	On Track	Q1 - Awaiting data from Essex Wellbeing service who run the weight management programme. Man V Fat currently has 49 men signed up and attending, 76% are losing weight with 32% achieving 5% weight loss.	Increase growth and Support perception.
Number Of Community Champions Appointed Across The District	Not Started	Q1 - initiative is currently on hold, and being re-assessed	Delivery of Community Champions Initiative
Number Of Organisations Supported To Improve Inclusion And Accessibility	On Track	Q1 - Work has continued with the Maldon District Dementia Action Alliance to support businesses and communities to become dementia friendly. Also, Essex Cares have been commissioned to deliver sensory awareness training and accessibility audits on 22 businesses on Maldon and Burnham High St to form a Sensory Guide for the District.	Year on Year Increase

Outcome	Status	22/23 Q1 Commentary
Working With Our Communities And Partners To Improve The Mental Health And Well-being Of Our Residents	On Track - Conditional Elements	Q1 – Officers have continued to work with communities and our partners to improve the mental health and well-being of our residents. At the Mid Essex Alliance we have been discussing opportunities on how the Alliance can work together to support the mental health of residents across Mid Essex. At a local level, we are part of the Maldon Suicide Prevention Group, the group brings together representatives from Essex Young Farmers, NHS/ICS, Maldon and District Community Voluntary Service, Essex Police and Maldon District Council to help support residents of the district.

(C10) Promotion Of Mental Health, Social Isolation And Loneliness Initiatives



(C10) Number Of Intergenerational Projects Delivered In The District



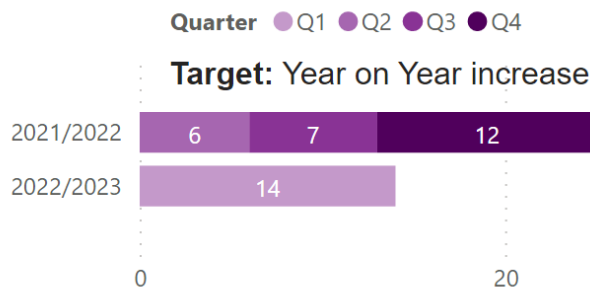
Q1- Hasn't been started yet however looking to build off of the relations made with care homes during the PA consultation and the Plume academy students off the back of the schools engagement programme. Access to schools and care homes has been difficult due to changing restrictions etc

Community Actions Plans	Status	22/23 Q1 Commentary	Target
Residents engaged with MDC Supported wellbeing sessions in the District	On Track	Q1- We are launching the first ever U-Fest health and wellbeing festival for Maldon District Residents which will bring over 40 local organisations and services as well as many residents of all ages to engage with health, wellbeing, sport, family, and other support agencies who are there. We have continued to promote partner activities and sessions and are looking to hold a small grants application scheme in August. Ride London was a success with talks on how we can impact residents' activity levels, skateboarding sessions have been set up this summer as a result.	Increase growth and Support perception.

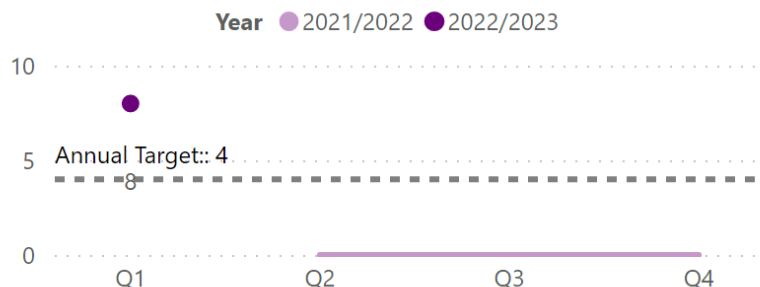


Outcome	Status	22/23 Q1 Commentary
Working with our Communities, Schools And Partners, To Improve Our Children And Young Peoples' Health And Well-being, Giving Them The Best Start In Life	On Track	Q1 – We have agreed with the Plume Academy that we will commence the Student Engagement Programme in September when the students come back for the next academic year. In this quarter, we have looked to increase engagement with children and young people through sports and games. We have worked with Blackwater Tri-Club to provide a mini-duathlon for 60 students at All Saints Primary School, with Kings Ramps and Essex County Council to provide over 70 children and young people with the opportunity to learn to skateboard or BMX and with a smoothie bike operator to enable children and young people to pedal their way to a nutritious smoothie!

(C11) Number of known youth groups/clubs promoted



(C11) Number Of Youth Awareness Sessions Delivered To Schools



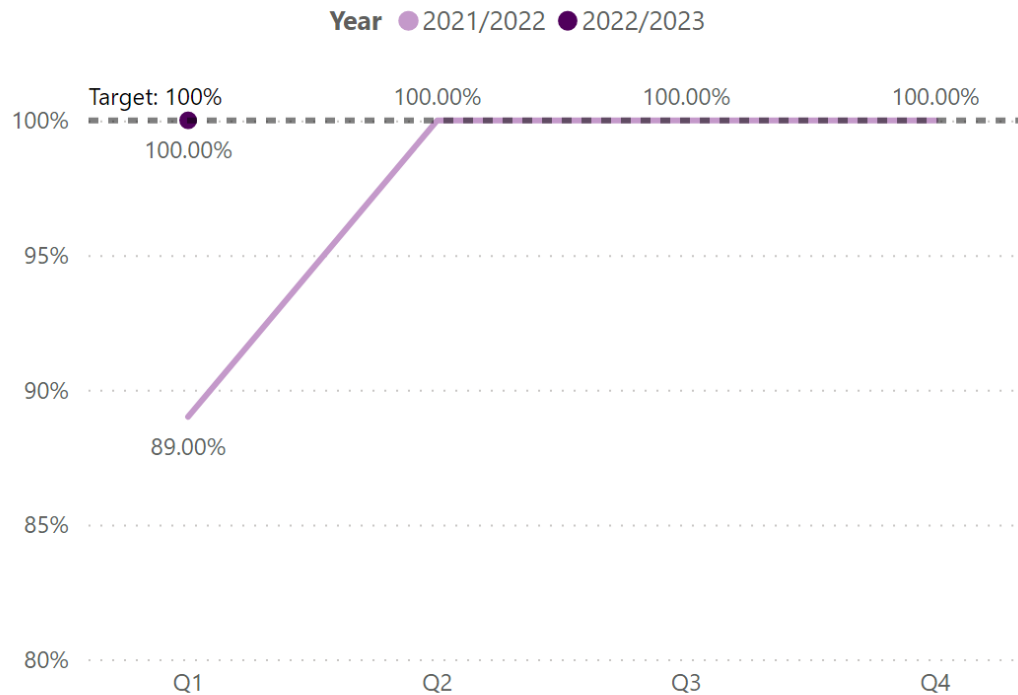
(C11) Number of Known Youth Groups in the District: **13**

C11 - Q1 - The Community Safety Team has delivered Youth awareness session to schools across the District (primary & secondary)

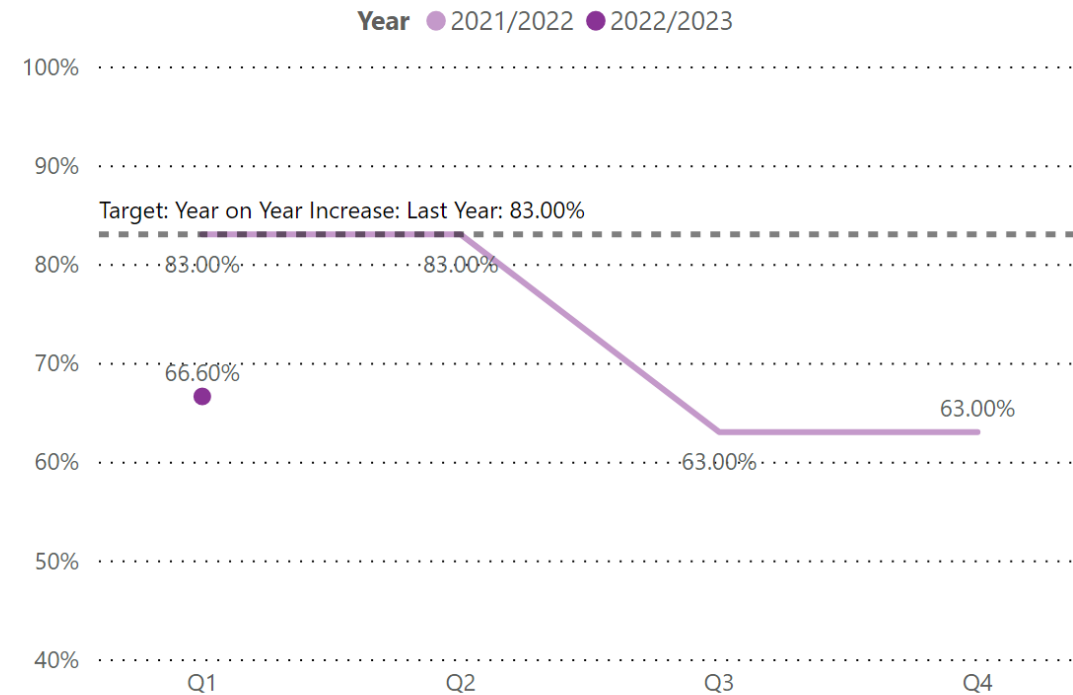
Community Actions Plans	Status	22/23 Q1 Commentary	Target
Young people & Schools engaged with community initiatives supported by MDC	On Track	Q1- Gymnastics club has been supported through Livewell funding which has attracted many young people. Skate and BMX sessions have been organised with King Ramps which has been very successful and popular with teens. September will see the initiation of the schools engagement programme with Plume Academy with support from partners.	Young people & Schools engaged with community initiatives supported by MDC

Outcome	Status	22/23 Q1 Commentary
Ensuring The Safety And Wellbeing Of Our Vulnerable Children, Adults And Families	On Track - Conditional Elements	Q1 - The next Safeguarding Forum will take place on the 21/09/22. Online reporting and case management continues to be robust. Discussion on reviewing the DSROs will take place at the next Safeguarding meeting with follow up work arising thereafter. The Safeguarding is due to take place with all requested paperwork having been submitted Early work on updating the MDC Safeguarding Policy has taken place, with a review of the existing document and the frame for a simplified more easily accessible document being the goal.

(C12) New Staff Completion Of E-Learning Modules On Safeguarding Vulnerable Adults And Young People and GDPR



(C12) Percentage Of MDC Customer Facing Staff Who Have Received "Make Every Contact Count" Training

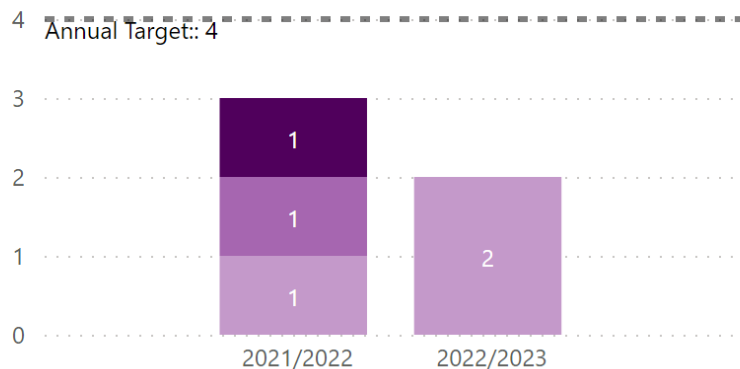




Outcome	Status	22/23 Q1 Commentary
Building On The Strengths Of Our Communities And What They Can Do To Support Themselves And Help Each Other To Thrive	On Track	Q1 – We officially held the first meeting of One Maldon District. One Maldon District has been established to bring together senior representatives from the local statutory, voluntary and private sectors to enhance local quality of life, jointly bid and draw down funding, discuss and link strategies and initiatives. Deputy Police and Crime Commissioner for Essex has been selected as Chair of the Group with the Sense of Place Chair selected as Vice Chair. Presentations and workshop activities followed, including what the partnership means to the organisations that form part of One Maldon District, the community response to COVID and the importance of cross-sector partnership working and an update on the upcoming re-organisation of the NHS with the formation of Integrated Care Systems. In partnership with the Maldon and District CVS, we hosted the next instalment of the Maldon District Food Provision Group. The workshop was attended by providers, foodbanks and residents from across the district as well as members of Essex County Council Political Leadership Team. It was recognised within the group that there is a lot of activity in the district supporting people with essential living, however, we seem to currently lack a central point of co-ordination, this is something which we will be working on with the CVS to ensure this is rectified going forward. In this quarter, we also hosted Stage One of the Ride London Women's Classique event, where communities across the district lined the streets in celebration of an internationally recognised event coming to Maldon.

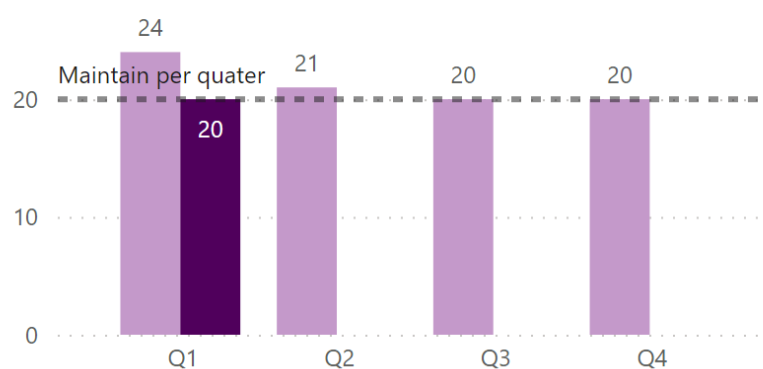
(C13) Number of Multi-Agency Events Delivered In The District

Quarter ● Q1 ● Q2 ● Q3 ● Q4



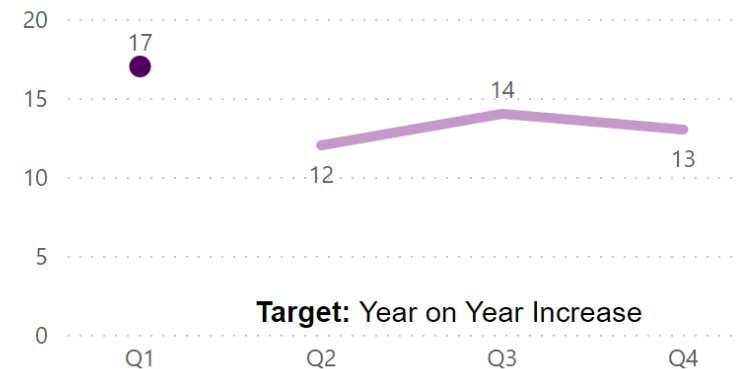
(C13) Number Of Parish And Town Council Actively Engaged By The Community Engagement Team

Year ● 2021/2022 ● 2022/2023

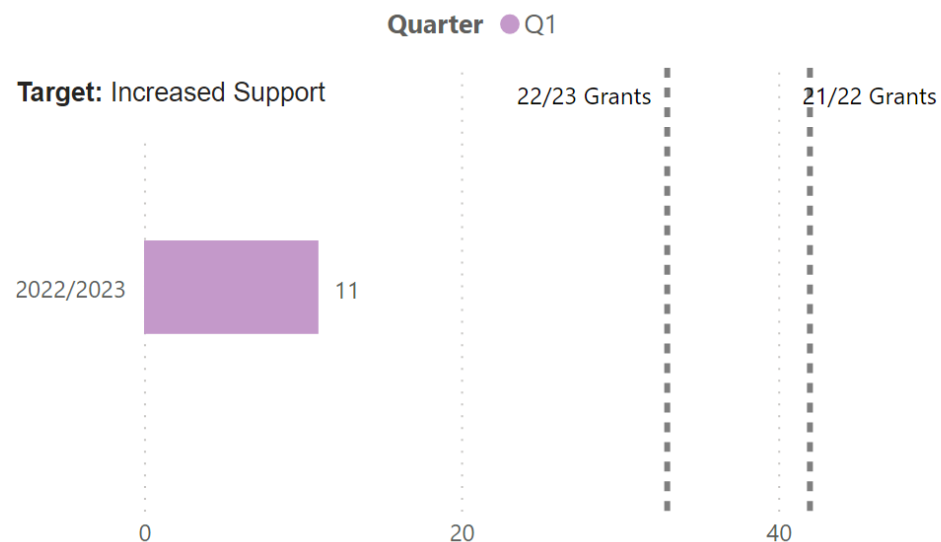


(C13) Number Of Volunteering Opportunities Promoted Across The District

Year ● 2021/2022 ● 2022/2023

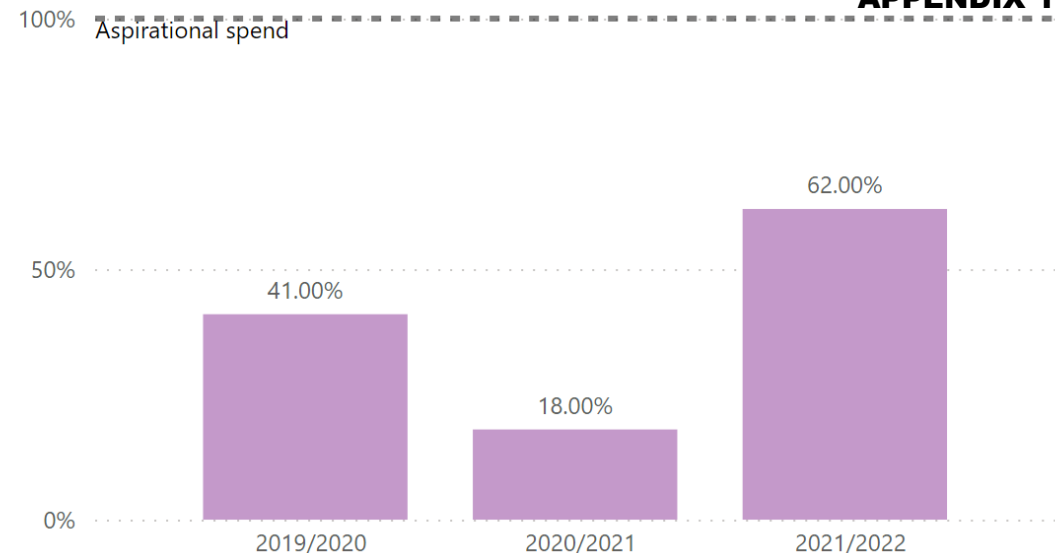


## (C13) Completed adaptation grants enabling independence



## (C13) Annual Better Care Fund Spent

## APPENDIX 1



Community Actions Plans	Status	22/23 Q1 Commentary	Target
Number of Parish and Town Councils working with the Community Engagement Team.	On Track	<p>Q1 - The Community Engagement Team provided a service to 20 parish councils, including foot patrols to identify issues with littering/dog fouling and Anti -Social Behaviour.</p> <p>We also provide an on- street parking patrol in partnership with South Essex Parking Partnership across the district, including working with some parishes for just the summer period to deal with parking issues in local beauty spots. Our school patrols at the beginning and end of the day in some parishes also help keep children and their carers safe by enforcing on restrictions or moving along drivers parked dangerously.</p> <p>We delivered approx. 30 hours per month of TRUCAM (speed enforcement patrols) which resulted in 1491 actions taken against speeding drivers in Maldon District, which helps Essex Police towards their Vision Zero campaign.</p>	Min of 20 each quarter

# Commercial Strategy Performance Q1

Year: 2022/2023

Report Generated: August 2022



Activity	Action	22/23 Q1 Commentary
Advertising & Sponsorship	Identifying alternative sponsorship opportunities in addition to roundabouts & development of business cases for other forms of advertising at appropriate locations across the district	
Events – utilising district parks & open spaces	Increasing events/concession income from our parks & open spaces, supporting new business & welcoming a range of visitors & attractions to the district	
Existing Property and assets development	Utilising existing assets within the MDC portfolio to increase income & welcome asset development to increase income from a range of different delivery models & funding sources	
Internal efficiency savings	Projects developed in house that identify efficiencies or opportunities to work with other LA's to deliver outcomes for business, residents, or visitors	
New land acquisitions & development opportunities	Development of individual business cases for each plot of land as they become available identifying risks & benefits (financial & non-financial at an early stage)	

This will be updated from Q2

# Commercial Active Projects

## APPENDIX 1

Project Title	Short Description	Time	Resource	Cost	Quality ▲	Overall RAG	High Level Commentary
Houseboats - Burnham on Crouch	To build four new houseboat berths in Burnham on Crouch	Red	Green	Green	Amber	Red	Q1 - Critical dependency on removal of current vessel (Lys Hellig) and securing planning approval, ongoing work to achieve dependency. Overall project to be reviewed to reconfirm if this is still a viable project.
*Land Acquisition	Opportunity to purchase land for the development of affordable housing which is needed to aid a shortfall within the district	Green	Green	Green	Green	Green	Q1 - Overall project is progressing well and currently on track to deliver objectives in line with project timescales. Benefit realisation plans are now being prepared for the next phase of the project.
*Princes Road Development	To explore the options available to develop Princes Road and/or relocate Council offices	Green	Amber	Green	Green	Green	Q1 - Overall work progressing, with staff/partner requirement gathering and programme timeline planning underway. Resource is flagging amber due to some short term conflicting priorities, although this is a negligible impact to the project.
Elms Farm Park Hardstanding carpark	To build a new hardstanding car park in Elms Farm Park, removing need for visitors to park (at risk) in the access road that leads to the site.	Green	Green	Green	Green	Green	Q1 officer have met with contractors to identify scope of works and surveys required. Once completed an outline proposal will be brought forward for CLT and members to review.

# Commercial - Leveling up bid Projects

Project Title	Short Description	Time	Resource	Cost	Quality	Overall RAG	High Level Commentary
*Old School Classroom conversion to Kiosk [CAMP]	To build a new 'Maritime Centre' which will provide a mixed purpose space for heritage displays, 'pop up' stalls for new local business ventures and an event/meeting space.	Green	Green	Green	Green	Green	Q1- This project has been allocated resources & budget from the levelling up bid which has allowed for detailed plans to be produced. The next phase of the project will include detailed planning and submission of a planning application for the scheme whilst the council awaits the outcome of its submission to central government
*River Bailiff Workshop conversion to Kiosk [CAMP]	To repurpose the current River Bailiffs Hut as a takeaway food outlet with possible seating to the waterside	Green	Green	Green	Green	Green	Q1- This project has been allocated resources & budget from the levelling up bid which has allowed for detailed plans to be produced. The next phase of the project will include detailed planning and submission of a planning application for the scheme whilst the council awaits the outcome of its submission to central government



Project Title	Short Description	Time	Resource	Cost	Quality	Overall RAG	High Level Commentary
Promenade Park Pavilion	New covered eatery within the Prom Play park boundary to compliment the new playpark landscaping and provide opportunity for all season dining.	Amber	Amber	Amber	Amber	Amber	Q1- Project is currently being scoped but does not have resources allocated. Proposals have been shared with the corporate projects working group but have not progressed in quarter 1
ANPR - Move main car parks into ANPR compliant approach	Introduction of Automatic Number Plate Recognition (ANPR) for all carparks across the district estate. ANPR will highlight non-compliant vehicles allowing for targeted enforcement, and therefore a reduction in resources/effort.	N/A	N/A	N/A	N/A	N/A	Q1- Project is not active due to unallocated & unavailable resource to progress

# Commercial - Financials

2022/2023 Funding Gap Target

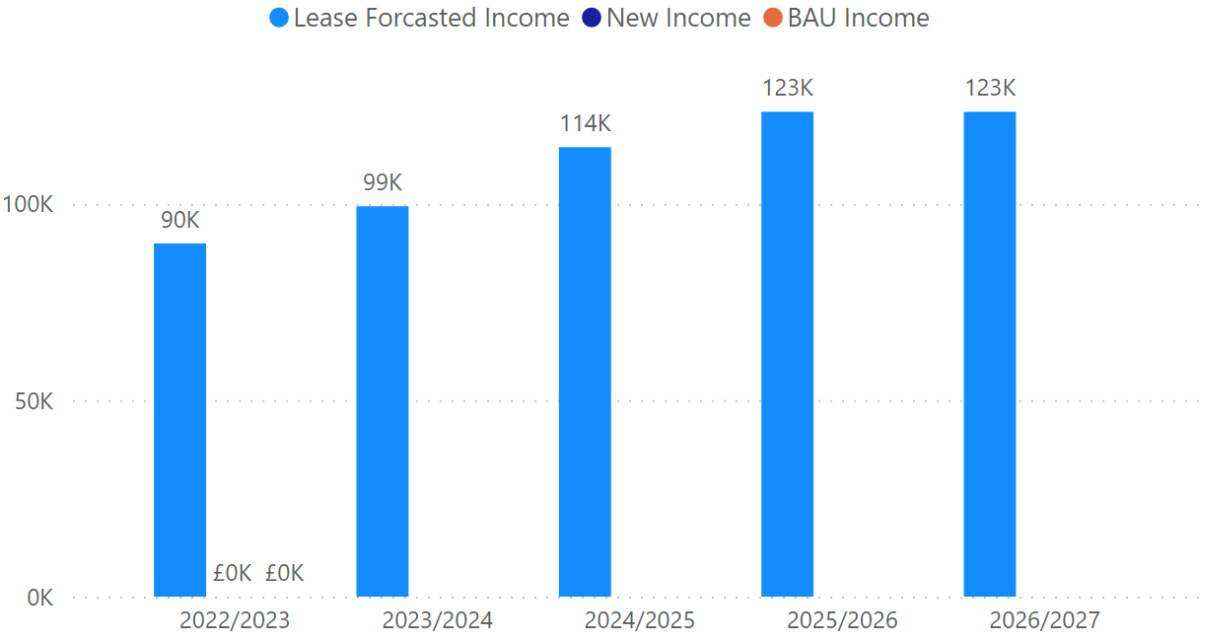


2023/2024 Funding Gap Target

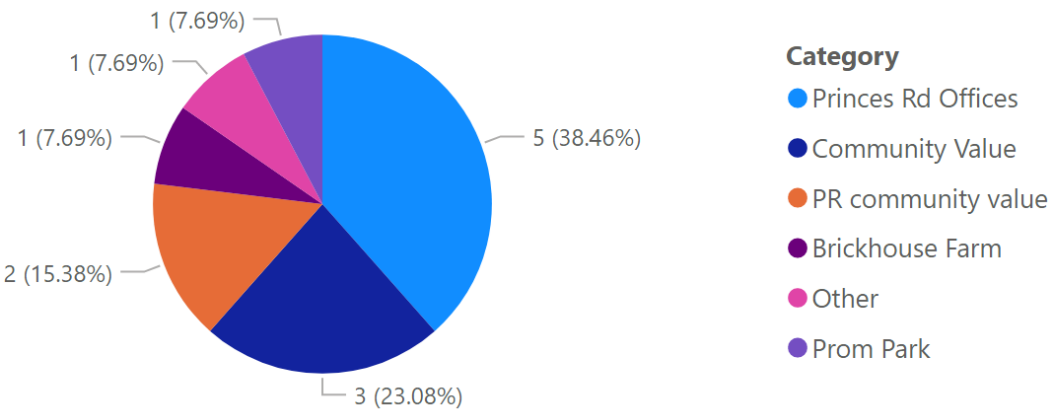


## APPENDIX 1

Forcasted Income



22/23 Existing lease by avenue (income stream 1 of 3)







## **REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
29 SEPTEMBER 2022**

### **REVIEW OF CORPORATE RISK – QUARTER 1**

#### **1. PURPOSE OF THE REPORT**

- 1.1 The Risk Management Policy requires this Committee to undertake a quarterly review of the Corporate Risk Register as assurance that the corporate risks are being managed effectively. **APPENDIX 1** is attached to the report for this purpose.

#### **2. RECOMMENDATIONS**

- (i) That Members review the Corporate Risk Register in **APPENDIX 1** and provide comment and feedback for consideration.
- (ii) That Members are assured through this review that corporate risk is being managed effectively.
- (iii) That Members challenge risk where the Committee feels that the Council's corporate goals may not be achieved.

#### **3. SUMMARY OF KEY ISSUES**

- 3.1 **APPENDIX 1** shows a table of the Corporate Risk Register, the latest ratings and officer commentary.

3.1.1 Summary of risk direction / changes since Quarter Four (Q4)

- Risk 13: Failure to manage impact of operational change – **Recommended closure**

3.1.2 Increased/New Risks

- **New Risk – R33 – Lack of Temporary Accommodation & Special housing to cope with housing demand.**
- **Note concerning increasing risks from service level:** Service level risks are identified and monitored in Service Plans by the relevant Service Plan Owners. They are then escalated, if deemed appropriate and necessary, to committee level for consideration.

#### **4. CONCLUSION**

- 4.1 Overall, no major Corporate Risk Register concerns have been raised. The effects of the COVID-19 and the cost of living crisis is a presence on the landscape, however

the Council continues to mitigate any risks caused by this. Work continues to ensure all risks are mitigated, and where possible, working towards their closure.

## **5. IMPACT ON STRATEGIC THEMES**

- 5.1 It is important that risk is monitored and managed effectively, to ensure that Maldon District Council progresses towards and/ achieves its stated outcomes.

## **6. IMPLICATIONS**

- (i) **Impact on Customers** – Those risks in the Corporate Risk Register are defined as having a wider impact on our customers and delivery. The monitoring and mitigation of these will reduce the impact on customers.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – If risk is not managed effectively by the Council, it puts the Councils strategic delivery at risk and increases unnecessary exposure to potential, operational, reputational, or regulatory consequences.
- (iv) **Impact on Resources (financial)** – All risk management is undertaken within existing planned budget. Exceptions being for a potential enactment of a recommendation outside of pre-defined resource.
- (v) **Impact on Resources (human)** – All risk management is undertaken within existing planned budget. Exceptions being for a potential enactment of a recommendation outside of pre-defined resource.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

Enquiries to: Paul Dodson, Director of Strategy, Performance and Governance.

## Corporate Risk Register - Q1 2022/2023

Title	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Commentary
R7	Failure to maintain a 5 year supply of Housing Land	5	5	25	Risk Rating Unchanged	Q1 - Housing restraint policies in LDP 2017 are now considered out of date by the Council and NPPF and the 'tilted balance' in favour of granting planning permission applies in the District until it improves above 5 years again. There has been a slight improvement since the May 2022 Risk Clinic - the 5YHLS standing at 3.66 years as of 04.07.2022. This is good news for Neighbourhood Plans which are back to being in-date. However, this improvement is still not enough to improve the risk score, which remains under 5 years. Further supply is therefore required through planning applications being granted for more housing by the Council or by the Planning Inspectorate on appeal to replenish the land supply that has had homes completed on. The Council has already taken the remedial action of reviewing the strategic policies in its LDP which is a positive step to improve land supply by allocating more land and allocating a broader range of sites to help reinforce the land supply better over time; but as reported previously this will not conclude before 2024. In the meantime, the only thing the Council can do is consider applications for residential development more favourably (by applying the tilted balance in the NPPF) if they are otherwise acceptable, even if they are contrary to the spatial strategy and policies of the LDP 2017 (given they are out of date by virtue of having less than the required years' supply of land). The housing market, the pace of construction of unimplemented planning permissions and the economic cycle remain outside the council's control, but these could help sustain this risk over time.

R8	Failure to meet the affordable housing need	5	4	20	Risk Rating Unchanged	Q1 - MDC still moving forward on a specific project aimed at resolving some of this issue. Additional planning applications, outside of the LDP process, are also coming forward/getting planning permission which include affordable housing; some of these above the required level or provided significant financial contributions that can facilitate larger levels of affordable housing or unlocking stalled sites.
R15	Failure to plan and deliver balanced budgets over the medium term	5	4	20	Risk Rating Unchanged	Q1 - The 21/22 outturn was underspent against budget with a £5k drawdown from the general fund required. The cost of living crises has added further pressure to Council budgets and consistent monitoring of impacts to the MTFS are taking place.
R5	Failure to deliver the required infrastructure to support development arising from the LDP 2017	4	4	16	Risk Rating Unchanged	Q1 - The Council is not responsible for much of the infrastructure needed to support the delivery of the LDP. Despite annual targets, the LDP housing trajectory remains behind where it was forecast to be in 2017; this is not all in the Council's control, but it does have a knock-on effect on other performance measures such as the 5 Year Housing Land Supply, as well as when S106 monies to be paid, are legally due, when triggers have not been met due to the pace of construction being slower, which can also slow infrastructure delivery. S106 continues to be accrued from development sites allocated in the LDP 2017 as required by planning policy and legal agreements. The Council is robustly monitoring its S106 agreements on a weekly basis and seeking payments when specific triggers are hit; authorising the transfer of funds to third party providers or internal departments when projects are ready to draw down on their planning contributions, as well as considering whether further recovery action is necessary when contributions are not paid on time. This is now reported annually in the Infrastructure Funding Statement which is

						reported to PGA Committee. The Infrastructure Delivery Plan remains under review (as part of the LDP Review) and officers are proactively engaging with infrastructure providers more frequently (e.g. ECC Highways, Education and NHS) to ensure projects (such as the Maldon Health Hub/ South Maldon Relief Road, Limebrook Way Primary School, Southminster Health Centre, etc.) that have enough S106 funds accrued can work through their organisation's capital investment business case procedures to ensure they can be delivered to improve local services or facilities as quickly as possible. Officers continue to remain alert to possible Government funding and remain in discussions with Homes England and other partners about other funding opportunities and options that could help deliver this and other infrastructure.
R14	Unable to recruit and retain staff with specific skills sets in specialist areas to meet the demands of the service(i.e.) Planners	4	4	16	Risk Rating Unchanged	Q1 - The Council continues to carry key vacancies impacting on service delivery. Officers have updated Members of the key issues through briefing's and via the Performance Governance and Audit Committee (June 22). Discussions have commenced with the Local Government Association to seek support in refreshing our recruitment processes to include best practice. With regard to Planning Services meetings have been held with the Planning Advisory Service to strengthen the recruitment of specialists and to support the existing team.

Title	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Commentary
R29	Failure to deliver services as a result of COVID- 19	4	4	16	Risk Rating Unchanged	Q1 - The majority of services continue to be delivered working within current Government guidelines. Sickness rates are low but staff are from time to time still becoming infected with Covid and each case is managed on an individual basis. This situation continues to be monitored and impacts on services are mitigated as required. Hybrid working has allowed many staff to continue to work and contribute despite isolating during the period of infection.
R31	Resources and operating staffing structure is not sufficient for resilience	4	4	16	Risk Rating Unchanged	Q1 - Officers have been reviewing the resources and staffing structures allocated across directorates within the Council . In some areas additional resources have been sought from Members and they have been allocated to meet service demands. It is anticipated the corporate Leadership Team will be making recommendations to Council by the end of Q2 this year to re visit the design of the Council to improve customer service and resilience.

Title	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Commentary
R33	Lack of Temporary Accommodation & Social Housing to cope with demand	4	4	16	New Risk	Q1 - Maldon District Council is not a stock holding Local Authority, having sold its social housing stock to Moat Housing Association. As such, we rely on Housing Association Partners including Moat, Chelmer Housing Partnership, SAHA and Eastlight to help deliver against our social housing needs in the District. Like many other Local Authorities we do not have adequate Social Housing supply to meet demand, with approximately 1550 applicants on our Housing Register waiting for secure accommodation. In addition to this, the Council has access to 11 temporary accommodation units for use in relation to homeless approaches (these are delivered by Moat and SAHA). All of these units are presently occupied meaning that further homeless approaches are having to be placed into hotel, B&B or HMO style accommodation. These placements are both in District but increasingly outside of District too. Out of District placements have been in areas such as: Havering Basildon Harlow Colchester Coventry, the pressure for temporary accommodation and affordable rented accommodation looks set to increase due to: Government initiatives to move asylum seekers from Hotel based accommodation to locally sourced rented properties, Buy to Let Landlords exiting the market due to less favourable returns, increases in evictions due to reduction in available Buy to Let and impact from the Cost of Living Crisis risk.

Title	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Commentary
R9	Failure to have a coordinated approach to supporting inward investment and maximising business rate growth	5	3	15	Risk Rating Unchanged	Q1 - The creation of the Maldon District Investment Prospectus is now progressing well and in line with new project timeline - soft launch in Q2/3 2022/23. We continue to engaged well with ECC's Sector Development Strategy, Inward Investment approach and particularly Marketing Essex work and the recent visit of ECC's Political Leadership Team will support our cross Council work in this area. The LDP review and Employment Land Premises Study is still being progressed along with other service priorities. An updated LDP project timetable is expected by Q3 2022/23. Risk remains but improvement is expected
R4	Failure to influence Community Safety partners to address the key areas of public concern (including rural crime) and the negative perception of crime	4	3	12	Risk Rating Unchanged	Q1- The Community Safety Partnership (CSP) continues to review performance data, monitors crime trends, public perceptions of crime and fear of crime. The CSP action plan is monitored and updated annually targeting interventions as required. The CSP is now part of 'One Maldon' to ensure activities are strategically aligned with agreed outcomes and partner contributions.



Title	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Commentary
R10	Failure to develop jobs to support the growing population	4	3	12	Risk Rating Unchanged	Q1 - Pressures still exist from high numbers of vacancies and the cost of living crisis. With normally very low unemployment, the local picture is still unclear. While a number of CERT Projects are continuing to be delivered through commissioned partners, including through the North Essex Economic Board (NEEB), largely the Covid19 Economic Recovery and Transformation (CERT) Programme has concluded. Regrettably, local performance and participation in the NEEB support programmes is low. Efforts have now focused on Levelling Up Round 2 Funding (LUF) and development of the UK Shared Prosperity Funding (UKSPF) Investment Plan which will support local businesses once in place.
R11	Failure to protect personal or commercially sensitive data	4	3	12	Risk Rating Unchanged	Q1 - New Egress system is currently being installed which once "live" should prevent data breaches by staff error and identify phishing incidents and will allow secure email to be sent. Once live and working we should see a reduction in email breaches and increased security which will allow us to reduce the likelihood of incidents
R32	Failure to manage the operational impact of the cost of living crisis	3	3	9	Risk Rating Unchanged	Q1 - The economic climate continues to be monitored for impacts upon services customers and communities

Title	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Commentary
R2	Failure to target services and influence partners with the aim of having an effective outcome on the identified (health and wellbeing) needs of the vulnerable population	4	2	8	Risk Rating Unchanged	Q1 - We have strong working relationships with services and partners to deliver the health and wellbeing needs of the vulnerable population as seen in the UFEST planning. 38 partners will be present at UFEST enabling residents to engage and access services. We continue to engage with Mid Essex Alliance, the Maldon District Community Forum, Maldon District Dementia Action Alliance and Maldon District Food Support Network to support our most vulnerable residents.
R3	Failure to target services/influence partners effectively to support identified housing needs of increasing aging population	4	2	8	Risk Rating Unchanged	Q1 - The Housing Strategy is being propped for September S&R meeting. Please note that the existing Strategy is still relevant until 2023 and this is a request for extension. Councillors attending the recent SHB meeting have raised a number of discussion points on the Housing Strategy. Comments will be taken into account following completion of the extension as Housing begins to consider an updated Strategy
R13	Failure to manage impact of organisational change	3	2	6	Risk Rating Unchanged	Q1 - The plan to address the Planning Pressures has now been approved by Strategy and Resources committee, demonstrably managing the impact of the changes. Wider reviews are now underway to consider if further management actions are required to prevent an increase in this risk.  Recommended closure due to this is being picked up as part of wider operational management & resilience

Title	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Commentary
R1	Failure to safeguard children and vulnerable adults	5	1	5	Risk Rating Unchanged	Q1 - Safeguarding risks continue to be picked up via the Councils online Freshserve reporting tool and its Safeguarding leads. New dates for the internal Safeguarding forum have been set: 19/07 21/09 24/11 27/01/23 The Safeguarding forum will be updated slightly to include discussions about ASB issues of concern. there is a risk that competing demands limits Officer attendance at the Forum. Some previous meetings have had to be abandoned due to lack of Officer attendance. However, this has NOT stopped essential safeguarding work from occurring.

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## REPORT of DIRECTOR OF SERVICE DELIVERY

to  
PERFORMANCE, GOVERNMENT AND AUDIT COMMITTEE  
29 SEPTEMBER 2022

### HEALTH AND SAFETY UPDATE FOR QUARTER 4 2021-22 AND QUARTER 1 2022/23

#### 1. PURPOSE OF THE REPORT

- 1.1 To provide an update on health and safety statistics and activity during quarter 4 (1 January 2022 to 31 March 2022), and quarter 1 (1 April to 30 June 2022).

#### 2. RECOMMENDATIONS

- (i) That Members consider the accident and incident statistics;
- (ii) That Members consider progress with the Health and Safety Action Plan at **APPENDIX 1**;
- (iii) That Members consider additional Health and Safety improvements being implemented in addition to those identified in the action plan.

#### 3. SUMMARY OF KEY ISSUES

##### Quarter 4

- 3.1 There were 5 reported accidents and 12 near miss reports during quarter 4: -

ACCIDENT/ INCIDENT REPORTS Q4 2021/22		
Incident	Action	Note
Officer slipped on mud and bruised knee.	Manager is monitoring area.	
Officer cut hand with rope slipping through hand.	Staff advised that gloves to be worn when necessary.	
Staff member hit by domestic garden fence panel caught in the wind resulting in fracture.	This was investigated and it was identified that the work being carried out was essential and normally safe, however low likelihood accident happened that appeared difficult to mitigate.	The accident was reported to the Health and Safety Executive (HSE) as reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).
Parks Operative spillage of fuel.	Risk assessment in place to identify suitable place for re-fuelling, ensure that spill kits are available.	Spill kits now in place for all vehicles.
Small stone chip to windscreen whilst strimming.	Staff to ensure as far as possible that the area is clear of potential strimming risks whilst	

<b>ACCIDENT/ INCIDENT REPORTS Q4 2021/22</b>		
Incident	Action	Note
	strimming.	

- 3.2 It should be noted that there were two other accident reports but were not health and safety incidents.

<b>NEAR MISS REPORTS Q4 2021/22</b>		
Incident	Action	Note
An Officer undertook an unaccompanied visit, and did not follow the risk assessment for this activity. Whilst there were no issues during the visit we later became aware of information that could have increased the level of risk to that member of staff.	Staff reminded that we must follow our risk assessment for undertaking visits.	
A customer contacted a member of staff via social media. This is inappropriate for a professional Relationship.	Contact declined by staff member.	
Concerns raised about tasks that should be carried out in high winds.	Risk assessment reviewed and wind management plan introduced.	
Report received of staff member allegedly using a mobile device whilst driving.	This was incorrect, member of staff was not doing this. However, staff have been reminded of the requirements around mobile phones whilst driving.	
Equipment had been left by the stairs in the fire evacuation route. It is essential this area is left sterile.	Caretakers advised and removed.	
Staff member using equipment without any high visibility clothing on.	Advised by Manager on need for correct PPE.	
Parks Equipment was used incorrectly. No injuries were sustained.	Risk assessment was reviewed immediately. Staff member given additional training. additional training was carried out for all staff.	
Equipment being used by a tenant outside the building, on a path where	Tenant reminded of the risks, manager to monitor.	

<b>NEAR MISS REPORTS Q4 2021/22</b>		
Incident	Action	Note
the public will be walking.		
Staff member lone working with insufficient controls.	Manager to ensure suitable option is in place and lone working policy is followed.	
Vehicle left unlocked.	Reminded operative to keep vehicle locked. staff memo to be released as reminder.	
Vehicle checks not being consistently carried out.	Raised with Manager who is now implementing regular checks.	
Potential fuel spill-inappropriate refuelling place and no spill kit.	Manager raised at team meeting requirements of refuelling.	

3.3 There were 3 incidents of unacceptable behaviour: -

<b>UNACCEPTABLE BEHAVIOUR REPORTS Q4 2021/22</b>		
Incident	Action	Note
Significant Verbal Abuse.	This occurred outside of the Council Offices, and full details of the perpetrator were not established.	
Significant Verbal abuse.	Letter sent to advise customer about their behaviour and additional controls put in place to deal with customer, including removing any face-to-face contact with them, and all future contact to be via telephone or email only.	
Abusive emails.	Additional controls put in place when dealing with this customer, including not responding to abusive contact, and any future contact being dealt with by Managers.	

#### **Quarter 1 2022/23**

3.4 There were 4 reported accidents and 5 near miss reports during quarter 1: -

<b>ACCIDENT/ INCIDENT REPORTS Q1 2022/23</b>		
Incident	Action	Note
Member of the public slipped whilst climbing grass slope at Prom	Slope made good at edge of pathway.	

<b>ACCIDENT/ INCIDENT REPORTS Q1 2022/23</b>		
Incident	Action	Note
Park, taken to hospital but no treatment.		
Member of the public lost footing and fell whilst accessing a parking meter, head and hip injuries. Taken to hospital.	No fault accident.	
Staff member hit by rake when he trod on it.	No further action, staff reminded of correct storage of materials and equipment.	
Staff member slipped on vehicle and grazed shin.	No further action.	

<b>NEAR MISS REPORTS Q1 2022/23</b>		
Incident	Action	Note
Item of Equipment considered to be unsafe.	Remedial actions by caretaker team.	
Vehicle broke down whilst out in district.	Recovery service contract being put in.	Interim call out arrangements in place.
Contractors observed not having necessary controls in place whilst vehicles were reversing.	Raised with contractor to ensure that appropriate controls in place in future.	
Following an incident at Prom Park opportunities to improve communication identified.	Risk Assessment's updated to reflect improved communication channels for Start & End of Incidents.	
Overflowing waste bins presenting potential hazard.	Maintenance and Parks to rectify issue and undertake repair to existing bins.	All bins repaired and in use.

3.5 There were 3 incidents of unacceptable behaviour: -

<b>UNACCEPTABLE BEHAVIOUR REPORTS Q1 2022/23</b>		
Incident	Action	Note
verbal abuse.	Additional controls put in place to ensure future contact with this person was managed, including no visits to this person, and all contact to be via email or telephone only.	
Unacceptable behaviour raising cause for concern.	Additional controls put in place including no visits to be undertaken to this person.	
Verbally aggressive behaviour resulting in	Letter sent to advise customer about their	



UNACCEPTABLE BEHAVIOUR REPORTS Q1 2022/23		
Incident	Action	Note
Police intervention.	behaviour and additional controls put in place to deal with customer, including removing any face to face contact with them, and all future contact to be via telephone or email only.	

### 3.6 Health and Safety Action Plans

- 3.6.1 Satisfactory progress has been made with the Health and Safety Action Plan **APPENDIX 1**. Improvements for quarter 4 (1 January 2022 to 31 March 2022, and quarter 1 (1 April 2022 to 30 June 2022). Key actions for each quarter are as follows:

#### **Actions Quarter 4 2021/22 and Q1 2022/23**

- A third party was engaged to undertake fire risk assessments for the Council's buildings, including those that are leased to third parties. This work began in December 2021 and was completed in 2022. These assessments highlight works that will need to be undertaken, priority has been given to the highest risk.
- The health and safety Consultant has started giving risk assessment training to staff who have been identified by managers as requiring this training. Further training is scheduled throughout 2022.
- A job advertisement and job description has been drafted for the Health and Safety Officer post, the growth for this post has been agreed by Members. (An unsuccessful recruitment exercise has subsequently been undertaken for this role, which is currently being readvertised).
- Works to the Council Chamber floor have been agreed to reduce the risk from tripping and falling as several accidents have occurred over the years, including 2021. This work was completed in February 22.
- The Health and Safety Policy has been reviewed and updated to reflect the current organizational structure.

- 3.7 Attached at **APPENDIX 2** are the findings from a recent Consultant appraisal.

## **4. CONCLUSION**

- 4.1 Accidents, near misses and incidents of unacceptable behaviour during quarter 4 2021/22 and quarter 1 2022/23 have been set out within this report for Member's information.
- 4.2 Proactive work on the health and safety action plan continues. Additional health and safety improvements are continuing to be made by the external health and safety consultant. Improvements for Q4 and Q1 are highlighted in this report.

## 5. IMPACT ON STRATEGIC THEMES

- 5.1 Managing health and safety well helps protect the workforce and wider community who may be affected by the Council's activities ensuring that communities stay safe and healthy.

## 6. IMPLICATIONS

- (i) **Impact on Customers** – Good health and safety management reduces the number of accidents and injuries to both customers and employees alike. Reduced staff absence resulting from work related injuries or ill health ensures a better service is provided to customers.
- (ii) **Impact on Equalities** – None
- (iii) **Impact on Risk** – Poor management of health and safety can lead to accidents, injuries, occupational ill health or dangerous occurrences. This may result in avoidable sickness absence and these incidents may be investigated by the Health and Safety Executive (HSE). This could result in prosecution with fines or custodial sentences and an award of costs if found guilty by the courts. In addition, the HSE has adopted a "Fee for Fault" policy in which it recharges the cost of investigations if liability is identified. Civil claims by individuals could lead to significant cost to the Council, both financial and resources to manage. These could in turn lead to increased insurance premiums. It can also lead to poor publicity, reputational damage and impacts on staff morale.
- (iv) **Impact on Resources (financial)** – No additional resources required, however, by managing health and safety, there should be less impact on financial resources as identified in (iii) above.
- (v) **Impact of Resources (human)** – No additional resources are required, however, additional processes/ procedures to manage health and safety effectively will impact upon current resource capacity. The positive impact should be preventing accidents and ill health, having a mitigating impact.
- (vi) **Impact on the Environment** – Good health and safety management of the workplace, for example, management of asbestos and legionella, helps provide a safer and healthier environment in which to live and work.
- (vii) **Impact on Strengthening Communities** - None

Background Papers: accident and incident reports (data protected)

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## HEALTH AND SAFETY ACTION PLAN 2021-22 – Update Q4 2021/22 and Q1 2022/23

Subject	Action Required	Update /Timescale
Health and Safety Arrangements	<p>To review all the corporate health and safety procedures, ensuring they are relevant to the structure following transition, and to update the health and safety policy</p> <p>Amend the draft health and safety policy following stakeholder feedback and submit to Members for approval.</p>	<p>Review of Health and Safety arrangements (procedures and practices) continue to be to be reviewed, and where necessary new arrangements have been put in place.</p> <p>The Health and Safety Policy has been reviewed and updated. This will brought to Members for consideration at the next available Strategy and Resources Committee.</p>
Risk Assessments	<p>To update and amend risk assessments for service delivery, ensuring they reflect the new organisational structure: -</p> <ul style="list-style-type: none"> <li>• Priority to be given to the Parks Team due to the high level of risk and outdated procedures, if necessary, contracting external assistance to complete the task</li> <li>• To review the management of hand arm vibration (HAVS) hazards to ensure recommendations by the HSE are being implemented and reserved.</li> </ul>	<p>A significant number of Risk Assessments have been completed with a strong focus on Parks and Cemeteries.</p> <p>All relevant staff have received training on writing risk assessment, which will be a continuous area for training.</p> <p>This work is well underway: a HAVS policy has been drafted as requested by the HSE and will be presented to the S&amp;R in Oct.</p> <p>All residual machinery is being measured for vibration and tagged.</p> <p>Supervisor is undertaking weekly checks to ensure employees are logging their exposure.</p> <p>Further HAVS training has been delivered to mop up all new staff.</p> <p>Staff are being encouraged to review their risk assessments following their training. This will be on going training.</p>

When required	<p>To deliver health and safety training where required, to include: -</p> <ul style="list-style-type: none"><li>• refresher first aid training and training for first aiders</li></ul>	<p>Further First Aid training is being arranged for new staff, and those with an identified need. This will be ongoing training.</p> <p>Additional training has been delivered for areas such as working at height and ladder training</p>
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## **APPRAISAL FINDINGS**

### **1. Health and Safety Groups**

#### **1.1 Weekly Health and Safety Action Group**

- 1.1.1 The Health and Safety Working Group continues to consider, allocate and review progress of the residual actions from the health and safety review.

#### **1.2 Quarterly Health and Safety Committee**

- 1.2.1 The Health and Safety Committee has been re-instated with representation from all levels and areas of the business. This will be an important part of the consultation with employee process.

### **2. Staff Resource**

- 2.1. A temporary dedicated Health and Safety Officer has been retained whilst recruitment into the permanent full time role is being progressed

### **3. System Resources**

- A new SharePoint area has been developed where resources are available for staff to utilise.
- There is a programme of familiarisation ongoing for the staff as SharePoint is a newly developed area. For this reason, other forms such as accident reporting remain in the original areas for a period of time.
- Each business area has an area in the H&S Shared drive along with general areas for general resources.
- Articles have been placed in One Team and information shared by the health and safety team with managers and staff at all meetings and training sessions.

### **4. Fire Risk Assessments**

- 4.1 Fire risk assessments have been completed and shared with the relevant areas including tenants. Residual actions are being carried out.

### **5. Policies and Procedures**

- 5.1 During the initial period, the existing Health and Safety policy and arrangements were reviewed, and new arrangements developed. These are awaiting formal approval.
- 5.2 Fire and emergency procedures have been developed for the Princes Rd and Promenade Park buildings; these are currently under review by relevant managers.

### **6. Health & Safety Inspections**

- 6.1 MDC area inspections are now current. Inspections have been carried out in all

MDC occupied premises for the last two quarters. An e-form that captures residual actions and is saved into the relevant shared areas.

## **7. Legionella**

- 7.1 Whilst there has been progress there are still areas for improvement in the legionella management system. A contractor has been brought in to carry out the assessments and identify residual needs. The results from these assessments have been actioned.

## **8. Training**

- 8.1 There is an e training portal for staff to use which is undergoing review, with new courses being developed that are suitable for business needs.

- 8.2 Other courses delivered during Q4 and Q1

- Risk Assessment & COSHH - 17 attended
- Risk Assessment - 16 attended
- Lone working - 26 attended
- Working at Height/Ladder Use - 29 attended
- First Aid – 8 attended

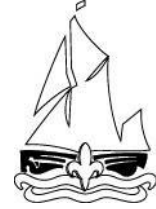
## **9. Accident-Near Miss Reporting**

- 9.1 As part of the move to SharePoint a new reporting system for accidents, incidents and near misses has been developed. The previous reporting system remains available whilst the move across is familiar to staff. In addition, a template for accident investigation has been developed with explanation for staff to assist with when they should involve the H&S Team and carrying out lower-level investigation.

## **10. Priorities going forward**

- 10.1 The priorities for the next quarter are as follows:

- Continue to further develop existing strategies for MDC safety management system
- Develop strategies to ensure Managers embed the required supervision with their staff.
- To continue to promote best practices for a safe working environment for staff and visitors.
- Continuing to assist managers with inspections across MDC sites
- Improve awareness of the need for near miss and accident reporting.
- Continue to assist staff to develop risk assessments for all tasks and activities that could pose a health and safety risk
- Build a robust contractor management system
- Continue with training for staff.
- Continue to improve the health and safety culture amongst staff
- Continue to review and improve lone working systems/ protocols
- Develop the e training system



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
29 SEPTEMBER 2022**

**BALANCE SCORECARD EXCEPTIONS REPORT**

**1. PURPOSE OF THE REPORT**

- 1.1 To report exceptions to operational service reporting for Committee review and discussion.
- 1.2 The Corporate Performance and Governance framework requires this Committee to be given visibility of any identified Balance Scorecard key performance indicators (KPI) that have met their threshold, supported by an action plan to ensure targets are met. This gives assurance that Operational performance is being managed proactively and effectively.

**2. RECOMMENDATIONS**

- (i) That the committee review and comment on exceptions to service reporting provided in this report ;
- (ii) That Members note the additional performance in **APPENDIX 1**;
- (iii) That Members confirm they are assured through this review, Operational performance is being managed effectively.

**3. SUMMARY OF KEY ISSUES**

- 3.1 Following a refresh of our Corporate Performance Reporting, the committee have been receiving quarterly Performance reports since 2019 that focussed on the delivery of the Corporate outcomes.
- 3.2 Alongside this, services have been monitoring performance data, and officers have centralised this into an internal 'Balance Scorecard' that is reviewed monthly by the Extended Leadership Team (ELT) to operationally track our performance.
- 3.3 It was agreed that this Committee would receive an exceptions report where operational measures are under/ over performing to give Members oversight alongside the Corporate Plan Measures. This is produced every six months for review and was first reported in January 2021.
- 3.4 Online versions of the full Balance Scorecard report are available to view on the Members' SharePoint site.
- 3.5 Exceptions cover the period of January 2022 to June 2022, the following measures are underperforming

<b>Measure</b>	<b>Explanation</b>	<b>Action</b>
% of business rates collected.	Expected impact of COVID emergency – in line with pattern across Essex. May also be impacted by the cost of living crisis.	Included in the MTFS (Medium Term Financial Strategy) and closely monitored.
% of council tax collected.	Expected impact of COVID emergency- in line with pattern across Essex May also be impacted by the cost of living crisis.	Included in the MTFS and closely monitored.
Revenues and Benefits outstanding cases and process time for Change Circumstances in December.	Overall, outstanding cases have started to reduce, but a spike in cases was seen due to start of new Council Tax year, staff absences and addition of new processes. This also resulted in an increase in processing time and a spike case load.	Continue to monitor and review any additional resource needed for this area.
Missed Bins exceeding Service Level Agreement (SLA).	Exceeding SLA, due to operational absences, collection issues & national skills gap.  Waste was also the top visited page of the Council's Website for the last 10months.	Working with contractor to discuss issues and issuing clear communications to residents. Temporary process amendment also in place due to National driver shortages.  Continue to sign post customers to relevant service forms and share regular service updates.
Areas of 'contact us' overdue cases.	Overdue contact us cases continue to consecutively rise and supersede the same period in previous years. Areas specifically effected; Planning, Revenues & Benefits & Environmental Health.  However, this is expected behaviour in some areas due to the time of year (i.e.) Revenue and Benefits.  Between May & June, housekeeping work has progressed, and overall cases have dropped in Planning & Revenues & Benefits.	Areas are working on a backlog of existing cases; this continues to be monitored by ELT and respective areas. Areas are included in the process improvement/redesign schedule and Environmental health are reviewing their service performance indicators.  Resource gaps are being addressed in key areas.



Measure	Explanation	Action
Data Protection breaches	Increase in reported data protection breaches, which has also been reflected in the Corporate Risk reporting.	Training has been given to Cllrs, and majority comply with the requirements. Continued reminders of importance of the Policy are shared.  Work progressing on delivering a new system( EGRESS), which will help prevent email data breaches.
Percentage of Freedom of Information (FOIs) actioned within SLA (20days)	Mix of system & Resource issues have caused a consistent miss of our 95% target	Housekeeping work is ongoing to focus activity on Overdue cases, and address system constraints.

- 3.6 For the period from January 22 to June 22, the following measures are overperforming:

Measure	Explanation	Action
Leisure centres.	Continued increase in participation seen in Blackwater comparison to pre covid levels & increase in Dengie 100 memberships.	Continue to monitor and report data through Leisure Task and Finish working group.
Channel Shift	Average of 92% of contact continues to be online.	Continue to use customer feedback, build online process, and support continuation of this behaviour. Members to continue to report in feedback that they receive via: <a href="https://forms.office.com/r/d5m4D9KRg2">https://forms.office.com/r/d5m4D9KRg2</a> Continue to support those who need it in person and by phone.

#### 4. CONCLUSION

- 4.1 The exceptions reported in this paper are provided for Member review. Where thresholds have been met, the supporting action plan will be executed to enable Key Performance Indicators (KPIs)) to be brought back on track.

#### 5. IMPACT ON STRATEGIC THEMES

- 5.1 It is important that performance is monitored and managed effectively, to ensure that Maldon District Council progresses towards and/ or achieves its stated outcomes

#### 6. IMPLICATIONS

- (i) **Impact on Customers** – Performance management covers the monitoring of key operational performance indicators to support customer service and delivery of our corporate plan which includes delivery for our customers.

- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – If performance is not managed effectively by the Council, it puts the Council's corporate outcomes delivery at risk and increases unnecessary exposure to potential, operational, reputational, or regulatory consequences.
- (iv) **Impact on Resources (financial)** – All performance management is undertaken within existing planned budgets.
- (v) **Impact on Resources (human)** – All performance management is undertaken within existing planned budgets.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers:

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager

# Planning Performance Report

2022

# PS1 Delta Essex Local Authority Summary

## 2022 Q1

APPENDIX 1

Local planning authority	Apps received	Apps decided	Apps withdrawn	Apps decisions delegated	Apps decisions delegated %	Apps given an extension of time
Chelmsford	491	408	15	404	99%	49
Colchester	419	356	23	352	99%	143
Uttlesford	406	363	18	353	97%	108
Braintree	366	362	29	346	96%	173
Southend-on-Sea	333	324	11	309	95%	125
Brentwood	274	214	18	211	99%	74
Tendring	258	253	17	226	89%	114
Basildon	248	194	9	188	97%	56
Rochford	232	192	2	185	96%	62
Thurrock	217	231	12	221	96%	106
Maldon	190	160	7	155	97%	32
Castle Point	166	132	2	130	98%	11
Harlow	77	65	3	62	95%	26
<b>Total</b>	<b>3677</b>	<b>3254</b>	<b>166</b>	<b>3142</b>	<b>97%</b>	<b>1079</b>

This data set provides a summary of information for a range of applications types.

**The overall UK delegation decision rate was 96% for Q1**

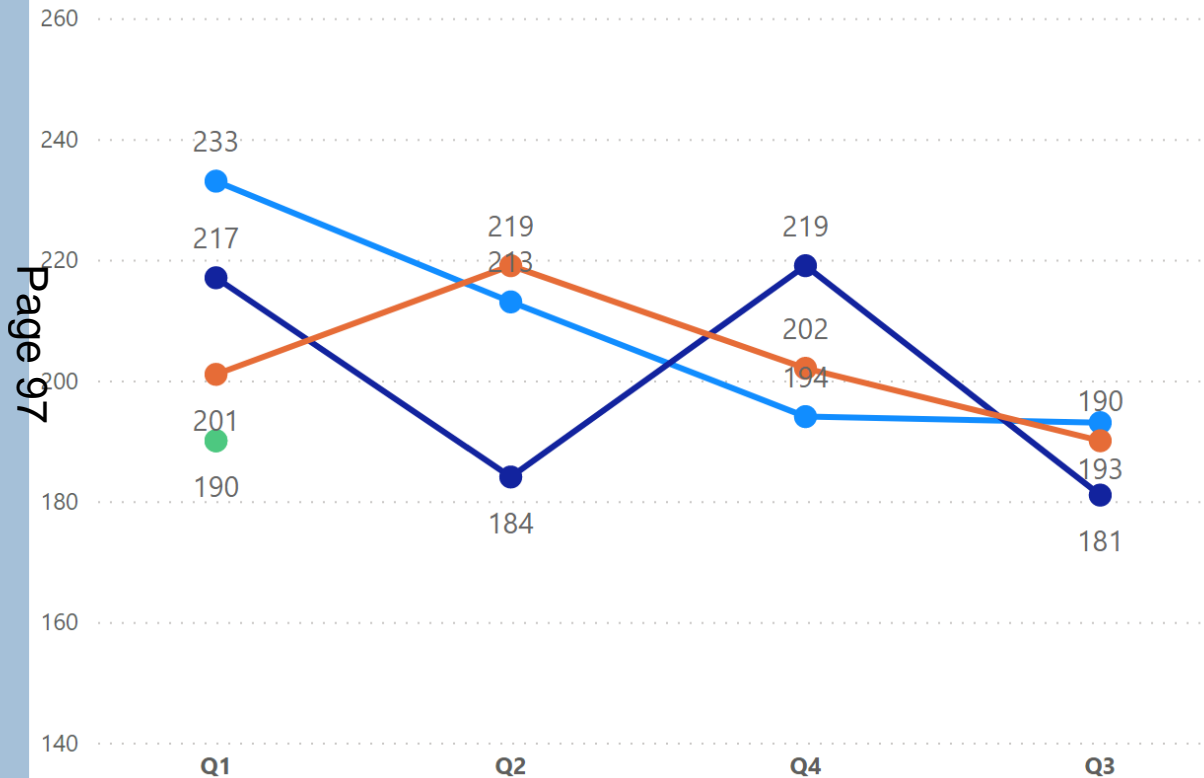
**The overall East of England delegation decision rate was 95% for Q1**

# PS1 Delta Maldon

APPENDIX 1

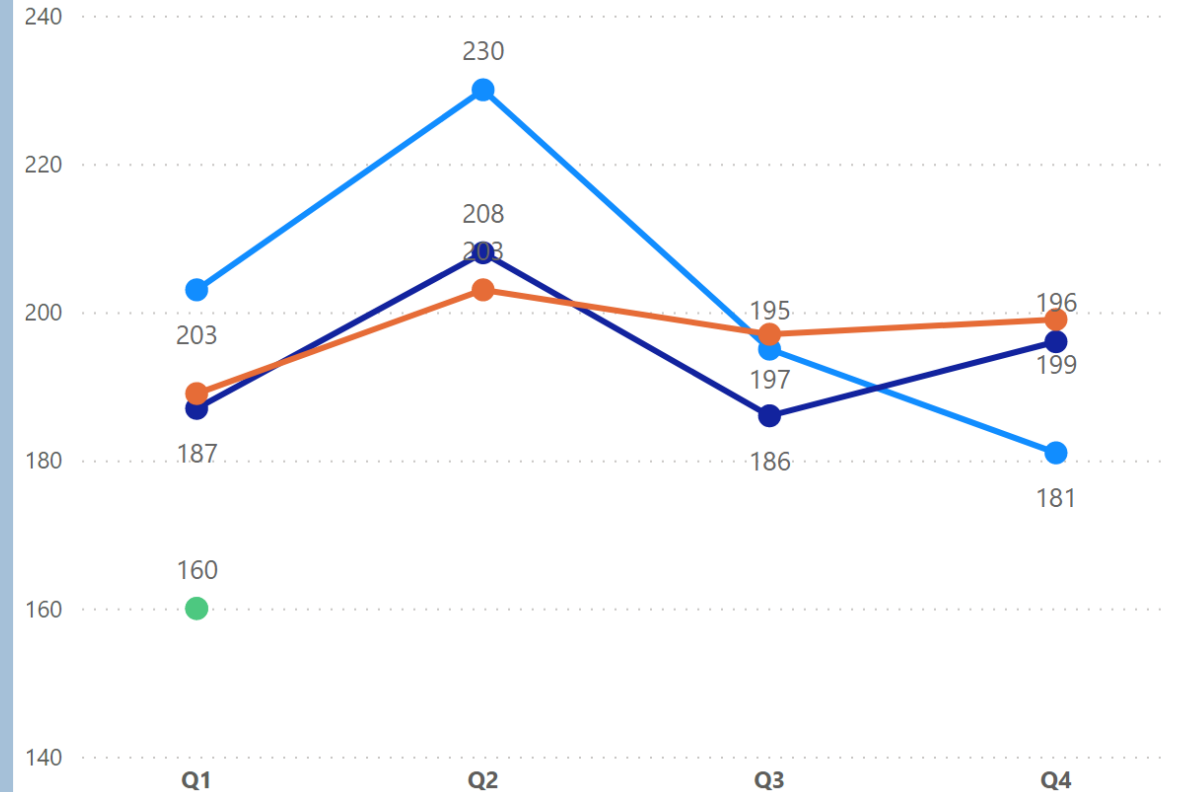
Number of Applications Received

—●— 2019 —●— 2020 —●— 2021 —●— 2022



Number of Applications Decided

—●— 2019 —●— 2020 —●— 2021 —●— 2022



This data set provides a Maldon ONLY overview for a range of applications received and decided

# PS2 Delta Essex Local Authority Summary

APPENDIX 1

## 2022 Q1

Page 98

Local planning authority	Total decisions grand total (all)	Total granted grand total (all)	% Granted (all)	Total decided in time	% Decided in time (all)
Rochford	192	160	83%	139	72%
Basildon	194	125	64%	147	76%
Tendring	253	227	90%	211	83%
Braintree	362	301	83%	321	89%
Maldon	160	99	62%	144	90%
Chelmsford	408	342	84%	381	93%
Uttlesford	363	283	78%	341	94%
Harlow	65	57	88%	62	95%
Castle Point	132	96	73%	129	98%
Colchester	356	315	88%	350	98%
Southend-on-Sea	324	243	75%	319	98%
Thurrock	231	144	62%	229	99%
Brentwood	214	170	79%	213	100%

This data set covers applications decided, granted & whether they were decided in time for a range of applications, including residential & commercial applications.

**The UK percentage granted rate was 87%, and for decisions made in time was 83% for Q1**

**The East of England was 85% for both percentage granted and for decisions made in time was 85% for Q1**

**Maldon District Council Operational Target - >90%**

# PS2 Delta Essex Local Authority Summary

APPENDIX 1

## 2022 Q1 - Granted % for Minor/Major/Other

Local planning authority	Total decisions major	Total granted major	% Granted (major)
Chelmsford	8	8	100%
Colchester	10	10	100%
Rochford	8	8	100%
Southend-on-Sea	4	4	100%
Thurrock	5	5	100%
Tendring	11	9	82%
Braintree	23	17	74%
Basildon	8	5	63%
Brentwood	2	1	50%
Uttlesford	8	4	50%
Maldon	7	3	43%
Castle Point	0	0	
Harlow	0	0	

Local planning authority	Total decisions minor	Total granted minor	% Granted (Minor)
Harlow	15	15	100%
Tendring	85	67	79%
Rochford	42	32	76%
Colchester	83	63	76%
Chelmsford	82	61	74%
Brentwood	44	32	73%
Braintree	91	65	71%
Southend-on-Sea	92	64	70%
Uttlesford	95	65	68%
Basildon	41	25	61%
Maldon	57	32	56%
Castle Point	20	11	55%
Thurrock	38	20	53%

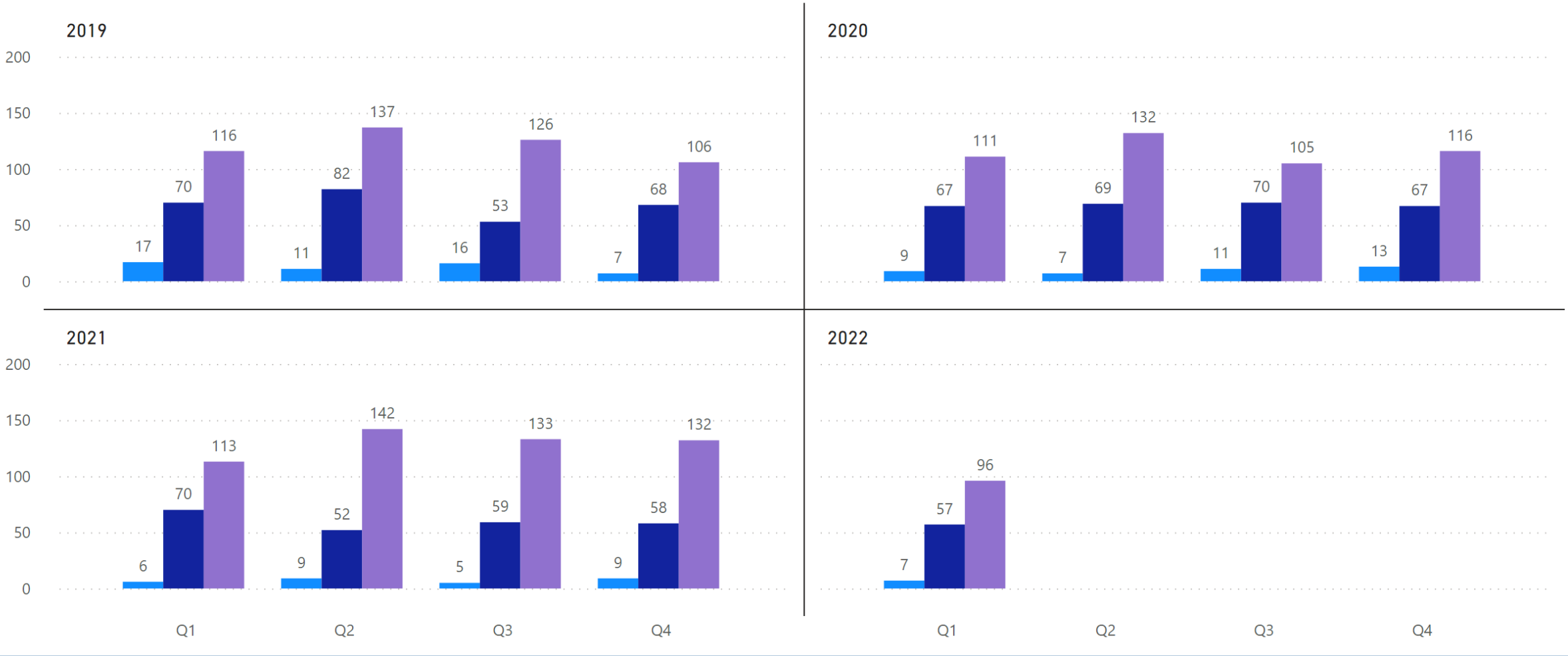
Local planning authority	Total decisions (other)	Total granted (other)	% Granted (Other)
Basildon	145	95	66%
Braintree	248	219	88%
Brentwood	168	137	82%
Castle Point	112	85	76%
Chelmsford	318	273	86%
Colchester	263	242	92%
Harlow	50	42	84%
Maldon	96	64	67%
Rochford	142	120	85%
Southend-on-Sea	228	175	77%
Tendring	157	151	96%
Thurrock	188	119	63%
Uttlesford	260	214	82%

This data set covers a split or Minor, Major or Other applications decided & granted

# PS2 Delta - Maldon

Number of applications decided

● Total decisions major ● Total decisions minor ● Total decisions other





# PS2 Delta Essex Local Authority Summary

APPENDIX 1

## 2022 Q1 - In time % for Minor/Major/Other

Local planning authority	Total decisions major	Total decided in time Major	in time % Major
Brentwood	2	2	100%
Colchester	10	10	100%
Rochford	8	8	100%
Southend-on-Sea	4	4	100%
Thurrock	5	5	100%
Braintree	23	22	96%
Basildon	8	7	88%
Chelmsford	8	7	88%
Uttlesford	8	7	88%
Maldon	7	6	86%
Tendring	11	9	82%
Castle Point	0	0	0%
Harlow	0	0	0%

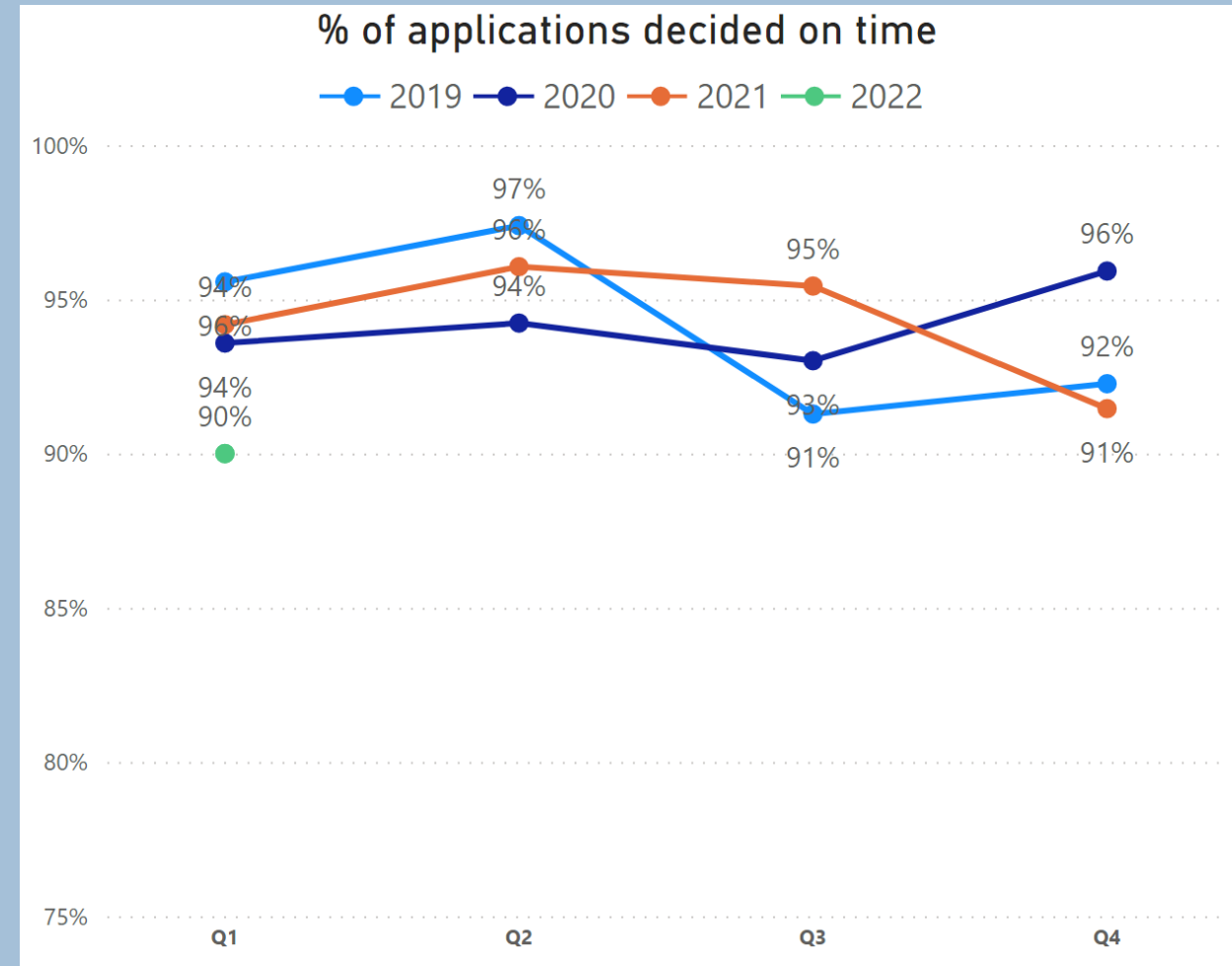
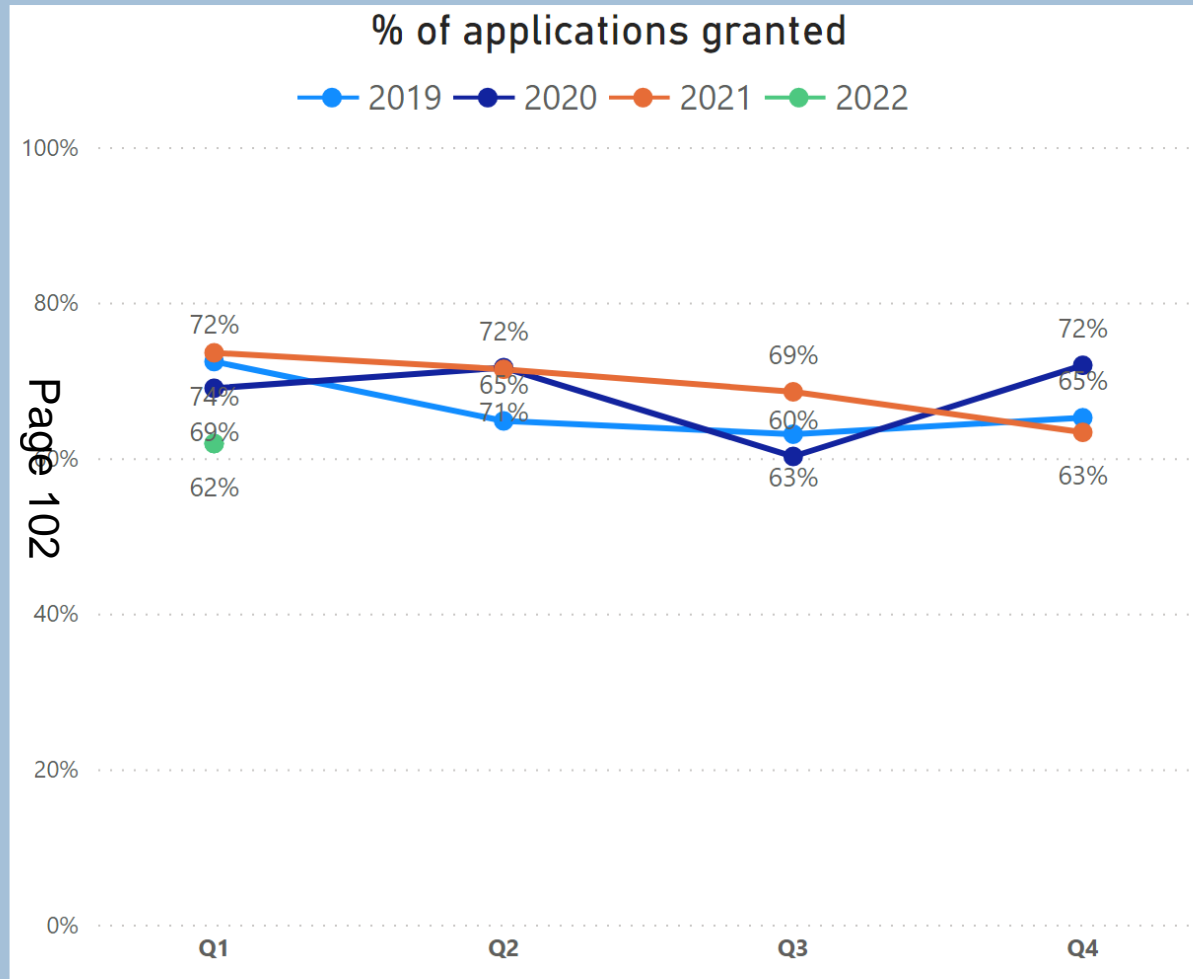
Local planning authority	Total decisions minor	Total Decided in time Minor	in time % Minor
Brentwood	44	44	100%
Southend-on-Sea	92	90	98%
Colchester	83	81	98%
Thurrock	38	37	97%
Castle Point	20	19	95%
Harlow	15	14	93%
Uttlesford	95	87	92%
Maldon	57	50	88%
Chelmsford	82	71	87%
Braintree	91	78	86%
Tendring	85	60	71%
Basildon	41	26	63%
Rochford	42	17	40%

Local planning authority	Total decisions (other)	Total Decided in time Other	in time % Other
Thurrock	188	187	99%
Brentwood	168	167	99%
Southend-on-Sea	228	225	99%
Colchester	263	259	98%
Castle Point	112	110	98%
Harlow	50	48	96%
Chelmsford	318	303	95%
Uttlesford	260	247	95%
Maldon	96	88	92%
Tendring	157	142	90%
Braintree	248	221	89%
Rochford	142	114	80%
Basildon	145	114	79%

This data set covers a split or Minor, Major or Other applications decided & whether they were in time

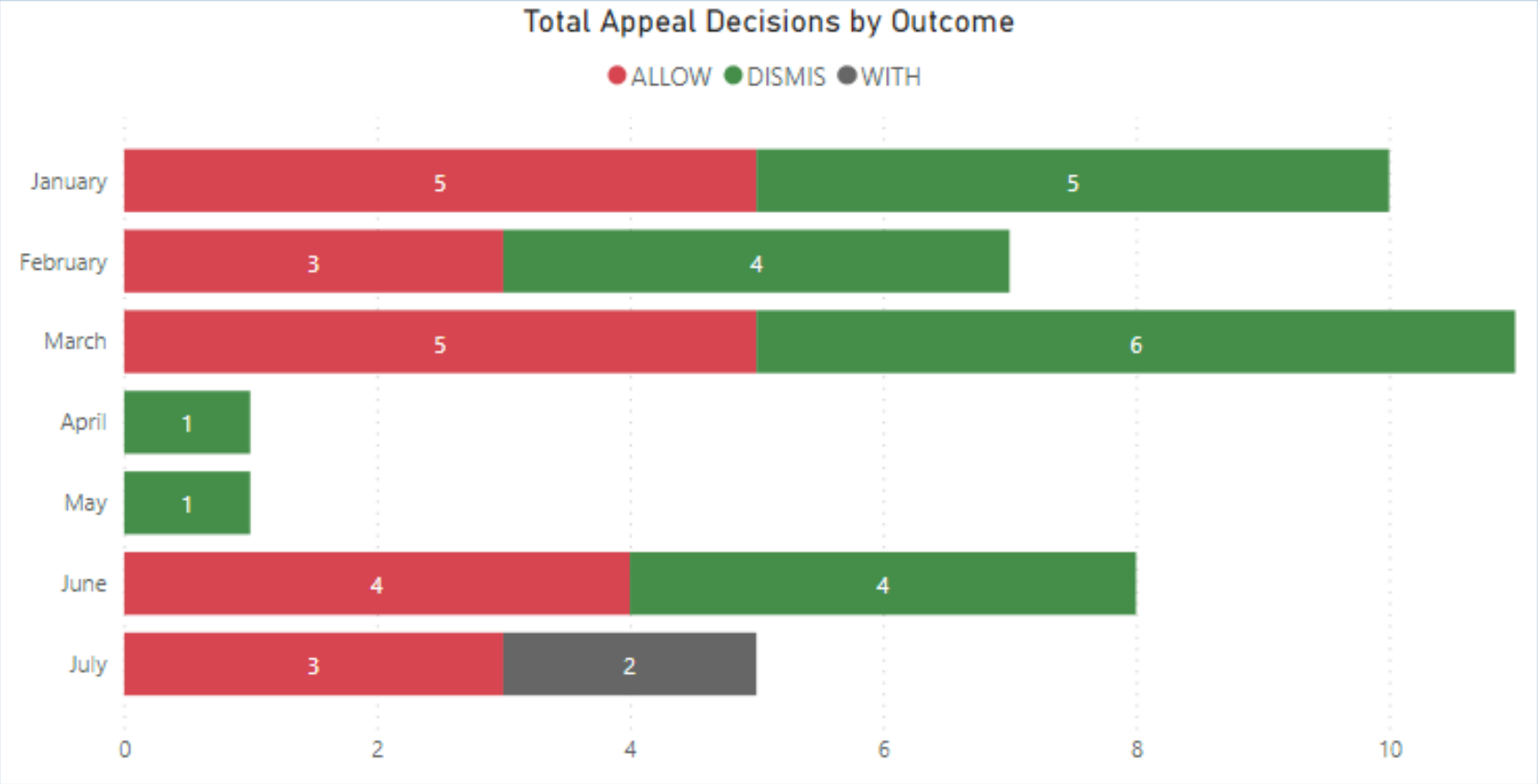
# PS2 Delta - Maldon

APPENDIX 1



This data set covers Maldon ONLY applications decided split by Minor, Major or Other, along with granted % & decided in time % rates

This data covers the appeal decisions received, any award costs & decision source of recommendation for the period of January 2022 to July 2022



# Appeals - Further Information

APPENDIX 1

## Appeal Decisions Dismissed.- 21

- **19** were delegated decisions
- **1** was a decision to **overturn** at committee the officer's recommendation to approve (the committee was **Maldon North**)
- **1** was a decision where the officer's and the committee (**Central**) agreed to refuse

### Costs for the dismissed appeal decisions

Of the **19** dismissed and delegated decisions

- **1** appeal had an application for a **full award of costs** by the appellant against MDC **allowed (Appeal 1)**
- **1** appeal had an application for a **full award of costs** by the appellant against MDC **refused**

Of the **1** dismissed and overturned decision

- **1** appeal had an application for a **full award of costs** by the appellant against MDC **refused**

## Appeal Decisions Allowed -20

- **17** were delegated decisions
- **3** were decisions to **overturn** at committee the officer's recommendation to approve (**1x SE. 1x NW, 1x District**)

### Costs for the allowed appeal decisions

Of the **17** allowed and delegated decisions

- **2** appeals had an application for a **full award of costs** by the appellant against MDC **refused**
- **1** appeal had an application for a **full award of costs** by the appellant against MDC **allowed (Appeal 2)**

Of the **3** allowed and overturned decisions

- **1** appeal had an application for a **full award of costs** by the appellant against MDC **refused**
- **2** appeals had an application for a **full award of costs** by the appellant against MDC **allowed (Appeal's 3 and 4)**

# Appeal Costs

## APPENDIX 1

### Appeal 1

Delegated refusal and **dismissed** at appeal – full award cost allowed for appellant

20/01005/OUT - Land Adjacent Caxton Pride, Hackmans Lane, Purleigh

Amount £3824

### Appeal 2

Delegated refusal and **allowed** at appeal – full award of costs allowed for appellant

20/01211/FUL – Highfields, Maldon Road, Bradwell

Amount: Awaiting Conformation

### Appeal 3

SE committee Overturned officer recommendation to approve and **allowed** at appeal - full award of costs allowed for appellant

21/00075/OUTM – Land 250m North of 16a Maldon Road, BOC

Amount: £213,374.65 exc VAT

### Appeal 4

District committee Overturned officer recommendation to approve and **allowed** at appeal - full award of costs allowed for appellant

20/01166/FUL – Land South of Charwood & East of Orchard House, Stoney Hills, BOC

Amount: £6457.50 exc VAT

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**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
29 SEPTEMBER 2022**

**RISK MANAGEMENT POLICY**

**1. PURPOSE OF THE REPORT**

- 1.1 To provide an updated Risk Management Policy for adoption.
- 1.2 To address recent risk audit recommendations through the revision of our Corporate Risk Management approach.

**2. RECOMMENDATIONS**

- (i) That the revised Risk Management Policy (**APPENDIX A**) be adopted;
- (ii) That the committee recommends Mandatory annual staff and member e-learning on Risk management.

**3. SUMMARY OF KEY ISSUES**

- 3.1 The Risk Management Policy is a key internal document, that sets out how we approach and manage risk at Maldon District Council. Following adoption, training will be given to all staff to explain the policy and key updates.
- 3.2 The policy is reviewed every three years to ensure relevance, and is due for refresh by November 2022.
- 3.3 In July, this committee received our internal audit report for Risk Maturity which provided good assurance as to our practises, and scoring MDC above average for Risk Maturity, but it also made recommendations around: risk descriptions being more consistent; mitigating actions being clearer and tracked; better definition for likelihood and consequence scores; and service risks being monitored to ensure consistency. [6e - Risk Maturity - Final Report - 2022-23.pdf \(maldon.gov.uk\)](#) we have sought to address the points raised in the audit in the revised risk management policy.
- 3.4 In terms of wider points raised in the audit but that are not highlighted in the policy: we will also be looking to include a Risk Map to show key areas of Risk in the internal balance scorecard reporting; we will be inviting staff to an interactive Microsoft Teams Session around Risk Management and also recommend e-learning for all officers and Members to improve awareness.
- 3.5 The policy defines the process for identifying and managing risk, and corporate risk tolerance levels to inform Corporate Risk Register (CRR) reporting. CRR reporting is provided quarterly to this committee for review.

- 3.6 There is not currently Risk Management e-learning and we recommend it is provided as a mandatory course for all staff and Members to improve awareness of our processes and approach as set out in the policy.

#### **4. CONCLUSION**

- 4.1 The updated Risk Management Policy seeks to address internal audit recommendations, and improve best practice around risk management, and is provided for committee adoption.

#### **5. IMPACT ON STRATEGIC THEMES**

- 5.1 Good Risk Management underpins the Performance and Efficiency Corporate theme.

#### **6. IMPLICATIONS**

- (i) **Impact on Customers** – specific risks may address customer issues
- (ii) **Impact on Equalities** – specific risks may address equality issues
- (iii) **Impact on Risk** – a sound policy in place, addressing internal audit recommendations, strengthens our position on Corporate Risk Management
- (iv) **Impact on Resources (financial)** – specific risks may address financial issues
- (v) **Impact on Resources (human)** – suggestion for additional mandatory staff and member training to increase general awareness
- (vi) **Impact on the Environment** – specific risks may address environmental issues
- (vii) **Impact on Strengthening Communities** - specific risks may address community issues

Background Papers: None

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager



# **Maldon District Council**

## **Risk Management Policy**

**Updated September 2022**



## Document Control Sheet

<b>Document title</b>	Risk Management Policy
<b>Summary of purpose</b>	Sets out the risk management arrangements of the Council
<b>Prepared by</b>	Cheryl Hughes, Programmes Performance and Governance Manager
<b>Status</b>	Draft
<b>Version number</b>	Version 5 22/23
<b>To be approved by</b>	Performance, Governance and Audit Committee, Council
<b>Approval date</b>	
<b>Date of implementation</b>	Continuous (takes over from existing policy)
<b>Review frequency</b>	Every three years
<b>Next review date</b>	October 2023
<b>Circulation</b>	Intranet, Corporate Risk SharePoint
<b>Published on the Council's website</b>	No

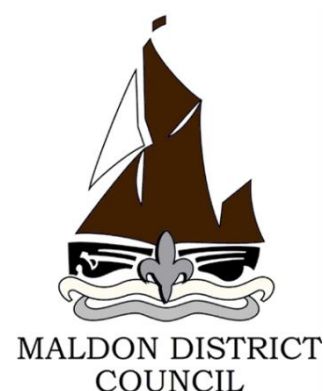
## Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.

## Risk Management Policy Statement

**Context**

Maldon District Council provides a diverse range of services to the residents, business and visitors of the Maldon District.



Having recently undertaken a full council transformation, focussed on putting our customers at the centre of what we do and being financially robust as central government budget cuts increase, we are reviewing our risk management policy and procedures to underpin this new structure and way of working

The Council has to manage the risks and opportunities associated with the delivery of our objectives stated in the Corporate Plan, by adopting good risk management principles.

Risk is unavoidable. It is an important part of life that allows us all to move forward and develop. Successful risk management is about ensuring that we have the correct level of control in place to provide sufficient protection from harm, without stifling our development.

Risk management therefore needs to be embedded into the Council and our key partners. We need to have the structures and processes in place to ensure the risks and opportunities of daily Council activities are identified, assessed and addressed in a standard way and proactively managed. This will allow us not only to meet the needs of the community today, but also be prepared to meet future challenges.

The purpose of this policy is to define risk management, state the Council's risk management objectives, approach, responsibilities and procedures.

### **What is the Council's risk appetite?**

The Council's overriding attitude to risk is to operate in a culture of creativity and innovation, in which all key risks are identified in all areas of the business, are understood and proactively managed, rather than avoided.

### **What are the Council's risk management objectives?**

- Adopt a strategic approach to risk management to make better informed decisions which is vital to successful transformational change;
- Acknowledge that even with good risk management and our best endeavours, things can go wrong. Where this happens we use the lessons learnt to try to prevent it from happening again;
- Develop leadership capacity and skills in identifying, understanding and managing the risks facing the Council;
- Use Project Management Office training and guidance to promote and guide risk management;
- Promote corporate governance and integrate risk management into how we run Council business/services. Sound risk management processes help us to achieve our corporate vision, priorities and objectives as outlined in the Corporate Plan;
- To ensure officers at all levels are responsible for risk, identifying mechanisms for reporting and escalating risk council-wide

- Support a culture of well-measured risk taking throughout the Council's business, including strategic, programme, partnership, project and operational. This includes setting risk ownership and accountabilities and responding to risk in a balanced way, considering the level of risk, impact and cost of control measures;
- Anticipate and respond to changing social, environmental and legislative requirements and ensure that the Council continues to meet all statutory and best practice requirements in relation to risk management;
- Ensure risk management continues to be a key and effective element of our Corporate Governance arrangements.

### **How will our objectives be met?**

- Commitment from the Corporate Leadership Team (CLT) and senior managers to managing risk effectively;
- Maintaining a robust and consistent risk management approach that will:
  - Identify and effectively manage strategic, operational and project risks
  - Ensure mechanisms for officers of all levels to report risk
  - Focus on those key risks that, because of their likelihood and impact, make them priorities;
- Ensure accountabilities, roles and responsibilities for managing risks are clearly defined and communicated;
- Consider risk as an integral part of business planning, service delivery, key decision making processes, and project and partnership governance;
- Communicate risk information effectively through a clear visible reporting framework; and
- Increase understanding and expertise in risk management through targeted training and the sharing of good practice

The Risk Management Policy and framework will be reviewed every three years to take account of changing legislation, government initiatives, best practice and experience gained within the Council.

## Risk Management Approach

### 1. Introduction

The purpose of the risk management approach outlined in this document is to:

- Provide standard definitions and language to underpin the risk management process
- Ensure risks are identified and assessed consistently throughout the organisation through the clarification of key concepts
- Clarify roles and responsibilities for managing risk
- Implement an approach that meets current legislative requirements and follows best practice and relevant standards.

### 2. Definitions

**Risk** can be defined as “an uncertain event that, should it occur, will have an effect on the Council’s objectives and/or reputation.” It is the combination of the probability of an event (likelihood) and its effect (impact).

Risk management generated opportunities can arise as a consequence of effectively managing risks, for example additional grant funding or improved working practices.

**Risk management** is the “systematic application of principles, approach and processes to the identification, assessment and monitoring of risks.” By managing our risk process effectively we will be in a better position to safeguard against potential threats and exploit potential opportunities to improve services and provide better value for money.

Risk management is applied at all levels of service delivery and include:

- Corporate Strategic Risks – Risks that could have an effect on the successful achievement of our long term corporate goals, priorities and objectives. These are:
  - risks that could potentially have a council-wide impact and/or
  - risks that cannot be managed solely at a service level because higher level support/intervention is needed.
- Service Risks – Risks at a service level that could have an effect on the successful achievement of the Directorate or service outcomes/objectives. Potentially these risks could have a significant financial, reputational and/or service delivery impact on the service as a whole.
- Contract Risks – Risks that could have an effect on the successful achievement of the contract’s outcomes/objectives in terms of delivery, outcomes and value for money. Contract risks are managed throughout the contracting process including contract management/business as usual.
- Project Risks – Risks that could have an effect on the successful achievement of the project’s outcomes/objectives in terms of service delivery, benefits realisation and engagement with key stakeholders (service users, third parties, partners etc.).
- Partnership Risks – Partnerships bring risks as well as opportunities; how the partnerships are governed can be problematic and as a result the objectives of the partnership may not be achieved; they may not deliver good value for public money or the Council could find itself having to pay more money into a partnership or pick up other partners’ contributions should one or more partners leave. Alternatively, the Council could just find that it is not reaping the benefits that it thought it would by participating in the partnership.

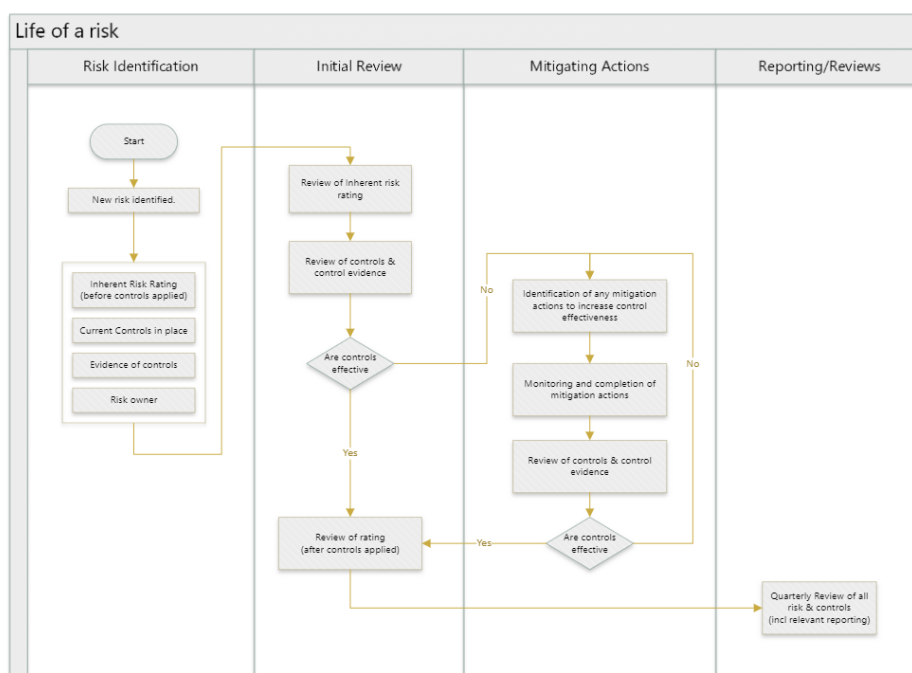
### 3. Approach

For a number of years the Council has been working towards a comprehensive and integrated approach to risk management where:

- ✓ staff are clear about what risk management is intended to achieve;
- ✓ significant risks are being identified and managed effectively;
- ✓ training and guidance on risk management are easily accessible;
- ✓ a consistent corporate approach is followed using a common 'risk language'; and
- ✓ it is seen as an integral part of good corporate governance.

This section details the agreed MDC Risk Management framework to ensure the effective management of risk across the organisation. The Council's approach to risk management involves a number of key steps as outlined below.

Effective communication is key to the successful management of risk and it is vital that staff at all levels across the organisation are involved if risk management is to be truly embedded and a useful management tool.



#### 1) Identify Corporate, Service, Project or Partnership Objectives

Before we can identify our risks we need to establish the context by looking at what we are trying to achieve and what our proposed objectives are. Depending on the area under review, the relevant objectives and outcomes will usually be detailed in existing documents, including the following:

- Maldon District Council Corporate Plan
- Thematic strategies
- Business Plans
- Project Brief or Project Initiation Document
- Partnership agreement or Service Level Agreement.

#### 2) Identify Risks

At its simplest, risk management consists of asking and answering “what are we trying to achieve?” and “what can stop this/these being achieved?”.

There are a number of different types of risk than an organisation may face including:

**Strategic** - what could prevent corporate goals and objectives being achieved? An example would be a failure to ensure that all services are working effectively to the corporate agenda or not having the capacity and resources to deliver the agreed key activities.

**Financial** - what could affect the council's financial position? Examples include the risks associated with investment and borrowing, lack of sound financial management or the existence of fraud or corruption.

**Economic** - the impact of an economic downturn would affect prosperity of local businesses and communities.

**Regulatory** - what would happen if the Council was not compliant with legislation such as the Health and Safety at Work Act, Data Protection, Freedom of Information Employment Law, Human Rights, Equalities Act or Environmental legislation? What about legal challenges?

**Reputation** - Negative publicity (local and national) or an increase in complaints would affect the Council's reputation.

**Management** – there could be risks relating to loss of key staff, recruitment or retention issues; capacity issues – availability, sickness absence, emergency preparedness or business continuity.

**Operational/Departmental** - what could potentially affect the delivery of the service? Examples could be a loss of key staff, or a failure of IT systems.

**Health and Safety** - what are the potential risks to staff, customers, and users of the service? Examples of this are risk of slips, trips and falls.

**Partnerships** - what would the implications for the Council be if the partnership failed? For example, would the Council be responsible for any of the partnership's financial liabilities or would services be affected if the partnership was no longer in existence?

**Projects** - What could cause the project to fail? Examples could include unrealistic initial assumptions about time, cost or feasibility.

Describing the risk is equally important to ensure that risks are fully understood, and to assist with the identification of mitigating actions, the cause and consequences of each risk must also be detailed. Typical phrases used to do this include:

Description	Cause	Consequences
Failure to ... Failure of ... Lack of ... Loss of ... Uncertainty of ... Delay in ... Inability to ... Inadequate ... Partnership with ... Development of ... Damage to	.....due to ..... because	....leads to .....results in

Once identified, all risks are recorded in a "Risk Register" – this maybe the Council's corporate risk register, the service risk register, the project risk register or a partnership risk register.

A risk owner must be allocated and recorded against each risk on the risk register. Such accountability helps to ensure 'ownership' of the risk is documented and recognised. A risk owner is defined as a person with the accountability and authority to effectively manage the risk. At this stage there may well be a long list of possible risks. The next step will help to prioritise these in order of importance.

### 3) Assess adequacy of existing controls

For each risk, identify those actions/controls which are currently helping to minimise the likelihood and/or impact of the risk occurring. These are actions or controls that are completed, in place and embedded.

Assess the adequacy of these controls as follows:

**Poor** - no controls in place or the few that are do not mitigate the risk

**Fair** - some controls in place and some reduction in risk but still not adequate

**Good** - controls in place are considered adequate and reduce the risk

**Excellent** - effective controls are in place which reduce the risk considerably.

### 4) Assess Inherent Risk Level

To ensure resources are focused on the most significant risks, the Council's approach to risk management is to assess the risks identified in terms of both the potential likelihood and impact so that actions can be prioritised.

Taking into account the controls currently in place and how adequately these reduce the likelihood or impact of the risk, the risk is scored for both likelihood and impact using **The Risk Assessment Table** included in **Appendix 1**.

Both the likelihood and impact levels of each risk are plotted on the Maldon District Council's Risk Matrix which displays its appetite or tolerance to risk (see below). The position of the risk, either above or below the tolerance line, will help to determine what action, if any, will be taken forward.

The table below shows the risk scoring criteria, based on a standardised 5 point scale for likelihood and scale.

Risk Level	Likelihood score				
	1= Unlikely	2= Less likely	3= Likely	4= Very likely	5= Definite
Major : Level 5	5	10	15	20	25
Significant : Level 4	4	8	12	16	20
Moderate: Level 3	3	6	9	12	15
Minor: Level 2	2	4	6	8	10
Negligible: Level 1	1	2	3	4	5

Anything in the green area is considered to be "below the tolerance line" and it may be decided not to take any mitigating action.

An overall risk score is reached by multiplying the likelihood score by the impact score.



## 5) Identify further mitigating actions required

There are four basic ways of responding to risks identified and can be summarised as the four 'T's':

- ❖ **Terminate** – deciding not to continue or proceed with the activity in view of the level of risks involved although often this is not possible.
- ❖ **Transfer** – which involves another party bearing or sharing the risk such as obtaining insurance or finding an external partner to undertake the activity in return for a fee (which will reflect the risk taken on). Not all types of risks can be transferred.
- ❖ **Treat** – by ensuring existing controls are effective by periodic review and testing and implementing additional controls through mitigating actions where considered necessary to reduce the risk to a tolerable level. This is likely to be the most common approach, as risks are identified as part of our approach as a transformative council.
- ❖ **Tolerate** – it is not considered cost effective to address the risk, so the risk is accepted.

The decision on the appropriate action should take account of the Council's risk appetite, i.e. what level of risk is the Council prepared to tolerate. Any risk that has been assessed as above the tolerance line must be a priority for immediate management action with actions designed to reduce the risk to a target level set within the risk appetite.

Mitigating actions identified should be clearly defined and actioned, with a lead officer and timescales for implementation/completion.

## 6) Monitor impact of mitigating actions on residual risk

The risk owner should monitor the progress of the mitigating actions regularly to ensure that these are being taken forward and that they are actually reducing either the impact or the likelihood of that risk occurring. The overall risk score should be re-assessed accordingly and if it is now within the accepted tolerance, the risk can be removed from the appropriate risk register.

## 7) Review and report

Risk management should be considered as an ongoing process and as such risk needs to be reviewed regularly to ensure that prompt and appropriate action is taken to reduce their likelihood and/or impact.

The Council's Risk Management Framework requires the following review/reporting:

Corporate Risks - those risks that are identified as potentially preventing the Council achieving the corporate goals and objectives stated in the Corporate Plan and which are assessed as being above the Council's acceptable tolerance level are recorded on the Corporate Risk Register in Sharepoint (the Council's central Risk site). The mitigating actions are also recorded and both the overall risk scores and the progress of the mitigating actions are updated on a quarterly basis by the risk owner or the officer responsible for taking the actions forward.

To ensure that risk is being managed effectively, quarterly risk reports are submitted to CLT and Performance, Governance and Audit Committee outlining the current risk scores, whether there have been any changes to the scores and what progress has been made on the mitigating actions.

As the scoring criteria changes with this policy update, a review of the current risk register will take place to move historic risks in line with new reporting criteria, and review their current relevance.

Service/operational risks - at a service/operational level, the risks that are identified as potentially preventing the service from achieving its service objectives and which are assessed as being above the Council's acceptable tolerance level are detailed in the business plans and also recorded on Sharepoint.

These should be subject to regular review and discussion between the manager and their Director. It is the responsibility of the appropriate managers to ensure that any actions detailed in the business plan to reduce these service risks are taken forward and progress monitored.

Project risks - these risks should be reviewed regularly by the Project Manager and the Project Sponsor, and will be recorded as part of the PMO documentation process.

Partnership risks – for any partnership which is assessed as being high risk, a risk register will be established and will be subject to annual review as part of the Partnerships assessment framework. The risks will be included in the relevant service's business plan together with the mitigating actions and these will be subject to regular review by the manager and their Directorate.

#### **4. Roles and Responsibilities**

To be effective risk management must be embedded throughout the Council by CLT, Members and each individual employee. One of the Council's key objectives within this policy is to promote a risk aware culture. Risk management is a cultural issue which will only be effective with understanding and support from all levels of staff and Members; training will be provided periodically to staff and Members to enable them to fulfil their risk management responsibilities.

All employees and Members are responsible for ensuring there are robust and fit-for-purpose systems of internal control and risk management in place; and they are aware of the risks:

- they are empowered to take
- that must be avoided
- that must be reported upwards.

Some individuals and groups have specific leadership roles or responsibilities as follows:

#### **5. Embedding Risk Management**

For risk management to be effective and a meaningful management tool, it needs to be an integral part of key management processes and day-to-day working. As such risks and the monitoring of associated actions should be considered as part of a number of the Council's significant business processes. we also underpin this with our internal performance reporting, and from 2022 this will include risk mapping to highlight key risk areas.



## 6. Training and Awareness

Having developed a robust approach and established clear roles and responsibilities and reporting lines, it is important to provide Members and Staff with the knowledge and skills necessary to enable them to manage risk effectively.

The Council uses a range of training methods to meet the needs of the organisation including external training (e.g. from our contracted internal audit providers), internal staff training as part of the Project Management Office (PMO) rollout and intranet based e-awareness training.

Further risk management information is available to all staff and members on the Freshservice

## 7. Review of the Corporate Risk Register

In addition to possible items for the register arising from items referred to CLT for consideration, there will be an annual review by CLT and managers to consider:

- whether any items should be deleted from the risk register; or
- should be added to the risk register; or
- have moved above or below the Council's risk tolerance level and so require a change in status in respect of action planning;
- whether the Council's risk appetite/tolerance level remains appropriate.

Following the reviews the amended Corporate Risk Register is submitted to the Audit Committee for consideration and discussion.

## 8. Partnership Risks

These should be identified by the officer with lead responsibility for the partnership or at the time of its initiation.

For those partnerships which are designated as key/significant to the Council, an annual assessment will be undertaken. The risk register should also be reviewed at least annually to ensure that it is kept

up to date, consideration given to both the risks to the partnership and risks to the Council arising from the partnership and mitigating actions established where appropriate.

## **9. Relevance to other Corporate Functions**

### **Internal Audit**

The Council's appointed internal auditors will periodically undertake an independent evaluation of the risk management framework to provide the Performance, Governance and Audit Committee with assurance on the adequacy of the internal control arrangements including risk management and governance.

### **Business Continuity Planning**

The main objective of business continuity is to provide a means of both recovery for the Council should it be affected by a crisis or a business interruption and of minimising the impact on the Council's employees, customers and reputation. Examples of issues tackled by business continuity include those in relation to loss of premises, equipment, staffing, and telecommunications / IT. Business continuity planning requires that potential impact to be considered and managed and the corporate and individual business continuity plans need to be updated on an on-going basis to reflect changes in the overall risk profile. Put simply, the difference between risk management and business continuity is that the former considers what could go wrong and seeks, where possible, to prevent it, while the latter creates contingency arrangements in the event of a crisis and is largely indifferent to the cause of the problem.

### **Performance Management and Monitoring**

Performance management is concerned with the delivery of corporate objectives, business plans and budgets. Risks can prevent this and as a result corporate, service, project and partnership risks registers are maintained and cross referenced to objectives and plans in order to ensure:

- The risks to strategic and operational plans are being actively and appropriately managed; and
- Due account has been taken of material risk considerations in the preparation of delivery plans.

Reporting for both performance management and risk management will be aligned for Performance, Governance and Audit committee papers.



## **REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
29 SEPTEMBER 2022**

### **ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE**

#### **1. PURPOSE OF THE REPORT**

- 1.1 To update the Committee on the actions identified in the 2022/2023 Annual Governance Statement.

#### **2. RECOMMENDATION**

- (i) That the Committee reviews the Annual Governance Statement's table and updates below and challenges where necessary.

#### **3. SUMMARY OF KEY ISSUES**

- 3.1 The Annual Governance Statement in its new format was approved by the Performance, Governance and Audit committee on 10 June 2021. In line with the Chartered Institute of Public Finance and Accountancy (CIPFA) best practice, it was reflective of governance matters for 2021/22, and forward looking about where we could make improvements for 2022/23.
- 3.2 The report has an action plan for the year looking forwards and the Committee agreed that progress on the actions would be reported to and reviewed by the Committee.
- 3.3 The Action Plan is held on our SharePoint system and updated by responsible officers.
- 3.4 The Actions Highlighted in Grey have been previously reported as **completed**
- 3.5 The current table of actions and officer updates are detailed below for Member consideration.

<b>Title</b>	<b>Owner</b>	<b>Status</b>	<b>Target Completion</b>	<b>Commentary</b>
Draw out and link all of our policies and their objectives through a review of the Local Development Plan (LDP)	Matt Winslow	Ongoing	31/12/2023	Q1 - Work remains ongoing in the LDP Review to update the planning policy framework in the context of national policy and local policy. Issues and Options consultation completed early 2022. Nature Conservation Study, Gypsy & Traveller Accommodation Needs Assessment, Employment Land and Premises Study and Strategic Flood

<b>Title</b>	<b>Owner</b>	<b>Status</b>	<b>Target Completion</b>	<b>Commentary</b>
(e.g. Corporate Plan, Climate Change).				Risk Assessment all due for completion by Q2/Q3 2022. Statutory Integrated Assessment awarded to LUC. Discussions ongoing with Essex County Council (ECC) concerning Transport Modelling. Internal studies for Housing and Economic Land Availability, Settlement Hierarchy & Rural Facilities Study completed for first year and can now be subject to more regular review. Wind Energy potential study, Water Cycle Study and Green Space Review getting underway. In delivering this action, it is important to recognise that the older the Council's other policies or objectives, the harder it will be to reflect them in the LDP Review update, particularly if circumstances have changed locally or national planning policy has moved on. LDP Review via the Planning Policy Programme Board is already tied into other policy, strategy and action plan development including the Corporate Plan, Climate Action Strategy and Commercial Strategy.
Build on member/ officer code of conduct with training and support and increase positive working relationships	Simon Quelch	Ongoing	31/03/2023	Q1 - Code of conduct training for district and parish Councillors took place at the end of June in preparation for the new code of conduct that was adopted by council in March. New online registration forms are now available for members to complete by 1st August
Deliver process improvement training for staff and build capacity for continual improvement work across the organisation	Cheryl Hughes	Ongoing	31/12/2022	Q1 – 'Yellow belt' training to build the next level of capacity around process improvement is planned for September 2022, following the summer showcase and process improvement stall to raise awareness/ promote the work the team do
Update the Risk Management Policy and re-evaluate	Cheryl Hughes	Ongoing	31/12/2022	Q1 - Risk Assurance audit highlighted good practice but further areas for improvement/ best practice. These are being incorporated into a revised risk

<b>Title</b>	<b>Owner</b>	<b>Status</b>	<b>Target Completion</b>	<b>Commentary</b>
the Corporate Risk Register in line with this				management framework, due to be reported to PGA in September
Improve engagement with resident and business survey, and look at wider options for future engagement (budget survey)	Eloise Howard	Ongoing	31/12/2023	Q1 - Last year's survey results have been published, with feedback shared with internal services for future planning. The lower levels of public engagement from both Residents & Businesses were acknowledged, with a review of any influencing impacts and analysis of lessons learnt underway. Innovation session in planning for next quarter to increase public engagement using effective consultation methods.
Build engagement and information sharing with Parish Councils as part of the Local Development Plan review work	Matt Winslow	Ongoing	31/12/2013	Q1 - Following feedback from Parishes to the Issues and Options Document consultation in early 2022, it is recognised that there needs to be a different approach taken, going forwards, with Parish Councils where the LDP Review is concerned to help inform, build relationships, support the parishes work in their community and dispel myths and misinformation that can occur during plan preparation. The objective has been included into the Strategy, Policy, Communications & Commercial Service Plan and through Q1 the Planning Policy Team will be considering how to shape this new engagement approach with all parishes.
Build on delegated decision reporting that has been put in place March 2022	Cheryl Hughes	Completed	N/A	Q1 - <a href="https://www.maldon.gov.uk/decisions">https://www.maldon.gov.uk/decisions</a> page now established and will be updated quarterly with performance reviews. Process for Extended Leadership Team (ELT) and Corporate Leadership Team (CLT) to update is in place and has been communicated.
Seek further support and resolutions to promote smooth running of committee meetings	Cheryl Hughes	Completed	N/A	Q1 - Committee meeting disruptions have reduced since March 2022, but process for Chairman to be followed were included in the May 2022 Chairman training.
Build on	Cheryl	Completed	N/A	Q1 – Member induction process has

Title	Owner	Status	Target Completion	Commentary
member induction process and put in place ahead of 2023 onboarding	Hughes			been designed and agreed between elections and committees staff and is fully documented ahead of May onboarding. Completed as of 29/7/22
Embed the Climate action strategy and pledges into operational working	Georgina Button	Completed	05/07/2022	Q1 - Carbon Literacy Training completed All staff smart objectives set, Climate Action Officer recruited - starts 30th August Climate Action Connectors (senior managers collating the activities under the 5 pledges) set up. Climate Action added to regular agenda meetings.

#### 4. CONCLUSION

- 4.1 The information provided gives progress updates against the key actions defined in the 2022/23 Annual Governance Statement

#### 5. IMPACT ON STRATEGIC THEMES

- 5.1 Good governance will enable delivery of strategic priorities going forwards.

#### 6. IMPLICATIONS

- (i) **Impact on Customers** – Not applicable (N/A).
- (ii) **Impact on Equalities** – N/A.
- (iii) **Impact on Risk** – Good governance will help minimise our corporate risk for the future.
- (iv) **Impact on Resources (financial)** – The monitoring and delivery of this item is provided within existing resources.
- (v) **Impact on Resources (human)** – The monitoring and delivery of this item is provided within existing resources.
- (vi) **Impact on the Environment** – N/A.
- (vii) **Impact on Strengthening Communities** – N/A.

Background Papers: 2022/23 Annual Governance Statement

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager.





**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
29 SEPTEMBER 2022**

**COUNCIL CONSTITUTION AND SCHEME OF DELEGATION GENERAL PROVISIONS –  
UPDATE**

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek the Committee's consideration of a proposed revision to the above powers within the Constitution and to recommend to the Council that the revision is made.

**2. RECOMMENDATION**

- 2.1 That the Committee agrees and recommends to the Council that the proposed addition be made to Part 3 – Responsibility for Functions - Scheme of Delegation (General Provisions) as detailed in paragraph 3.4 below.

**3. SUMMARY OF KEY ISSUES**

- 3.1 It has become apparent that the Scheme of Delegation is devoid of any general powers of authorisation to Directors to operate within the general parameters of approved budgets, particularly in the interests of service provision. This is distinct from the Scheme of Delegation itself which sets out a range of powers and functions exercisable by Directors which would otherwise require the specific decision of the Council or a Committee.
- 3.2 The focus for this derives from a reference in the Council's adopted Financial Regulations, which forms part of the Constitution. Part A of Appendix A deals with Financial Management procedures and standards, and part of managing expenditure includes the provision for virements. It states, "The scheme of virement is intended to enable the Strategy and Resources Committee, Directors and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Council, and therefore to optimise the use of resources."
- 3.3 The Regulations then describe the key controls over the use of virements, and in paragraph A.2.2.1(b) it states "the overall budget is proposed by the Strategy and Resources Committee and approved by the Council. Directors and budget holders are therefore authorised to incur expenditure in accordance with the estimates that make up the budget.
- 3.4 It is the view of Officers that the above statement is more of a commentary or an acknowledgement rather than providing an authority itself. In order to be seen as a form of authorization, and for added clarification and status, it would be best to replicate it in the Scheme of Delegation (General Provisions) rather than the Scheme of Delegation to Officers. It is therefore proposed that the following be added:

*12. **Financial Management** – Directors, and service managers, have responsibility for the management of the financial aspects of service provision, which includes authority to incur expenditure considered to be reasonably required to carry out the policies of the Council at any time provided that such expenditure is in accordance with the budget, is fit for purpose, and there is sufficient money existing within the budget or otherwise vired.*

- 3.5 The Corporate Governance Working Group, at a recent meeting, was advised of this issue and supported the proposed revision.

#### **4. IMPACT ON STRATEGIC THEMES**

- 4.1 No direct impact on the three Strategic Themes. Good governance, of which the Constitution is a key component in relation to decision-making, enables delivery of strategic priorities.

#### **5. IMPLICATIONS**

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None .
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

Enquiries to: Stuart Jennings, Corporate Governance Project Officer.