

Standard Risk Register



Report Date	16 Sep 2021
Risk Status	Open
Risk Area	Office of the Police and Crime Commissioner

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Risk Reference	Risk Title	Cause & Effect	Inherent Risk Priority (I x L)	Risk Control	Residual Risk Priority (I x L)	Action Required
1470	Diversity & Equality	<p>Under the Equality Act 2010, as a public body we are required to meet the Public Sector General Equality Duty. This requires us in both of our internal and external practices and procedures to:</p> <ul style="list-style-type: none"> -Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; -Advance equality of opportunity between people who share a protected characteristic and those who do not; -Foster good relations between people who share a protected characteristic and those who do not. <p>The Equality Duty concerns all staff alongside community members who share 'Protected Characteristics'.</p> <p>These protected characteristics are: Age, Religion & Belief, Race & Ethnicity, Sex, Sexual Orientation, Gender Re-Assignment, Disability, Pregnancy & Maternity and Marriage & Civil Partnerships.</p> <p>Non-compliance could result in reputational damage to the Commissioner and the OPCC, loss of confidence across our communities and possible financial penalties.</p>	I = 4 L = 4 Primary (16)	<ol style="list-style-type: none"> 1. General Equality Impact Assessments 2. Recruitment procedures compliant with equality legislation 3. Independent Advisory Groups available to support the Force/PCC 4. Equality, Diversity and Human Rights Strategy 5. Staff Equality Forum in place. 6. Annual Equality and Diversity Report to Audit Committee. 7. Everyone Matters programme 8. Equality Action Plan 9. A programme of regular cultural and community awareness sessions with key external partners and community contacts. 	I = 4 L = 3 Primary (12)	<p>1. The PCC is committed to the Everyone Matters programme and a team is expected to be in place by the end of 2019/20 to deliver the Strategy.</p> <p>Update:- The team has been assembled will operate explicitly on a joint corporate basis (so that the programme is jointly owned) but with the PCC as host employer for assurance and ethical separation purposes; Clear accountability will be to a Governance Board to be chaired by the Chief Constable (with Ch Exec alongside as joint project sponsor)</p> <p>Update - The EDI Team are fully embedded working jointly to deliver a clear programme of works between the OPCC and Cleveland Police. EDI Managers Satnam Singh and Jenni Salkeld are responsible for delivery of the programme and provide regular updates on progress to the Joint Governance Board.</p> <p>2. Continue to train staff, engage with a wide range of communities and ensure that awareness continues to be raised both with the OPCC and also the Force.</p> <p>Update - The EDI team have a programme of scheduled works for engagement and training with both the OPCC and Cleveland Police. EDI team managers Jenni Salkeld and Satnam Singh are to provide regular updates on delivery progress until we are in a position of programme completion with the ability to update action to a control measure.</p>

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1472	Organisational Governance	<p>A lack of adherence to good governance procedures Acts/Orders/Regulations could lead to bad publicity, loss of reputation, financial loss and possible legal sanction resulting in critical review by HMICFRS, Police & Crime Panel and/or External Audit, poor decision making and adverse publicity and public attention.</p> <p>Poor governance processes leads to poor decision making and overall poor performance and value for money.</p>	I = 5 L = 5 Primary (25)	<p>1. Governance and decision making procedures in place regularly reviewed and updated.</p> <p>2. PCC signs up to a voluntary Code of Conduct including declarations of interests and notification of gifts and hospitality.</p> <p>3. PCC staff subject to Code of Conduct including declarations of interests and notification of gifts and hospitality.</p> <p>4. Annual Governance Statement process.</p> <p>5. Internal (& external) audit scrutiny and reporting</p> <p>6. Oversight by Audit Committee</p> <p>7. Monitoring Officer and Deputy Monitoring Officer.</p> <p>8. Ongoing environmental scanning for new regulatory requirements.</p> <p>9. Code of Corporate Governance in place and reviewed by the Audit Committee</p> <p>10. Robust Governance arrangements are in place for major Collaborations. Which are subject to regular Audit.</p>	I = 5 L = 3 Primary (15)	<p>1. The OPCC needs to completely revisit the Governance, Assurance and Scrutiny arrangements, that it has in place, to provide independent assurance to the PCC on the performance of the Force.</p> <p>2. The OPCC needs to develop processes/procedures to provide independent assurance to the PCC that the Force is delivering against HMICFRS Areas for Improvements.</p> <p>3. The OPCC needs to ensure that the Force put in place a robust and stable Chief Officer Team.</p> <p>4. The OPCC needs to review and redesign the scrutiny processes that enable the PCC to hold the Force to account to provide a greater level of assurance that the Force are and have delivered.</p> <p>Update - The OPCC has devised a clear structure of governance in respect of holding the force to account. The risk controls listed have been revisited and refreshed with a number of scheduled meetings in place to review and scrutinise performance of the force. This governance is subject to regular audit and oversight by bodies such as internal and external audit, along with the audit committee. HMICFRS continue to work with the force following the 2019 inspection and continue to be subject to Police Performance Oversight Groups (PPOG)</p>

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1474	Fraud	Failure to manage processes, controls and procedures leads to increased risk and occurrence of fraud resulting in bad publicity, financial loss, possible legal sanctions and critical review by external agencies.	I = 4 L = 5 Primary (20)	1. Whistle-blowing Strategy. 2. Counter Fraud and Corruption Strategy. 3. Confidential e-mail system. 4. Internal Audit Services. 5. Internal disciplinary policies. 6. Systems of management including Delegation Scheme. 7. Financial Regulations (including Contract Standing Orders). 8. Budgetary control system with monthly analysis and review. 9. Audit Committee 10. Zero tolerance' policy	I = 4 L = 2 Contingency (8)	1. Continued and Annual review of all policies and processes relied upon as existing controls to ensure that it is clear how they apply to the Office of the PCC. Update 01/12/20 - The OPCC have introduced a number of risk controls (as listed) to reduce the residual risk of Fraud within both the Force and OPCC. These risk controls are subject to annual review with sign off of policies and produces by the relevant panels.
1478	Financial Planning	Failure to ensure effective financial control and financial planning processes for the 'PCC Group', (i.e. the Office of the PCC, the Chief Constable, and Grants provided to, or services commissioned by, Partner organisations.) leads to poor decisions and wasting public money resulting in reduced services, poor value for money and adverse commentary and scrutiny for external bodies.	I = 4 L = 4 Primary (16)	Key Mitigations: 1. PCC CFO in place 2. Force CFO in place 3. Work of internal audit 4. Work of external audit 5. Quarterly Scrutiny Meetings where Finances and Resource are discussed. 6. Regular Meetings of the PCC and Force Leadership teams to discuss plans and finances 7. Regular reporting and scrutiny of current year financial performance and longer terms plans 8. Regular meetings and communications with partners who currently receive grants from the PCC 9. Regular meetings of the PCC and Force CFO's 10. Balanced financial plan in place for next 4 years based on current assumptions. 11. Earmarked Reserves created for higher pay awards and a legal/insurance reserve.	I = 4 L = 2 Contingency (8)	1. Ongoing reassurance is needed from the Force to the PCC that future recruitment and training plans will meet both the organisational needs, and service demands and that overall they can be delivered within the finances available to the Force. 2. The PCC requires assurance from the Force that scarce resources are delivering against the organisational priorities and in turn delivering efficient services. Update 01/12/20 - The OPCC obtain assurance from the Force by assessing and scrutinising the key mitigations which have been put in place and ensuring delivery of financial reporting against actual progress. Regular governance meetings take place with the Forces CFO along with regular work by internal and external audit.

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1485	Objectives of the Office of the PCC	Failure to focus on the delivery of the key organisational objectives of the Office of the Police and Crime Commissioner leads to time wasted on non key areas and absorbing resources into peripheral areas resulting in a poor service to the people of Cleveland in the areas most needed.	I = 4 L = 4 Primary (16)	1. Action Plans for all objectives are in place 2. Regular meetings take place to review progress both internally and with Partners as required. 3. The Force's Towards 2025 Strategy aligns with and underpins the Police and Crime Plan. 4. The PCC has issued a clear Strategic Direction to the Force setting out what is required. 5. Reporting to the Police and Crime Panel is well embedded. 6. Police and Crime Plan has been refreshed and reflects feedback from Partners, Public and Force. 7. OPCC is will engaged with HMICFRS.	I = 4 L = 2 Contingency (8)	Further development and embedding on the new scrutiny programme is required including drawing in more independent information to challenge the Force and provide alternatives sources of assurance/information. Police and Crime Plan needs to be promoted within the Force as the key strategic document and therefore how the Toward 2020 Programme is the mechanism for delivering this.

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1486	Holding the Chief Constable and the Force to account	Failure to put in place adequate processes to effectively hold the Chief Constable and the Force to account for performance and use of resources as per statutory requirements leads to a reduction in the ability to shape the strategic direction of the Force resulting in key objectives not being met, adverse publicity, poor services to the people of Cleveland and adverse comments from external agencies.	I = 5 L = 5 Primary (25)	<p>1. Attendance/involvement at key force performance meetings.</p> <p>2. Regular one to one meetings between the PCC and CC.</p> <p>3. Clear Governance framework in place</p> <p>4. The OPCC has redesigned the Governance, Assurance and Scrutiny arrangements, that it has in place, to provide independent assurance to the PCC on the performance of the Force.</p> <p>5. The scrutiny programme has been developed in line with Strategic Direction given to the Force to ensure key areas of concern are reviewed. To ensure there is a clear understanding about the current health of the Force and how it will improve its efficiency, effectiveness and standards in the years to come. This will include an increase in the use of independent scrutiny approaches and a clear expectation for the Chief Constable to confirm what will change and by when.</p> <p>6. An important aspect of the Strategic Direction from the PCC was an expectation that police personnel at all levels are transparent and candid with the PCC – and with the Chief Constable - about their work</p> <p>A joint Executive Board has now been implemented with agreed terms of reference.</p>	I = 5 L = 3 Primary (15)	<p>1. The OPCC has redesigned the Governance, Assurance and Scrutiny arrangements, that it has in place, to provide independent assurance to the PCC on the performance of the Force.</p> <p>2. The scrutiny programme has been developed in line with Strategic Direction given to the Force to ensure key areas of concern are reviewed. To ensure there is a clear understanding about the current health of the Force and how it will improve its efficiency, effectiveness and standards in the years to come. This will include an increase in the use of independent scrutiny approaches and a clear expectation for the Chief Constable to confirm what will change and by when.</p> <p>3. An important aspect of the Strategic Direction from the PCC was an expectation that police personnel at all levels are transparent and candid with the PCC – and with the Chief Constable - about their work.</p>

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1487	Commissioning of services and work with partners	Failure to effectively commission services and work with partners generally to deliver the Commissioner's key objectives and priorities leads to a lack of joined up working, poorly specified service needs resulting in poor decisions around which services should be commissioned and/or the wrong services being delivered.	I = 4 L = 4 Primary (16)	<p>1. Grant agreement template in place.</p> <p>2. Clear guidelines on PCC website of how the PCC will commission services and how funding can be applied for.</p> <p>3. Good partnership links and networks.</p> <p>4. Service commissioned for Victims Referral Services.</p> <p>5. Commissioning Strategy has been developed.</p> <p>6. Actions from Internal Audit Reviews have been completed.</p> <p>7. Reviews and Audits of services provided with Grants are being undertaken in-house to ensure delivery against Grant terms and inform future decisions.</p> <p>8. Services now commissioned for Restorative Justice and Independent Sexual Advisor Services and Sexual Assault Referral Services</p>	I = 4 L = 2 Contingency (8)	<p>1. Continue to improve our understanding of the needs of both Victims and Witnesses within Cleveland to ensure that services are provided that meet their needs.</p> <p>Update - Continue to review service demand via an evidenced based approach which has also enabled the OPCC to obtain a number of government Covid grants this financial year to help meet additional demand during the covid pandemic.</p> <p>2. Organisation needs to continue to move away from Grants and towards Commissioning/Contracting for the delivery of services.</p> <p>Update - The revised Commissioning Strategy is in place driving service review and the transition from grant agreements to contracted arrangements. There is a focused effort to work with key partners and stakeholders to collaborate wherever possible. Ongoing action with a view to further increase commissioned services.</p>

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1490	Complaints against the Chief Constable	Failure to effectively monitor complaints against the Chief Constable and monitor all complaints made against officers and staff leads to bad practices, poor public confidence and reduced morale resulting in lack of organisational focus, potential legal costs if complaints are not addressed in the most appropriate manner and additional adverse publicity and media attention.	I = 3 L = 3 Contingency (9)	<p>1. Adherence to guidelines laid down in Section 95 of the Police Reform and Social Responsibility Act 2011 Schedule 14 makes provisions for amendment of the Police Reform Act 2002, particularly Schedule 3.</p> <p>2. Adherence to Police (Conduct) Regulations 2008, Schedule 'Standards of Professional Behaviour'.</p> <p>3. The Policing Protocol Order 2011</p> <p>4. The Code of Corporate Governance sets out the process to be followed and the delegations in place for dealing with and responding to any complaints received.</p>	I = 2 L = 2 Low (4)	<p>1. Consider the most appropriate forum for reporting and monitoring any complaints made against the Chief Constable to ensure transparency and also to ensure the PCC can evidence that the requirement place on the PCC are being met. - complete.</p>

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1716	Failure to appoint a new Chief Constable and stability of the Force Chief Officer Team	The current Chief Constable has secured alternative employment and therefore the PCC will need to appoint a new Chief Constable. The appointment of a Chief Constable is one of the key roles of any PCC as it is the Chief Constable that a PCC holds to account for running the force. There is a risk that a lack of suitable candidates, with the required skills and experience to run Cleveland Police are available within a very narrow market place and/or apply to be Chief Constable in Cleveland. The effect of a failure to attract or appoint a Chief Constable with the right skills is likely to have a significant impact on the ability of the Force to deliver the required improvements set out within the HMICFRS Causes for Concern and the ability to deliver against the new PCC Police and Crime Plan. This risk is further amplified by gaps that already exist within the Chief Officer Team and additional gaps that will materialise in the coming months.	I = 4 L = 5 Primary (20)	<ol style="list-style-type: none"> 1. The Force has a Deputy Chief Constable in place. 2. Recruitment Plan for Chief Constable in association with College of Policing. 3. Wider engagement across Police governance in relation to the Chief Constable vacancy. 4. The widest possible terms and conditions provided to attract candidates to the role. 	I = 4 L = 3 Primary (12)	PCC to request the Chief Constable to set out their plans to ensure a fit for purpose Chief Officer Team, wider business continuity plans to ensure the risk from both the current gaps and future gaps are mitigated and assurance is provided to the PCC that these plans will enable the Force to continue its 'Road to Improvement' and deliver against the Police and Crime Plan.