

Risk Category Governance and Compliance Management

| Risk Description | Probability | Mitigated probability |
|--|-------------|-----------------------|
| 1 Failure to create, implement and monitor an effective strategic and operational approach to governance improvement across the MCA Group and for the LEP. | 4 | 3 |
| 2 CLOSED | 1 | 1 |
| 3 Failure to effectively identify and plan for the integration of the PTE with the MCA leading to weaknesses in governance and compliance arrangements as the integration is implemented. | 4 | 3 |
| 4 Failure to create, implement and monitor an effective approach to ensuring legislative, regulatory and statutory compliance across the organisation, including an effective approach to the publication of up to date relevant information on procurement, contracts, projects, policy documents and meeting papers. | 4 | 3 |
| 5 Lack of specialist procurement and commercial expertise and weaknesses in the capability of officers to effectively procure goods and services could mean a failure to secure best value and cost overruns as a result of poorly defined specifications. | 4 | 3 |
| 6 CLOSED | 1 | 1 |
| 7 Failure to comply with the requirements of the LEP Review, particularly ensuring compliance with the gender diversity KPI | 4 | 3 |
| 8 CLOSED | 1 | 1 |
| 9 Failure to create, implement and monitor an effective information asset and GDPR management approach to manage personal data following the devolution of AEB could mean increased probability of data breaches. | 4 | 3 |
| 10 Failure to plan and implement an effective plan to manage and implement the 2022 Mayoral election | 4 | 3 |
| 11 Failure to interpret and implement the government requirements for accessibility of information via web content and other published data | 4 | 3 |

Key

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| 1 - Remote |
| 2 - Unlikely |
| 3 - Possible |
| 4 - Probable |
| 5 - Highly Probable |

Overall/average mitigated probability score

| Potential Impact / Consequence if risk materialises | Impact | Mitigated impact |
|--|--------|------------------|
| 1 Poor assessment of governance improvement and compliance by Internal and External Audit and Government as part of the Annual Performance Review of LEPs. | 4 | 3 |
| 2 Potential Litigation and Financial Penalties. | 4 | 3 |
| 3 Potential data breach and penalties. | 4 | 3 |
| 4 Bottle-necks in decision making. | 4 | 3 |
| 5 Increased numbers of FOIs. | 4 | 3 |
| 6 Reputational damage to the Mayor and the MCA and the Management Board of the MCA Executive. | 4 | 3 |
| 7 Board structures, roles and responsibilities are unclear and become ineffective as a result of the integration. | 4 | 3 |

Key

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|-------------------|
| 1 - Immaterial |
| 2 - Minor |
| 3 - Moderate |
| 4 - Major/Serious |
| 5 - Extreme |

Overall/average mitigated impact score

| Existing mitigation strategies / controls for the risk category | Mitigated/Residual risk score |
|--|-------------------------------|
| UPDATED Deputy Chief Executive responsible for governance improvement activity across the MCA Executive and LEP undertaken by development of and review of the Annual Governance Improvement Plan. | 4 |
| Annual review of the Constitution, Financial Regulations, Contract Procedure Rules, Assurance and Accountability Framework and LEP Board Policies. | |
| Fundamental review of Contract Procedural Rules (CPR) and development of new procurement processes in year. | |
| OSC and ASC scrutinise policies, processes, decisions. Members have informal briefing sessions with CEX and Senior Officers to increase the effectiveness of the scrutiny process. | |
| HR Policies are reviewed and updated to ensure legislative compliance. | |
| IT Security systems and GDPR Action Plan is in place. | |
| Lessons learnt from 2018 Mayoral election can inform planning and delivery. Budget agreed. Timely start to process. | |
| Integration programme established, with Senior Responsible Officer and Programme Manager roles filled. Within the Programme, a Governance workstream and work packages have been developed to ensure good practice is built into the new arrangements. | |
| NEW Officer scheme of delegation implemented, with consistent officer delegations between PTE and MCA | |

Key

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|-------------------|
| 1-4 Low |
| 5-10 Medium |
| 11-16 Medium-High |
| 17-25 High |

| Existing mitigation strategies / controls weaknesses | Mitigated/Residual risk score |
|--|-------------------------------|
| UPDATED Lack of an organisation wide training programme for all officers in the requirements of new CPR and procurement process, which makes clear the officer obligations and consequences for non-compliance. MCA has influence to address the weakness. Work is well underway to address the weakness. | 4 |
| Lack of resource with data management experience. Budget agreed for 21/22 to address this weakness. | |
| Accountabilities for website information unclear, leading to risk of non-compliance with accessibility requirements materialising | |

| Action Plan | Status update | Interim date | completion date |
|---|---|--------------|-----------------|
| UPDATED Roll out of new CPR and processes along with development of a MCA Executive wide training programme. | UPDATED The rebranded Contract Procurement Rules (CPR) document was passed for upload to the intranet with the re-branding of the MCA. Induction training for new starters, and from a joint perspective of Finance, Procurement and PPU, has been rolled out and will be scheduled for each month as we progress. We are revising the CPR guidance, alongside legal colleagues, and this is due to be completed by the end of March 22. | | Mar-22 |

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|-------------------------|---|---|---------|---------|
| Risk / Mitigation Owner | Commission capacity, implement and seek assurances with regard to the data management and IT systems work for the devolution of AEB. | UPDATED The IT systems in place were able to import and validate the most recent ILR data return (R04) without generating any un-anticipated errors. The IT systems are, likely, reaching a point of evolution which will allow for more consistent operation in the future. CONTINUE TO REVIEW FOR A YEAR POST GO LIVE DATE IN AUGUST 21. | Jan-22 | Ongoing |
| | UPDATED Recruitment of resource to deliver 2022 Election. Development and implementation of an Election Plan leading to an effective election in May 2022. (Propose to close the existing Action and record the delivery of the Election Plan as the Action) | UPDATED Budget agreed, Election Manager appointed and an Election Plan developed, based on the previous election activity undertaken in 2021, which is to be implemented over the months leading to the May 2022 Election. Propose to report upon the delivery of the Election Plan within the next ASRC paper. | | May-22 |
| | Recruit to post agreed in Business Plan 20/21 for Information Governance to address lack of resource for data management. | UPDATED Budget agreed for Business as Usual post. However, during the Integration process the scope of this role is being considered further and appointment is now deferred until the full role and responsibilities have been defined as part of the Integration work. | Jan-22 | Apr-22 |
| | Develop a plan for managing accessibility risks | UPDATED Project Team established led by Dep CEX - Completed - Propose to delete New accessibility statement agreed with Cabinet Office Digital Services and defined as compliant. Propose to delete Tools have been identified and are to be used to run detailed internal diagnostics - to be undertaken on the new website platform. Specialist resource is in place to ensure compliance of existing website by September 21 - Completed - Propose to delete Role identified for a Digital Communications Manager - budget agreed and pending recruitment Accessibility training purchased and has been delivered to key employees within associated roles. New single website is planned, an associated project proposal developed, to include Accessibility. The move to a new website platform and the content review has been completed and resolved the majority of the non compliance issues however, there are a small number of pdf documents that will be addressed in the new year, 2022. Part of the integration programme oversees the project to develop a new website, which will take forward the management of accessibility risks. | Jan-22 | Mar-22 |
| | Governance & Compliance Management to be considered as part of the Integration Programme. | An Integration Programme Action Plan has been developed and a Governance and Compliance Management Workstream has been established, associated monitoring and reporting is taking place through the Integration Programme Board. | Ongoing | Apr-22 |
| Steve Davenport | | | | |