Crawley Borough Council

Report to the Audit Committee

22nd September 2020

Progress Report and Risk Management

Report of the Audit and Risk Manager – FIN/503

1. Purpose

1.1 The Committee has a responsibility to review the Internal Audit Progress report to ensure that action has been taken by relevant managers on risk based issues identified by Internal Audit.

2. Recommendations

2.1 The Committee is requested to receive this report and note progress to date, as at 31st August 2020.

3. Reasons for the Recommendations

3.1 The Committee has a responsibility to ensure that action has been taken by relevant Managers on risk based issues identified by Internal Audit.

4. Background

4.1 Work Completed

Since the last report, as at 30th September 2019 the following work has been completed/undertaken:

Audit Title	Audit Opinion
Housing Repairs – Gas Servicing	Satisfactory
Housing Rents	Substantial
Procurement	Satisfactory
Housing Repairs Tender	Substantial
NNDR	Substantial
Creditors	Substantial
Council Tax	Substantial
Housing Benefits	Satisfactory
Cash and Bank	Satisfactory
Throughout the year:	
Attendance at Corporate Project Assurance Group	
Attendance at Town Hall Board	
Member of Information Governance Project Board	

4.2 Work in Progress

The reviews in progress and other work that we have undertaken in the period are shown at Appendix A.

We were on target to complete all of the Internal Audit Plan on or around 31st March 2020, however due to the impact of COVID-19, we were unable to do this. The reasons are threefold:

- Access to staff, records and the Town Hall was curtailed on 23rd March 2020 due to lockdown:
- The workload of staff who would have assisted us was increased or they were working outside of their usual;
- The staff in the Audit and Risk section were working outside of their usual role, with one in the Community Hub for five weeks, the others undertaking reactive work to support the Council's changed priorities.

4.3 Revisions to Internal Audit Plan 2020/2021

I will be working with the Head of Corporate Finance –and S151 Officer –to look at the current internal audit plan and assess whether and how it should be revised to cover areas that are of highest risk to the Council, and use the Audit and Risk section's resources most effectively. I will report the outcome of these discussions at the next meeting of this Committee in November 2020.

4.4 High Priority Findings in this Period

There were no high priority findings identified in this period.

4.5 Follow Up Audits

Two audits were due to be followed up prior to this meeting:

- Housing Benefits
- Cash and Bank

Neither of the areas identified for improvement were of a high priority. Due to the unprecedented demands on staff due to the COVID-19 pandemic, we will include a follow up review to confirm that the agreed actions have been implemented during the next audit of these areas. This will be in the current financial year and we will report the outcome to this Committee in March 2021.

4.6 Freedom of Information (FOI) Requests

Between 1st October 2019 and 31st August 2020 we have processed 621 requests, and of these, 23 were responded to late.

We have responded to requests for information in as timely a manner as possible, but due to the challenges on resources that arose due to the COVID-19 pandemic, some requests were late, and in some cases, the information requested was not provided as it was necessary for resources to be diverted away from usual compliance of information rights work, and be applied to serving and protecting Crawley Borough Council's communities during this challenging time.

5. Corporate Risks

5.1 COVID 19 Pandemic

The COVID-19 Pandemic is unprecedented and we are unable to predict its further spread and effects. It is possible that there will be a further spike of the virus with the health of our workforce impacted, resulting in a reduced workforce.

We have demonstrated that we as a Council, have the ability and commitment to work from home and that in the time of greatest pressure, a willingness of staff to operate the Community Hub and other COVID-19 related support.

We will now, as a matter of urgency, seek to establish a core of staff who can be deployed to key critical areas in the event of a reduced workforce.

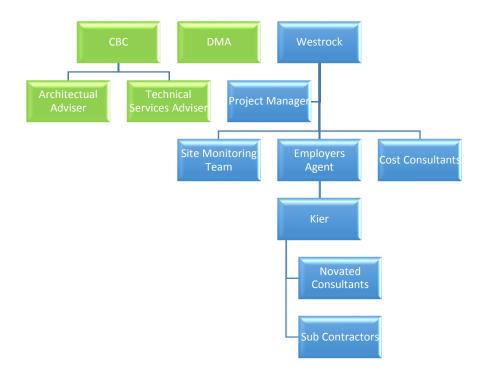
5.2 Failure to Deliver Key Infrastructure Projects as Planned, on Time and Within Budget, such as:

a) New Town Hall

With the contract in place, including contingencies, cash flow and other protections, the main risk factors are around the process of construction, ensuring the Council is ready to move to the new building, ensuring that we secure commercial tenants, that we are able to properly manage the new building, and that we realise the full benefits of the development. The project board overseeing the development has structured itself around these risk areas, has developed a programme that identifies and manages interdependencies and is actively managing the identified risk. A detailed risk register has been created to reflect this stage of the development and continues to be updated as this stage of the projects embeds itself, this is attached as at Appendix B.

Governance Structure -

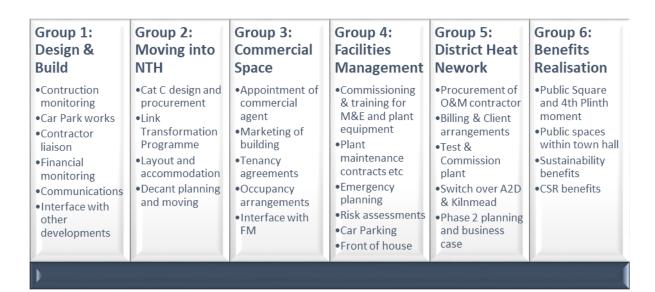
Contractual Arrangements



Member Oversight

- Updates to Cabinet Briefing & regular liasion with Portfolio Holders
- Reporting as requested to Overview & Scrutiny Committee
- Member Working Group advising with particular interest in Groups 2, 4 and 6

Town Hall Board



b) District Heat Network

Whilst part of the Town Hall Site Redevelopment and overseen by the same project board overseeing the new Town Hall, the District Heat Network nonetheless is at a different stage of development where the contract has yet to be finalised, and so is treated separately here. Nonetheless the mechanisms for identifying and managing risk are as above.

c) LEP Infrastructure – Crawley Growth Programme

CBC, together with WSCC (the lead body) was successful in securing £14.6 million of Local Growth Fund from the Coast to Capital LEP in autumn 2017, as part of the Crawley Growth Programme – a £60m package of public and private sector funding with an additional scheme and further funds added by WSCC to increase the package to £72m. The principal purpose of the Crawley Growth Programme investment is to help bring forward regeneration sites to achieve new homes, jobs, and commercial space.

The Queensway scheme was completed on time and within budget in October last year. The Town Centre signage scheme has been rolled out and completed with an additional phase enabled for further signage in and around Memorial Gardens. The Station Gateway scheme has been successfully project managed through its initial stage, with the Borough Council able to broker successfully a way forward between Network Rail, GTR, West Sussex County Council and the Arora group on the development of

proposals for a brand new Crawley railway station complex and associated public realm / parking / access improvements on site. These proposals, alongside a residential development at Station Gateway, are the subject of a live reserved matters planning application, likely to be considered by planning committee in the autumn.

The following projects will be led by CBC as part of the Crawley Growth Programme over the period to March 2025:

- Station Gateway public realm improvement
- Grade A commercial space development
- Three Bridges Station Improvement scheme
- Town Centre and Manor Royal Cycle Schemes
- Town Centre and Manor Royal 'super hub' bus shelters

The remaining risks associated with the continuing delivery of the Crawley Growth Programme are the following:

- Risk of budget overspend for the future project delivery within the Programme.
 Mitigation: regular financial monitoring and audit work carried out. Quarterly LEP audit; Head of Corporate Finance will be attending six weekly Programme Delivery Team meetings with West Sussex County Council.
- Scheme delivery time overruns Remaining Crawley Growth Programme schemes must be delivered by the end of March 2025.
 Mitigation: Regular project monitoring undertaken by individual Project Boards, the Programme Delivery team with West Sussex County Council and reported to the Crawley Growth Board, chaired by the CBC Chief Executive.
- Discontinuation or withdrawal of support from key partners.
 Mitigation: Regular interaction to identify and resolve issues promptly at project Board level with the Manor Royal Business District, Network Rail, GTR, Metrobus etc.
- A sustained period of economic downturn which slows up private sector investment on key regeneration sites in the town centre.
 Mitigation: The type of infrastructure investment being delivered by the Crawley Growth Programme in public realm, transport and infrastructure transcends the economic cycle and delivers structural improvements to strengthen Crawley's economic prospects. The target date for delivery of regeneration site outcomes is actually 2030 to take account of the economic cycle and potential for a sustained down turn, which is now likely in view of the impact of the COVID-19 crisis nationally and internationally.
- Ineffective co-ordination of delivery across projects, leading to multiple disruption in the town centre and Manor Royal when this was avoidable.
 Mitigation: Careful planning and close cooperation between CBC, WSCC officers and third party partners / contractors.
- Absence of CIL funding receipts in contribution to the delivery of the Crawley Growth Programme.
 Mitigation: Officers will defer from seeking Member approval to progress any

elements of a scheme requiring CIL funding until such time as the requisite CIL receipts have been received.

• Ineffective co-operation and communication with WSCC.
Mitigation: Where WSCC is the lead partner in the delivery of a Crawley Growth Programme scheme, such as the Eastern Gateway, CBC expects to be kept up to date in a timely and effective fashion well in advance of scheme milestones. This will be channelled through the Crawley Growth Board, chaired by the CBC Chief Executive and the Programme Delivery Team.

5.3 Delivering the Affordable Housing Programme

The Administration has pledged to build as much affordable housing for local people as possible. Delivery is being programmed through the Strategic Housing Board and scrutinised at CMT and through the Corporate Projects Assurance Board. Current projections for the next 4 year delivery period (2018-2021) indicate that delivery can be maintained at a similar level to the previous 4 year monitoring period at just over 1,000 new affordable homes. Approximately 2/3rds of this delivery will be by the Council and the remainder by other Registered Providers of affordable housing and we are still on target with starts on site.

Perhaps the greatest risk to the delivery of affordable housing lies beyond the medium term, once the current programme has been delivered. This reflects the fact that the majority of larger sites within the Council boundary that can easily be built will have been developed. This will leave smaller sites that are more challenging and contentious in nature, or finding other opportunities such as redevelopment. Work is underway that will seek to identify these future sites and opportunities, feeding into the Local Plan and developing programmes of work.

5.4 Transformation Programme

The Council has set itself a change agenda to be completed ahead of the move to the new Town Hall and to help us meet future demand, needs and financial pressures.

One impact of the Covid19 pandemic has been the move of almost all staff to home working arrangements, thereby achieving in a matter of days, a process that might well have taken years to progress. As a result of this and a recognition of wider CV19 impacts, a review of the structure of the Transformation Programme is being completed, refreshing our plans to reflect these changes and refocusing our objectives.

At a programme level, the key risks are:

- Financial the cost of CV19 restricts the scope of work and change arising
- The scope is kept realistic (everything can be badged Transformational)
- Capacity to deliver the Transformation Programme
- The interdependencies between the areas of work not being recognised
- Ensure focus on the Transformation Programme does not impact on core delivery which could impact on performance, finance and reputation
- Services and staff are not prepared for the move to the new town hall impacting on motivation, performance, retention and costs

To manage these risks, a Transformation Board at CMT level has been created. It brings together and oversees a high level plan to ensure coherence, manage interdependencies and change, allocate resources and ensure delivery. Furthermore the Digital, Transformation and Corporate Support teams have been reinforced to ensure there is sufficient capacity both to support and deliver the transformation programme. Finally significant work is taking place with third and fourth tier managers to ensure that key aspects around values and behaviours and new ways of working fully embed themselves within the organisation (although these will also need to be reviewed in light of CV19 and changes in working practice).

A further senior management group – Corporate Project Assurance Group - has also been created (September 2018). Its role is to ensure appropriate governance of projects and assure that key projects beyond the transformation programme are not adversely impacted from the constraint of capacity and resources. In fulfilling this role the group has reviewed a wide range of current projects following an initial risk analysis. In doing so it has made changes to strengthen the governance structures for projects, for example the IT Boards Terms of Reference and membership has been changed, and a new Major Procurement Board has been created. As set out in the Capital Strategy (agreed at Council on 27 February 2019), this group will now shift to a more forward facing stance in overseeing delivery of the Capital Strategy whilst maintaining it focus on governance. In addition there is a separate Asset Review group, they are looking at the asset base and looking at best use of these assets with concentration on the facilities for patchworking and the best use for the depot.

5.5 Disaster Recovery and Business Continuity

Currently, our core data centre is based at the Surrey Data centre in Redhill. 99% of all systems are hosted there with a few remaining hosted at the Town Hall. The migration of users to O365 in the cloud, means that core communication tools like Outlook are available from anywhere. The rollout of Hybrid devices, the new VPN and the rollout of MS Teams has successfully delivered the capability for staff to work in any location where an internet connection is available. Bewbush remains as a site for F2F services even though it wouldn't be required for access to systems.

There remains a risk that the Surrey Data Centre could go offline, leaving CBC unable to access its line of business systems. The options for fully duplicated disaster recovery are being drawn up ready for implementation over 2020/21 (see move to cloud below). There remains the following risk:

The Surrey Data Centre were to go offline – CBC would have access to O365 (MS Teams, Outlook etc.), but not service specific systems hosted there until the data centre was restored.

5.6 Move to Cloud

The Council is undertaking substantial work to modernise its IT Digital Infrastructure to support our Transformation Programme, and ensure its IT estate is fit for purpose ahead of the move to the new Town Hall. The optimal strategy, in terms of future proofing our IT infrastructure and reducing the risks associated with that infrastructure, has identified moving our estate to the cloud. Whilst this will de-risk the Council over time, it is recognised that there will be risks associated with the change itself. Financially it requires a shift from a capital to a revenue model of funding IT. Structurally it will require short term investment and medium term shifts in human resources as elements of the Digital Team shifts into new roles. From a data security point of view it will require careful consideration of the implications to ensure the Council is compliant.

Risks of the move to cloud:

- CV19 financial impact makes the revenue investment difficult to achieve.
- Legacy systems are unfit to be deployed via the cloud creating additional cost in either retaining local hosting arrangements or in procuring newer replacement systems that can be cloud hosted.

5.7 Telephony and Unified Communications

One of the key transformation projects in the coming year will be the provision of the Council's key communication infrastructure including telephony, mobile phones and applications within O365 / MS Teams. Existing contracts come to an end in September and October and so this is a critical window of opportunity that is a critical enabler for new ways of working within the Transformation Programme. It also has the potential to significantly reduce expenditure on related contracts. This project is being overseen by the IT Board, and its interdependencies with transformation monitored through the Transformation Board. The key risks relates to being able to mobilise the new contracts before the existing contract expires, however a 6 month extension to existing arrangements has been negotiated and can be used if needed.

5.8 Data Breaches

Inadequate data sharing and data security arrangements including failure to maintain public services network accreditation (PSN). Improper disclosure of confidential information, failure to comply with GDPR requirement could lead to major reputational damage, loss of public confidence and the inability to operate key business processes.

- Agreements and processes are in place for interagency referrals and data sharing in safeguarding matters.
- Annual IT Health Checks including penetration testing.
- Data Protection guidance and training for staff.
- IT Security Policies in place. Plans in place to meet Government standards (PSN/GDPR)
- Information Asset Register and processes for its management is a current corporate project.

5.9 A Balanced Budget is Not Achieved in the Medium Term Resulting in an Increased Use of Reserves, Which is Not Sustainable.

The Budget and Council Tax 2020/21 FIN/491 report to Cabinet on 5th February 2020 it identified future budget gaps. The proposed Fair Funding Review has now been delayed for a year together with a review of business rates retention and the future of Local Government financial settlements are unknown.

The Chief Executive together with the Head of Corporate Finance are leading a savings and efficiency exercise with all Heads of Service – this has resulted in savings and efficiencies which will assist in meeting current and future budget gaps. The transformation programme includes an increased focus on achieving new sources of income by applying a commercial lens by looking at Productivity, Income, Profit, Efficiencies and Savings.

The impact of CV-19 is having a significant impact on both the current and future years. The impact in the current year is over £4m before the receipt of £1.2m in support from the Government. The Corporate management team are working to identify in year savings and the planned transfer to reserves will now not take place. An all Member seminar took place on the 21st July and looked at the future budget gap and discussed options for savings, efficiencies and increased income. A further meeting will take place in September. This will give a steer from Councillors as to which areas to focus on.

5.10 Organisational Capacity, Recruitment, Retention and Succession Planning

There are a number of current and forthcoming workforce challenges facing the Council. As we seek to transform, continuously improve and meet a budget gap, we will be asking more of our staff, potentially with less resource. Some of this will be met through greater productivity, but not all. Having reduced the workforce in recent years from c1000 to c600, the Council is already seeing potential points of failure, for instance single standalone specialists. It is also recognised that there are teams that are potentially already underresourced.

The recruitment and retention of key specialist and professional roles can be challenging. The impact of higher salaries in the private sector is evident and as a result has led to problems with recruitment and retention in roles such as Procurement, IT, and some Planning and Surveying role. HR are working with managers to ensure that we promote hard to recruit roles effectively and actively encourage managers to have transparent conversations around salary throughout the recruitment process.

We have also seen a number of skills gaps in the market when recruiting, as a result HR has worked with managers to creatively approach their recruitment by either upskilling employees internally or re-evaluating and recruiting to trainee level posts, this has resolved some retention issues, but it has impacted on workload for these business areas as there are greater levels of support and training for staff in these circumstances.

We offer a generous employee benefits package, with a range of discounts, benefits and wellbeing incentives to suit everyone and by raising the profile of these to prospective and existing employees with our benefits hub and external webpage we can support with candidate attraction and retention.

We now also have a 'Working for Crawley Borough Council' webpage on the HR pages of the website which is an interactive webpage which includes a welcome video from our Chief Executive, along with a number of employee experience videos for recruitment attraction purposes, where employees share their experiences of working for the council.

We continue to promote and support the creation of apprenticeship opportunities and we are making progress with better promoting ourselves as an employer of choice. The Corporate Management team will be discussion succession planning and putting processes in place to plan for the future.

5.11 Challenges and Risks: Workforce Capacity, Resilience and Health and Wellbeing

We face a number of challenges in the forthcoming months some we are able to anticipate as mentioned below and some we may only know about and experience as they happen.

We have an aging workforce and as some staff members may be able to access their pension, we may see an increase of staff leaving the organisation. It is known that when people experience a life changing event, which one could liken the pandemic to, people often re-evaluate their personal circumstances. If this was to present itself we could see a loss of key officers with significant knowledge and skills leave the organisation.

a) Workforce Capacity

The challenges facing the workforce has been unpresented these last few months as the Coronavirus Pandemic has affected everyone in some way or another. We have seen the impact upon Crawley residents with local firms making significant amount of redundancies and firms using the Coronavirus Job Retention Scheme (CJRS) placing staff on furlough. These measures have significantly increased the amount of people using council services and making financial claims that would otherwise not have made claims to us. With forthcoming changes to the government's schemes we expect the

demand to continue for several months, therefore placing additional demands on staff in these critical services.

In our response to these demands staff have been working considerably more hours and although this can be attained in the short term with the continued high levels expected this would be unattainable longer term. When the council set out to respond to the demand we could not foresee the levels this would be. Departments put into place their business continuity plans (BCP) however this has been an unprecedented emergency and although the BCP helped the workforce to respond these plans we not necessarily designed as long term solutions. To support colleagues we have reassigned staff from different work areas to help meet the need.

Going forward the challenges and risks we face are if further job cuts happen within the borough, more people will seek the services of the council. Our response is to evaluate where we consider these pressure points will be and in advance of the impact identify staff we can reassign and in preparation will have undergone specific training for the roles they may be asked to cover.

b) Workforce Resilience

We have seen the workforce respond and apply flexibility to the demand placed upon them and they have got to grips with the new pieces of legislation and subsequent government changes, of which there have been many.

Everyone has been affected in some way, whether it be directly by the virus itself, we have known some staff have lost loved ones to the virus, or staff shielding as they have medical conditions that mean they are critical or vulnerable to the virus or they live with someone in their household who is shielding. A large number of staff have been home schooling whilst juggling working from home. For staff who work out in the community concerns were about their ability to remain safe and maintain the social distance requirements whilst undertaking tier jobs. Despite these challenges the workforce have largely remind well, from some channels of feedback spirits remain at good levels.

Some staff have been financially impacted as their partners/husbands/wives may have been furloughed or made redundant.

We have increased the measures to support staff and ongoing support is in place.

c) Health and Wellbeing

Throughout this time the organisation has ensured our workplace have been supported in working from home, we have advised staff how to staff stay safe and healthy giving them access to health initiatives and links to variety of support avenues.

We have prepared for when staff return more regularly to the workplace and have robust health and safety measures and guidelines in place.

5.12 Climate Emergency

In July 2019 the Council declares a climate emergency and pledged to aim to reduce carbon emissions generated by Crawley Borough Council activities by at least 45% by 2030 and to zero by 2050 as recommended by the Inter-governmental Panel on Climate Change (IPCC). The risks here are broadly two-fold, the costs of not acting and the difficult choices involved in acting. A Scrutiny Panel has been established with a view to making recommendations as to how best to meet this target and this will be the basis for the risk analysis that emerges. Following the completion of the Scrutiny Panel's work in the autumn, a CBC carbon reduction action plan will be drawn up and proposals submitted for approval, alongside an audit of the Borough's carbon emissions.

5.13 National Waste Strategy (incl Food Waste)

The National Waste and Resources Strategy is scheduled for publication in 2020. Although yet to be confirmed, it seems likely that the Strategy will mandate changes to collection recycling and potentially residual waste collection frequencies which could place additional resource burdens on waste collection authorities. The Draft Consultation Strategy indicated introduction of a mandatory weekly food waste collection which could then impact upon residual waste and dry mixed recycling collection frequencies. The Council's contract for Waste and Recycling has been extended to allow sufficient time to understand this impact and undertake the planning required to take account of the changes to come.

5.14 **Public Health**

The current Covid-19 alert reminds us of the risks associated with public health emergencies. As host borough to Gatwick Airport, the Council has additional responsibilities when such issues emerge, in addition to those faced by other Councils.

5.15 Local Plan Failure to Adopt

Crawley's refreshed Local Plan 2020-2035 has been drawn up and the final draft submission document has been out to "Regulation 19" consultation for a six week period, which concluded in early March. Officers have reviewed the written representations arising from residents, stakeholders, other local authorities, businesses and developers and have been completing further supporting evidence ahead of the next steps, which now includes a review of the impact of the COVID-19 crisis on the Borough's 15 year economic growth forecasts. This work will determine whether any further rounds of consultation are required prior to submission of the Local Plan draft to the Planning Inspectorate for examination. There is a potential risk of delay in the process should additional consultation be needed.

The principal risk associated with adoption at this stage is that the Inspector finds the Local Plan not to be legally compliant, in which case it would not be able to proceed through examination. In addition, there is a risk that the Inspector considers at examination, having taken into account duly made representations, that the Local Plan is not yet "sound" and that it requires significant modification. Only minor modifications can be undertaken by the council before or during the examination process, unless these are required by the Planning Inspector in order to make the Plan "sound". Adoption could be delayed should the Inspector require a revised draft to be produced to go out to a further period of modifications consultation; the examination to be 'paused' to allow significant time to undertake further work; or the council to withdraw the Plan to make substantial amendments where the modifications would go to the heart of the Plan. Finally, there is the risk that a third party could ask the Secretary of State to intervene to prevent adoption of the Local Plan, or might subsequently raise a judicial review which could risk the Plan (or a specific part of it) being quashed.

5.16 **Possible 'No Deal' Brexit**

A separate draft working document has been prepared looking at the implications of a no-deal Brexit to the council. This is a substantive assessment that includes all the areas listed above, but one that by the very nature of Brexit is constantly changing and being updated. Whilst the UK left the EU at the end of January, this is a transition period that maintains the former mechanisms until December, the deadline for the new relationships. It is therefore possible that the UK could still emerge with a 'no-deal' scenario and therefore the planning previously undertake will be revisited from the autumn.

5.17 Council No Overall Control

In July 2020, two Councillors resigned from the Labour party, leaving the Council in no overall control, with no party able to govern by itself. The main risk of no overall control is that decisions, which are needed during the COVID 19 pandemic to address the multimillion pound budget gap in the Council's finances and the risk to thousands of local jobs may not be taken or agreement not reached on key matters.

To address these risks, an agreement was negotiated by representatives of each group, agreed by group members at their respective meetings, and signed on their behalf by their group leaders. It is intended that this agreement will last until the 2021 Crawley Borough Council Elections.

Report author and contact officer: Gillian Edwards, Audit and Risk Manager