

Cabinet

Tuesday 29 October 2019

4.00 pm

Ground Floor Meeting Room GO2C, 160 Tooley Street, London SE1
2QH

Supplemental Agenda No. 2

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Contact

Paula Thornton on 020 7525 4395 or email: paula.thornton@southwark.gov.uk;
constitutional.team@southwark.gov.uk
Webpage:

Date: 29 October 2019

Item No. 19b	Classification: Open	Date: 29 October 2019	Decision Taker: Cabinet
Report title:		Impact of Brexit on Southwark - Progress Report	
Ward(s) or groups affected:		All	
From:		Councillor Victoria Mills, Cabinet Member for Finance, Performance and Brexit	

FOREWORD FROM COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR FINANCE, PERFORMANCE AND BREXIT

With Brexit postponed for a third time, and the details of any Brexit deal still to be agreed by the UK Parliament, Southwark Council continues to do all it can to be prepared for the UK's exit from the EU. This is of course incredibly difficult given the huge levels of uncertainty, mismanagement and outright fantasy from many quarters over the last three and a half years.

Of paramount importance to the council and our communities across Southwark, is to make clear that Southwark is only Southwark when it is a home to people from all corners of the world. EU citizens who have made their homes and built their businesses in Southwark are welcome and wanted here. We will continue to do all we can to ensure their rights are safeguarded and that the EU Settled Status is promoted and made as easy as possible to do. Our communications and outreach activity will be stepped up in the coming months as we prepare for a 31 January 2020 Brexit date.

RECOMMENDATIONS

That cabinet:

1. Note progress on ongoing local work in preparing for EU exit and the latest risk register for publication set out in Appendix 1 and instruct officers to keep the register under monthly review.
2. Agree that the cross-party Brexit panel be reconvened before the end of 2019 in the light of latest information available on EU exit.
3. Note the ongoing delivery of the local communications strategy and continue to encourage residents to apply for EU Settled Status as early as possible.
4. Agree that the cabinet member for finance, performance and Brexit writes to the Rt Hon Brandon Lewis MP, Minister of State for Security and Deputy for EU Exit and No Deal Preparation, requesting more timely release of borough level statistics on EU Settled Status applications.
5. Agrees that a further progress report on EU exit planning is prepared for cabinet in January 2020.

BACKGROUND INFORMATION

6. On 23 June 2016 the UK voted in the EU referendum on whether the UK should 'remain' in or 'leave' the EU. 52% of those that took part in the referendum nationally voted to leave the EU. In Southwark over 72% of the residents who took part in the referendum voted to remain in the EU. Southwark is home to 41,000 non-Irish EU citizens, whose status in the UK following the departure from the EU is unclear. Providing certainty to those citizens and ensuring their rights are protected is a priority for the council.
7. As a result of triggering Article 50 of the Lisbon Treaty (i.e. the process of withdrawal by the UK from the EU) in March 2017, the deadline for the UK to leave the EU was 29 March 2019. Following a series of parliamentary votes (including three rejections of the government's "meaningful vote" on the terms of the withdrawal agreement) the deadline for EU exit was first extended by the EU to 12 April 2019. On 11 April 2019, the UK and the EU27 then agreed to grant a flexible extension of the Article 50 period for six months to 31 October 2019. Following further votes in Parliament and discussion between the UK government and the EU27 a further 'flexible' extension to the Article 50 period has been granted to 31 January 2020.
8. Regular reports have been presented to cabinet since January 2019 setting out the steps that the council is taking more generally to prepare for the impact of the UK leaving the EU on the borough and our residents. Also in July 2019 a meeting of the cross-party Brexit Panel took place to discuss and help inform local Brexit planning.
9. This report now provides a further brief update.

KEY ISSUES FOR CONSIDERATION

10. Managing risk. Following cabinet agreement, a Brexit risk register was published and has been updated monthly. The latest version is attached at Appendix 1. Southwark's primary responsibility is continuing to provide local services and minimising the impact of disruption on services to residents, businesses and the borough as a whole. The council regularly reviews its emergency planning and business continuity arrangements, and such review takes account of possible Brexit impact.
11. EU settlement scheme. The council continues to develop its understanding of the impact of Brexit on our workforce, our services, our partners and our residents, including our more vulnerable residents and those for which we have important care responsibilities. A very live area is with regards the EU settlement scheme. To date (21 January 2019 to 25 October 2019), a total of 3207 customers have utilised the ID verification service in Southwark, of which 41% are Southwark residents. The service assists people ahead of them making a formal application for EU settled status to the government (through the Home Office).
12. In terms of applications made by individuals for EU Settled Status by local authority area, this data is held, processed and released by the Home Office. As at June 2019, Southwark was among the top 20 of authorities for applications with 12,680 applications made. The next data release by local authority area is planned for November 2019, which will provide an update for the next quarter. Officers, through the regional Brexit planning arrangements set up by the Ministry of Housing, Communities and Local Government (MHCLG), have been requesting that the data is released more frequently and ideally in real time where possible. This would assist in local communications, service and resource planning with regards numbers affected and those still yet to apply. The Home Office have not yet responded to this request.

13. The Council values the contribution and commitment of its EU workforce in providing quality services for all borough residents. A series of drop in and advice sessions on preparing for EU exit, in particular with regards the EU settlement scheme, have taken place for staff across office and depot sites and further sessions are planned over the coming months.
14. EU Exit preparedness – local, regional and national. Feedback through national and regional mechanisms is that Southwark has prepared well when compared to others. In the light of the extension to EU Exit to 31 October 2019, the government stepped up national and regional arrangements in September with weekly reporting between local government at a London regional level and the MHCLG. At a pan-London level, the council formed part of the Strategic Co-ordination Group (SCG) arrangements, which were activated in the last week, including daily oversight of planning ahead of the possibility of the UK leaving the EU without a deal in place on 31 October 2019. During this time council officers met as part of the Brexit project board to review the risk register and oversee local planning, feeding up to Chief Officer Team and the Chief Executive.
15. Today (Tuesday 28 October) the government confirmed, in the light of the further extension to EU Exit to 31 January 2020 that at a national level Operation Yellowhammer would be suspended. Confirmation is awaited on the revision, if any, of arrangements at a regional level. Locally the Chief Executive will continue to keep local planning under review.
16. Communications. Cabinet agreed that a comprehensive communications plan be developed, looking at all avenues we have to engage with residents. Our key messages have been set out, and agreed actions are taking place to ensure we keep residents, staff and businesses up to date with relevant information. There is a specific focus on ensuring our EU residents and staff know they are welcome in Southwark, and detailing the support available to them with regards to the EU settlement scheme. The most recent edition of Southwark Life featured information for businesses and residents on where to get further advice in preparing for Brexit. We continue to communicate regularly with residents, staff and businesses about the UK's exit from the EU, through the media, social media, our enewsletters, intranet and Southwark Life magazine. An area dedicated to Brexit remains on the council's website (www.southwark.gov.uk/brexit).
17. Supporting Southwark's communities. Officers met with senior representatives from Community Southwark to discuss what further work may be required in supporting harder to reach groups and individuals who may be disproportionately affected as a result of Brexit impact. Given the further extension on EU Exit to 31 January 2020, the extent of the impact may not be fully known until (and more likely) beyond that date. The council remains committed to providing additional local support where required to mitigate specific local impact of Brexit on Southwark's communities including through a one off fund to provide grants to voluntary and community groups to support vulnerable people through Brexit. Further discussion of how this fund could be best utilised will take place at the cross-party Brexit panel with outcomes reported back to Cabinet.

Next steps

18. The council will continue to prepare and plan for implications of Brexit on the borough in the light of the best information it has available. As reflected through the work of the cross-party Brexit panel and onward representation to government, the council has

maintained that there are broader risks attached to Brexit that go beyond mitigating short term business continuity impacts.

19. The impact of Brexit on the business of government and in particular the future local government funding is significant. Although a one year settlement provided immediate certainty, this is more than outweighed by the risk created by government of the Council being unable to plan more effectively for the medium term across the range of local services it provides. Officers will continue to keep the risk register under review especially with regards these economic and financial risks. However greater certainty and information from government in respect of guidance, planning and financial mitigation of local Brexit impact on Southwark communities (short and longer term) is required at the earliest possible opportunity.
20. In the light of the extension of the UK's exit from the EU to 31 January 2020, and to provide a further opportunity to discuss the impact of Brexit on Southwark communities, a further meeting of the cross-party Brexit Panel will be convened in the coming months (timetabling subject to any consequential impacts attached to the outcomes of the Parliamentary vote on an early general election).

Policy implications

21. The Council Plan 2018-22 sets out the overall policy framework. This plan describes the commitments, measures and milestones to achieve the Council vision of a fairer future for all. It was adopted by Council Assembly in November 2018 and provides a council wide plan for delivery across all services to 2022. Any decisions arising out of the impact of Brexit on local communities will need to be cognisant of the Council Plan and relevant supporting plans and strategies.

Community impact statement

22. The UK's exit from the EU is an issue of national importance and the impact of Brexit locally will be significant. Although the proposed date of UK withdrawal from the EU has been granted a further flexible extension to 31 January 2020, assessing and preparing for the potential consequences of Brexit will help the council better understand implications on any particular group or groups of individuals in our community. The Public Sector Equality Duty will be taken into account when considering any changes to policy arising from the impact of Brexit on Southwark. This will include discussion with the voluntary and community sector partners and with health and social care partners, to identify any vulnerable groups and individuals who may be in particular need of targeted support.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

23. This report notes progress on ongoing local work in preparing for EU exit. Local authorities in England have a "general power of competence" in accordance with section 1 Localism Act 2011 meaning that they have power to do any thing that individuals generally may do. Councils also have the power under section 111 Local Government Act 1972 to do anything calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. The recommendations here relate to actions that the Council should take in the light of the referendum decision for the UK to leave the EU, and as such are executive decisions covering a range of functions including the general power of competence. The public sector equality duty in section

149 Equality Act 2010 is relevant to this decision. This requires the council, and the decision, in the exercise of all its functions, to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Consideration of the community impact statement above is relevant to meeting this duty.

Strategic Director of Finance and Governance

24. This report notes progress on ongoing local work in preparing for EU exit.
25. The Policy and Resources Strategy 2019-20 report to cabinet on 5 February 2019, subsequently agreed by Council Assembly on 27 February 2019, set aside a sum of £2m from the London Devolution Reserve to act as a special risk reserve to protect the council against the negative effects of Brexit. This resource is available for one-off purposes in accordance with council priorities and is expected to fund the various initiatives arising from this report.
26. A further £300,000 commitment was added to the base budget from 2019-20 to cover any operational cost pressures arising from the outcome of the Brexit negotiation on Southwark. These funds will be prioritised to support the recommendations made by the Southwark Brexit Panel.
27. Alongside the Local Government Finance Settlement, the Government announced that local authorities across England would receive grant funding to support their preparations for Brexit. Southwark's allocation will be £0.210m (£0.105m in 2018-19 and 2019-20).
28. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

Reasons for lateness

29. The report is late so officers can take account of the most up to date information pertaining to the negotiating position between the UK and the EU, where relevant, and to ensure cabinet are informed of the most up to date information with regards level of local preparedness.

Reasons for urgency

30. The report is urgent as Cabinet requested a further progress report on Brexit impact and preparedness ahead of a further cross-party Brexit panel which is planned to take place in the coming months (specific date subject to confirmation at time of writing).

APPENDICES

No.	Title
Appendix 1	Southwark Council Brexit risk register (version, October 2019)

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Brexit Panel – Recommendations to Cabinet	160 Tooley Street, London SE1 2QH	Paula Thornton 020 7525 4395
http://modern.gov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=6108&Ver=4 Item 16		

AUDIT TRAIL

Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Stephen Gaskell, Head of Chief Executive's Office	
Version	Final	
Dated	29 October 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	29 October 2019	

APPENDIX 1

Southwark Council Brexit Risk Register

Live at: 29/10/2019

Risk register

The council have set up a dedicated website page to signpost to, and access information and advice on, Brexit.

Go to: <https://www.southwark.gov.uk/brexit-guidance>

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic Director	Risk owner	Further information
		Impact	Likelihood			
<p>1.1. (Economic / Operational)</p> <p>Investors redirecting their funding from social care and education providers into other markets or investments or providers choosing not to operate in the UK / Southwark in future.</p>	<p>Southwark is not exposed to any greater risk than other comparable areas and managing and responding to provider failure is a duty within the Care Act which the Council will manage through business continuity planning and robust commissioning. The council continues to engage with providers to ensure they have their own continuity plans in place.</p>	HIGH	MEDIUM	Strategic Director, Children's and Adult Services	Director of Commissioning; Director of Education	
<p>1.2 (Economic / Operational)</p> <p>Brexit impact arising on the health sector including the NHS and public health services (e.g. supply and demand).</p>	<p>Southwark's health economy represents a significant sector, including the presence of world class institutions locally. Concerns associated with Brexit impact are around supplies, regulation, workforce and skills and the impact on access to care and support. The impact of the exit date extended again from 31 October 2019 of 31 January 2020 on winter pressures/planning will continue to be a key consideration in assessing and mitigating impact. The council will continue to make the case for Southwark residents to government on properly recognising the impact that may result from an unmanaged Brexit on stretched communities. The government must provide appropriate resource to mitigate these impacts and help localities capacity build to support communities</p>	HIGH	MEDIUM	Strategic Director, Place and Wellbeing (Director of Public Health); Strategic Director, Children's & Adults'	Director of Commissioning	

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic	Risk owner	Further
	through this significant change period. In the short term, the council continues to engage with the education, health & social care sector on contingency planning for example with regards equipment and supplies and there needs to be clear communication by central government about potential impacts locally.					
2.1 (Economic. Local economy & community) Detrimental impacts of Brexit on communities across the borough	We have agreed key priorities as set out in our Council Plan alongside a resource plan as part of our budget setting process to deliver for communities in our borough. This includes in key areas such as mental health provision and support, community safety and housing and homelessness prevention. We will continue to protect the interests of our residents and deliver quality local services whatever circumstances the borough faces at a macro-level.	HIGH	MEDIUM	Chief Officer Team	Relevant Director Lead; Head of Chief Exec's Office; Head of Communications	See Council Plan 2018-22
2.2 (Economic. Local economy & community) Detrimental impact on staff and students from the EU who reside in Southwark and / or attend local universities.	The Council's cross-party Brexit panel heard from local universities about the significance of EU funding and shared research capability with other EU countries. The implementation of a local skills strategy, alongside working with the GLA to lobby to protect the interests of London's international reputation in education and research is critical.	MEDIUM	MEDIUM	Chief Executive; Strategic Director of Children's and Adult Services	Director of Education; Head of Chief Executive's Office; Head of HR	
2.3 (Economic. Local economy & community) Increased demand for local community support / advice services due to an economic downturn from an unmanaged withdrawal from the EU by the	The Bank of England have estimated a worse case scenario of 8% reduction in national income arising from an unmanaged withdrawal from the EU, which may have similar to worse effect than the 2008-10 recession. The council working alongside relevant partner organisations in education, health & care will plan, prepare for and respond to any enhanced demand as best	HIGH	MEDIUM	Strategic Director, Place & Wellbeing; Strategic Director, Children and Adults'	Director of Communities	

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic	Risk owner	Further
government.	given local resources and make a strong case to government to appropriately invest in local advice services and voluntary and community services such as community resilience, mental health support, homelessness prevention, community safety and wellbeing, in localities most affected.					
2.4 (Economic. Local economy & community) Vulnerable people and groups may be more impacted by Brexit through difficulties applying for EU Settled Status.	It is crucial that the government provide appropriate and timely advice and guidance and ensure localities receive sufficient financial support in the immediate, short and longer term. The council has established a risk reserve alongside a one off fund to make grants to voluntary and community groups available to support the most vulnerable through Brexit. The council have also established a local support offer to residents who are required to apply for settled status.	HIGH	MEDIUM	Strategic Director, Housing and Modernisation; Strategic Director, Environment & Leisure.	Director of Customer Experience; Director of Leisure	See Cabinet report; Southwark Brexit Panel – recommendations to Cabinet Information on who is eligible to apply for EU Settled Status can be found on the Gov.uk website .
2.5 (Economic. Local economy & community) Residents are unaware of potential impacts associated with the UK exiting from the EU with resultant broader community impact arising. This includes more specifically the EU Settlement Scheme and how to apply where this is appropriate.	It is crucial that the government provide appropriate and timely advice and guidance and ensure localities receive appropriate financial support in the immediate, short and longer term. The council have put together a comprehensive communications plan looking at all avenues to engage with residents.	MEDIUM	MEDIUM	Chief Executive	Head of Communications	Information on who is eligible to apply for EU Settled Status during the pilot phase can be found on the Gov.uk website .
2.6 (Economic. Local economy & community)	The government must signal at the earliest opportunity the implications and requirements of local business in preparing	HIGH	MEDIUM	Chief Executive; Strategic	Head of Chief Executive's	Further information on preparing for

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic	Risk owner	Further
<p>Raised anxiety and frustration from local business attached to uncertainty and difficulty in planning ahead with regards stock, supply chain issues, recruitment and investment plans.</p>	<p>for whatever deal / no deal scenario. This should include sufficient transition time to embed regulatory changes. The council continues to review the information made available to support local business in understanding their obligations (subject to clarity in advice and guidance from government). The council will continue to make the case that businesses are not penalised where there is limited time and lack of capacity to implement regulatory changes or respond to issues in the supply chain, for example associated with limited warehouse capacity to store equipment and essential items for business delivery.</p>			<p>Director, Environment & Leisure</p>	<p>Office; Director of Environment</p>	<p>the EU Exit produced by the government can also be found via this link</p>
<p>2.7 (Economic. Local economy & community)</p> <p>Difficulties in local business recruiting staff, potential increases in labour costs and medium term skills shortages in key sectors such as construction and health and social care.</p>	<p>The council, working with local partners, have agreed a skills strategy and action plan overseen by a skills delivery partnership. This includes developing a Construction Skills Centre and Passmore Centre for apprenticeships in key sectors. The council will continue to make the case to government that an appropriate resource strategy is in place to invest in future skills needs and one that recognises and maintains London's primacy in contributing to UK plc.</p>	<p>MEDIUM</p>	<p>MEDIUM</p>	<p>Chief Executive; Strategic Director, Children's and Adults'</p>	<p>Head of Chief Executive's Office; Director of Education</p>	
<p>3.1 (Economic / Legal & Regulatory)</p> <p>Changes to consumer protection requirements across the EU affecting residents and local businesses.</p>	<p>The council will seek clear and comprehensive guidance from government on changes to laws in the UK and in EU member states where relevant so that there can be clear communication with businesses and assessment of any impact on local services.</p>	<p>MEDIUM</p>	<p>LOW</p>	<p>Strategic Director, Finance & Governance; Strategic Director, Environment & Leisure</p>	<p>Director of Law & Democracy; Director of Environment</p>	
<p>4.1 (Financial)</p>	<p>Although one off injections of cash is welcome, the council believes this falls</p>	<p>HIGH</p>	<p>MEDIUM</p>	<p>Strategic Director,</p>	<p>Director of Finance;</p>	<p>HM Cabinet Office have</p>

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic	Risk owner	Further
<p>HM Treasury do not fully acknowledge nor appropriately mitigate the financial strain on the Council of service and other such demands arising from Brexit.</p>	<p>short of how the government should be supporting localities through the impact of Brexit, both directly and indirectly. Further, in October 2019 the government wrote to the cross-party Treasury select committee refusing to undertake a new economic analysis of Brexit impact.</p> <p>For it's part, The council have established a risk reserve to mitigate any Brexit impact plus a one off fund to make grants available to voluntary and community groups. The section 151 officer will continue to lobby government to ensure they appropriately compensate for where the council have had to resource immediate, short and long term impacts arising from Brexit.</p>			Finance & Governance	Head of Communications	confirmed they will reimburse Returning Officers for reasonable spending on contingency preparations on the European Parliamentary Elections held in May 2019.
<p>5.1 (Staffing & Culture)</p> <p>Loss of employees from non UK EU countries impacting the council operational capacity.</p>	<p>The council is engaging closely with the Home Office to ensure our staff are as well supported as possible in applying for settled status. This includes drop-in sessions with a particular focus on staff with lower digital literacy and where English is not their first language. Service lead officers in key areas such as environment and streetscene services will continue to undertake workforce and resilience planning in line with normal resource planning processes. The council will continue to contact contractors to ensure they have activated as required their own workforce impact assessments arising from Brexit.</p>	MEDIUM	LOW	Strategic Director, Housing and Modernisation	Head of HR	
<p>6.1 (Operational)</p> <p>Shortages of food post Brexit caused by backlogs and delays at ports/customs.</p>	<p>The council will operate its business continuity plans alongside tested plans in line with the pan-London Resilience Forum, which has plans in place in response to food and fuel shortages across the city. This includes activation of plans to support</p>	HIGH	MEDIUM	Strategic Director of Children's and Adult Services	Director of Adult Social Care; Director of Children and Families;	

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic	Risk owner	Further
	the most vulnerable; work with schools; and ensuring clear activation of plans with relevant providers of services such as meals on wheels. Clear communications planning will also be activated in line with this.				Director of Education	
6.2 (Operational) Shortages of fuel post Brexit caused by backlogs and heightened demand attached to perception of shortages arising.	The council will operate its business continuity plans alongside tested plans in line with the pan-London Resilience Forum, which has plans in place in response to food and fuel shortages across the city. This includes activation of plans to support the most vulnerable; work with schools; and ensuring clear activation of plans that affect particular services such as social care and specialist transport services. Clear communications planning will also be activated in line with this.	HIGH	MEDIUM	Strategic Director of Children's and Adult Services; Strategic Director, Environment and Leisure	Director of Adult Social Care; Director of Children and Families; Director of Education; Director of Environment	
6.3 (Operational) Shortages of specialist equipment and/or medication for those individuals in receipt of support / need.	The council will operate its business continuity plans alongside tested plans in line with the pan-London Resilience Forum. This includes activation of plans to support the most vulnerable; work with providers of health and care; and ensuring clear activation of plans with relevant providers of services of such community equipment. The council also engages with health partners and other local authorities to mitigate impact.	HIGH	MEDIUM	Strategic Director of Children's and Adult Services	Director of Commissioning	
6.4 (Operational) Loss of teaching staff in local schools, and reduced demand for school places.	Alongside tracking demand and planning for future placements, the council works with local schools (and other education providers) to ensure that they have their own appropriate contingency and business continuity plans in place, including for short term and more immediate impacts.	HIGH	MEDIUM	Strategic Director of Children's and Adult Services	Director of Education	

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic	Risk owner	Further
6.5 (Operational) Changes in approach to waste collection and disposal requiring immediate changes in approach.	The council will maintain good understanding of potential future changes and where necessary put in place contingency plans for changes to services including clear communication with residents and businesses.	MEDIUM	LOW	Strategic Director of Environment and Leisure	Director of Environment	
6.6 (Operational) Potential increase in costs for goods due to new Trade Tariffs and payments of customs duties as goods will be subject to same tariffs/requirements as "third country".	The council will continue to work with the Local Government Association including lobbying for compensation for public services to cover any new costs / burdens arising from tariffs.	HIGH	MEDIUM	Chief Officer Team	Relevant lead directors	
7.1 (Legal & Regulatory) Delays in enacting, and increasing complexity associated with, legislative landscape arising from continued uncertainty of when and how the UK will withdraw from the EU impacting on the Council's ability to undertake statutory obligations that link to any such legislation.	Work with LGA, lobby central government and continue to make representation through regional arrangements set up by MHCLG in planning and preparing for EU Exit, to safeguard and mitigate any impact as a result of central government not arriving at clear guidance nor Parliament a clear legislative position with regards statutory instruments and other such mechanisms that govern council activity.	MEDIUM	MEDIUM	Chief Officer Team	Relevant Director lead; Director of Law & Democracy (Corporate)	
7.2 (Legal & Regulatory) Potential changes to the regulatory / procurement regime that the council is responsible for enforcing requiring additional capacity within the council; also impact of changes	Work with LGA to lobby central government on funding for additional capacity resulting from changes to regulation.	LOW	LOW	Strategic Director of Environment and Leisure; Strategic Director, Finance & Governance	Director of Environment / Director of Law & Democracy	

(Category) Risk	Mitigating activity / current response	Risk Assessment		Strategic	Risk owner	Further
in regulation that governs council services and responsibilities.						
7.3 (Legal & Regulatory) Unable to effectively meet civil contingency responsibilities as a result of Brexit impacts.	The council, working with London Resilience Forum, has prepared and updated emergency plans (including fuel planning) to take account of potential impacts arising from Brexit. This includes testing plans through scenario planning. Uncertainty attached to what deal (or not) is in place post 31 October remains the significant challenge in assessing the confidence of such plans however learning will be taken from previous experience in responding to local major incidents.	HIGH	LOW	Chief Executive	Head of Chief Executive's Office; Emergency Planning & Resilience Manager (chair of Business Continuity Forum)	Cabinet report on emergency plan
7.4 (Legal & Regulatory) Children in the local authority care who are non UK EU nationals not appropriately supported as they apply for the right to remain through the EU Settled Status Scheme.	The government published the EU Settlement Scheme which will allow employees who are EU nationals and their families to apply for settled status to continue to live and work in the UK beyond 30 June 2021. Eligibility is dependent on whether the government have secured a withdrawal agreement or whether there is no deal. Under whatever deal negotiated (or not), the Council will provide support and assistance to families and children in care and young people leaving care who need to apply for settled status. There will be no charge for such support services / assistance to residents.	HIGH	LOW	Strategic Director of Children's and Adults' Services	Director of Children and Families	
7.5 (Legal & Regulatory) EU nationals who may lose the right to vote in local and national elections are not correctly informed.	Advice from and requirements of the council will be dependent on arrangements put in place by central government. The council will therefore ensure that any changes in voting eligibility are taken account of and appropriately communicated with affected residents.	MEDIUM	MEDIUM	Strategic Director, Finance & Governance	Director of Law & Democracy	

An explanation about risk categorisation

Above is a set of risks which the council have identified as being particularly pertinent with regards Brexit impact on our borough. The council identifies its risks using a framework that is agreed annually under our decision making processes. In every risk identification process there are six standard categories (although this doesn't mean that every category is displayed above and some risks may fall into more than one category). For clarity and transparency, the six categories the council use are:

- Economic – for example, a credit crunch that impacts on service delivery, the community and general economic situation
- Financial – for example, the council facing budgetary constraints caused by a range of factors such as loss of grant from government
- Reputational – for example, failures in service delivery that impact on how the council is perceived
- Staffing and Culture – for example, hiring and keeping staff
- Operational – for example, services not being delivered as planned or expected
- Legal and Regulatory – for example, the council not doing what it is legally required to

CABINET AGENDA DISTRIBUTION LIST (OPEN)**MUNICIPAL YEAR 2019-20**

NOTE: Original held by Constitutional Team; all amendments/queries to
Paula Thornton Tel: 020 7525 4395

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Leo Pollak	1	David Quirke-Thornton	1
		Michael Scorer	1
Other Councillors		Kevin Fenton	1
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