

Risk Form

Tick type of risk:

Strategic

Corporate



Service

Service Name	Corporate Services		Date: 15/11/2023
Risk Accountable Officer	Alan Denby	Risk Completion Officer	Stuart Loly
Title of Risk	Safe transfer of Torbay Economic Development Company (TEDC), a wholly owned company, back to the Council.		
Description <i>A summary in a few sentences providing the context, setting and background for the risk.</i>	<p>The Council has various wholly owned companies, with associated subsidiaries, these include:</p> <ul style="list-style-type: none"> • TEDC trading as Torbay Development Agency Group (TDA) • SWISCo • Torbay Education Company (TEC) <p>Each of the wholly owned company's financial and performance position are monitored and reviewed through the governance processes and auditors on a regular basis. The reviews drive decisions on future operational delivery.</p> <p>Recent decisions have triggered projects to look at future delivery models for the above companies with the exception of SWISCo, for which there are no plans to change the delivery vehicle. A single project is looking at the TDA group, which includes TorVista. This project has already concluded that the TDA group will cease trading and most activities will be brought back in house. Plans are underway to action the changes from 1 April 24.</p> <p>The Torbay Education Company project is still looking at delivery options with an assumption that any change will take 12 months to implement. Once the intent is known this project will raise an appropriate risk, which is expected to sit at service level due to the scale of the operation.</p>		
Risk Cause <i>What are the causes of the risk?</i>	<p>Wholly owned companies are only transferred back to the council when the best value requirements are in question or there are significant concerns over the governance arrangements.</p> <p>In any transfer, the Council must take necessary steps to ensure that both legislative and other legal requirements are met. Likewise, consideration is required of the many administrative and operational aspects relating to a transfer to ensure a smooth transition and minimal disruption to service delivery. Failure to properly address any of the above aspects will cause risk.</p>		
Risk Event <i>What's the likely event if this occurs?</i>	<p>Failure to properly prepare for any transfer will ultimately result in:</p> <ul style="list-style-type: none"> • Loss of service delivery • Breach of legislation/law, which could result in financial impacts • Negative reputational impact • Impact on staff retention • Financial loss 		
Risk Impact <i>What would be the impact on our business objectives if the risk occurs?</i>	<p>This risk is likely to trigger a multitude of risks on the council's strategic and corporate registers with specific reference to staff retention, financial loss and public confidence and reputation.</p>		

<p>Impact What would the impact be if the risk occurs</p> <p>1=Insignificant 2=Minor 3=Moderate 4=Major 5=Critical</p>	<p>Probability of the risk occurring before you take any actions to reduce the risk</p> <p>1=Rare 2=Unlikely 3=Possible 4=Likely 5=Almost Certain</p>
-----------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		Probability				
		Rare (1)	Unlikely (2)	Possible (3)	Likely (4)	Almost Certain (5)
Impact	Critical (5)	5	10	15	20	25
	Major (4)	4	8	12	16	20
	Moderate (3)	3	6	9	12	15
	Minor (2)	2	4	6	8	10
	Insignificant (1)	1	2	3	4	5

<p>Risk Score before taking action to reduce the risk, set the unmitigated risk score</p>	<p>Unmitigated Impact (1-5)</p> <p>5</p>	<p>Unmitigated Probability (1-5)</p> <p>4</p>	<p>Unmitigated Score</p> <p>20</p>
--------------------------------------------------------------------------------------------------	-------------------------------------------------	------------------------------------------------------	-------------------------------------------

Mitigations

These are the actions that reduce impact if the risk should occur or reduce the probability of it occurring

Mitigation Title <i>Short & descriptive</i>	Mitigation Description <i>Details of the action written as a sentence</i>	Responsible Person	
<i>Project Controls (Governance)</i>	All activity to be managed within the Council's project control methodology to ensure actions/risks/opportunities/issues/decisions and assumptions are adequately managed and reported.	Alan Denby	
<i>Section 151 Officer oversight of financial implications of transfer</i>	Financial review and forecasts to be undertaken as project progresses. External advice to be sought from SMEs where in house resource does not have adequate knowledge or impartiality.	Malcolm Coe	
<i>Resources identified to support the operational transfer (external and internal Corporate Services)</i>	Resource needs identified and transformation project established.	Matthew Fairclough-Kay	
<i>Legal requirements</i>	Internal and external legal advice to be sought and actioned as required to ensure all legislative and or legal obligations are met.	Matthew Fairclough-Kay	
<i>Unions and TUPE</i>	Regularly engage with Unions and staff representatives to ensure TUPE obligations are met.	Matthew Fairclough-Kay	
<i>Internal and external communications</i>	Communicate with effected staff, all staff, service users and customers and stakeholders in accordance with an agreed project communication plan.	Matthew Fairclough-Kay	
<i>Business Continuity</i>	Deliver operational requirements to effectively transfer activity into the Council without negative impact on service delivery.	Alan Denby	
<i>Staff Retention</i>	Regular focused staff engagement to ensure change impacts are minimised through open and timely communication.	Matthew Fairclough-Kay	
<p>Current Risk Review Score If this risk is not new and exists already e.g., some or all of the mitigating actions are taking place, please set a current mitigated risk score</p>	<p>Mitigated Impact (1-5)</p> <p>5</p>	<p>Mitigated Probability (1-5)</p> <p>3</p>	<p>Current Mitigated Score</p> <p>15</p>