

## Appendix K: Budget Risks Register 2022-23

<b>TOTAL</b>	<b>43,050</b>	<b>300,000</b>
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Directorate	Risk Title	Source/Cause of Risk	Risk Event	Consequence	Current Likelihood (1-5)	Financial Impact (range if known) £000's	
						from	to
CYPE	High Needs Demand	The Dedicated Schools Grant (DSG) High Needs Block does not meet the cost of demand for placements in schools, academies, colleges and independent providers.	There is an unacceptable deficit on the unallocated Schools Budget (DSG) Reserve. Whilst this has been partially mitigated by agreeing with the Schools' Forum a 1% transfer of the Schools Block into the High Needs Block over the past three years, and has been agreed to be continued in 2022-23 by the Secretary of State, this still leaves a material forecast overspend on the high needs budget in 2022-23 and further increases the accumulated deficit on the unallocated Schools Budget (DSG) Reserve, as any changes will take time to embed and reduce costs going forward. The main drivers of this deficit are the increase in demand for Education Health & Care Plans and requests for more specialist placements/support for children with SEN, many of which are then educated further away from their local school. A deficit recovery plan is being developed and monitored with the Schools Funding Forum on how the council intends to address this issue. The Government review of SEN is due to be published in Spring 2022 and it is unclear what impact this might have on our ability to manage this deficit moving forward.	The government now requires the total deficit on the schools budget to be carried forward each year and not allow local authorities to offset with general funds without express approval from the Secretary of State. In addition, the DSG deficit should also be held separately from the main council accounts until March 2023. This approach does not resolve how the deficit will be eliminated and therefore still poses a substantial risk to the Council. Without legislative change it is unlikely that local policy changes will reduce the deficit sufficiently. Any reductions to existing funding rates could have an adverse impact on schools, academies, colleges and independent providers. (Continuation of policy of not using general KCC reserves to top up DSG).	5	40,000	50,000
ALL	Revenue Inflation	The Council must ensure that the Medium Term Financial Plan (MTFP) includes robust estimates for spending demands.	Price pressures rise above the current MTFP assumptions and we are unsuccessful at suppressing these increases.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	5	0	30,000
ALL	Demand	The Council must ensure that the Medium Term Financial Plan (MTFP) includes robust estimates for spending demands.	Demand for services exceeds the budget assumptions and we are unsuccessful at suppressing these increases e.g. children's social care, adult social care, school transport, waste, coroners etc.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	5	0	20,000

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ALL	2021-22 overspend impact on reserves	Inability to manage the pressures against the 2021-22 revenue budget in order to deliver a balanced position by 31-3-22.	Overspend against the revenue budget in 2021-22 required to be met from reserves leading to a reduction in our financial resilience	Insufficient reserves available to manage risks in 2022-23 and future years	5	0	10,000
ASCH	Market Sustainability	The long term impact of Covid-19 and long term concerns about the sustainability of the adult social care market is still uncertain. At the moment all areas of the social care sector are under pressure in particular around workforce capacity including both recruitment and retention of staff, meaning that sourcing appropriate packages for all those who need it is becoming difficult. This is likely to worsen over the next few months with the pressures of winter and also the vaccination requirements for staff working in care home settings. Although care home numbers have started increasing they are still not at pre-covid levels, meaning that providers are likely to need to increase costs to local authorities to compensate for their shortfall in income from self funding clients. We are already seeing requests for further fee increases in year over and above the inflationary uplift we have applied to all commissioned services. This pressure is likely to continue.	If occupancy levels fall below an affordable level, providers will look to the council to potentially pay more for beds to compensate for loss of self funders. Significant market reshaping will require funding to make changes in the type and range of care provided	Although the government has provided short term funding in 2021-22 for infection control, testing and workforce development, there is no indication that any such funding will be available beyond March 22. Although there is £3m base budget available for market sustainability, it is likely that this will be required to offset the current market pressure, which we must assume will grow further and will not be available for the original purpose to reshape the market. This means that there is the risk of additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	5	0	?
GET	Capital - highways grant allocation	DfT capital grant funding has reduced by £9m resulting in insufficient capital funding available to continue at previous budgeted and approved service/investment levels, leading to a further managed decline in the state of our highways network. 2022-23 local authority grant allocations are still unknown so there is potential for the Kent share to reduce further.	The requirement to manage safety concerns may lead to increased unbudgeted revenue spend on reactive works. The service was already operating a managed decline in the state of the network due to increasing traffic volumes, increasing inflation without compensating increases in funding etc so this will further exacerbate that position. 2022-23 capital grant allocation announcement confirms a further reduction in Kent funding levels.	An overspend on the revenue budget, requiring alternative offsetting savings or temporary funding from reserves. A re-prioritisation of the KCC capital programme would be required or service levels would need to be reduced. Asset management backlog (currently in excess of £700m) would continue to grow at an even quicker rate.	5	0	5,000

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						from	to
<b>GET / S&amp;CS</b>	Capital – asset management and rolling programmes including: Highways, Country Parks, PROW (GET) and Modernisation of Assets, Schools (S&CS)	The asset management/rolling programmes for KCC are annual budgets and are not increased for inflation each year, meaning that the purchasing power reduces year on year as inflation is compounded yet the budget remains fixed.	Inflation pressures of 3% plus are incurred annually on these budget areas but the funding sources (KCC borrowing, DfT grant) remain fixed and therefore this contributes to the 'manage decline' notion in that these budgets do not even maintain steady state as often the level of investment is below (risk accepted) the required level of spend, plus year-on-year inflation is not budgeted for so the level of works commissioned reduces year-on-year also.	A funding gap therefore exists annually, so steady state cannot be achieved, so unless budget provision is made, the level of capital/asset management preventative works commissioned each year will reduce. This will present a revenue pressure, as more reactive works are likely to be required, plus the respective backlogs for Highways Asset Management (c£650m) and Modernisation of Assets (c£100m over 10 years) will increase exponentially. The risk represents the level of annual inflation required to mitigate this risk.	5	3,000	5,000
ALL	Capital - additional Covid 19 and Brexit/ EU Transition Costs	Additional costs arising from the Covid 19 pandemic, as well as Brexit/EU Transition exceed the capital estimates and are not fully reimbursed by Government.	Project costs increase due to additional Covid and Brexit measures that contractors have to put in place, impact on fuel/supplies/driver pressures and therefore higher costs passed on by contractors.	Overspend on the capital budget, impacting on future years and borrowing. It is impossible to separate whether the pressures passed on from contractors is due to the impact of Brexit/Transition or the Covid-19 pandemic.	5	0	?
ALL	Non Delivery of Savings	Changes in circumstances due to covid or other factors, result in delays in the delivery of agreed savings	Inability to progress with savings plans as scheduled due to changing circumstances	Overspend on the revenue budget, requiring alternative compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	0	31,500
ALL	Capital projects - Building Inflation	Capital project costs are subject to higher than budgeted building inflation.	Increase in building inflation above that built into business cases.	Capital projects cost more than budgeted resulting in an overspend on the capital budget.	4	0	25,000
ALL	Capital - Developer Contributions	Developer contributions built into funding assumptions for capital projects are not all banked.	Developer contributions are delayed or insufficient to fund projects at the assumed budget level.	Additional unbudgeted forward funding requirement and potential unfunded gaps in the capital programme	4	0	15,000
<b>S&amp;CS</b>	Capital Investment in Modernisation of Assets	Insufficient funding to adequately address the backlog maintenance of the Corporate Landlord estate and address statutory responsibilities such as Health & Safety requirements	Condition of the Corporate Landlord estate suffering from under-investment. Recent conditions surveys estimate an annual spend requirement of £12.7m per annum required for each of the next 10 years. Statutory Health & Safety responsibilities not met.	The estate will continue to deteriorate; buildings may have to close due to becoming unsafe; the future value of any capital receipts will be diminished. Potential for increased revenue costs for patch up repairs. Risk of legal challenge.	4	0	10,000

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GET	Waste income prices	The current market has seen a considerably increase in the income received for certain waste streams (potentially due to other supply shortages) and this upturn of £4m has been reflected in the MTFP for 2022-23. This is an incredibly volatile market, with some costs moving to income and vice versa in recent years, so this could lead to in-year pressures if the current projections/prices drop.	Projected levels of income fall and leave a financial unfunded pressure.	This will result in an unfunded pressure that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	-500	4,000
GET	Investment in the Public Rights of Way (PROW) network	Insufficient funding to adequately maintain the PROW network	Condition of the PROW network suffering from under-investment. A modest £150k allocation was included in the 2021-22 but additional one-off and base funding is likely to be needed for a service that is already operating at funding levels below recommended asset management levels. This has been further exacerbated by the increased usage arising from the covid related restrictions and national lockdown	The potential for claims against the council due to injury and from landowners and the need to undertake urgent works that lead to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves.	4	250	2,000
GET	Revenue - drainage and adverse weather	Persistent heavy rainfall and more frequent storm events mean insufficient revenue and capital budget to cope with the reactive and proactive demands on the service	An additional £1m was put into the drainage budget in 21/22 but this was below the level of overspends achieved in the two prior years and the risk is therefore the budget is not being funded at the level of demand/activity. More erratic weather patterns also cause financial pressures on the winter service and many other budgets. The risk is that this weather pattern continues and additional unbudgeted funding required.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves	4	0	2,000
S&CS	Reduced support for Corporate Centre from DSG grant	DSG grant under pressure and amount supporting Corporate Centre is being challenged and likely to be reduced	As part of the 22/23 budget setting, CYPE have to reduce the amount allocated to Central Support services	The Directorate holds this income centrally and is unable to directly relate it to specific teams, hence requiring compensation savings to be identified or there will be an overspend	4	0	2,000

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<b>CYPE</b>	Recruitment, retention & cover for social workers	Higher use of agency staff to meet demand and ensure caseloads remain at a safe level in children social work. The Service has relied on recruitment of newly qualified staff however this is being expanded to include a more focused campaign on attracting experienced social workers. There are higher levels of sickness and maternity leave across children's social work	Inability to recruit and retain sufficient newly qualified and experienced social workers resulting in continued reliance on agency staff, at additional cost. Higher levels of sickness and maternity leave resulting in need for further use of agency staff.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	0	1,500
<b>GET</b>	Loss of European Union (EU) funding to support the Net Zero/Carbon Reduction green agenda	The Sustainable Business and Communities team with Net Zero within its remit currently enjoys significant EU/Interreg funding which has helped plan and deliver the plan for Net Zero by 2030/2050. If such funding is removed following Brexit, KCC would otherwise need to invest its own funds to provide a suitably sufficient team to achieve Government requirements	The risk is that KCC has to fund any reduction or cessation of funding.	The consequence is an overspend against the revenue budget, requiring compensating savings or funding from reserves, as simply not delivering Net Zero by 2050 is not an option due to Government legislation being implemented.	4	300	800
<b>GET</b>	Trading Standards and Border Team	The impact of Transition/Brexit meant that Border Control in the UK required a new service/arrangements to be implemented at a current cost of £580k. This ongoing cost is reflected in the 22-25 MTFP, with the expectation that this "new burden" will be accompanied with direct Government funding allocated to Local Authorities from the savings generated from no longer being part of the European Union. The risk is whether the new burdens money is forthcoming from Government and/or whether demand increases resulting in increased costs.	The risk is that Government consider this simply an addition to existing regulatory and enforcement activity, rather than being a new service/ obligation and no new burdens funding is forthcoming, so KCC is left with gross costs of delivering the service but without additional compensating funding and/or whether demand for the service increases resulting in additional costs.	This would cause an immediate unfunded pressure as both the gross costs and the assumed grant income have been built into the MTFP/Budget.	4	0	579
<b>S&amp;CS</b>	Increasing costs within Corporate Landlord which used to be funded by Directorate budgets	The Hybrid working requires centralised costs for replacement chairs/equipment which used to be funded from individual budgets. Also provision of tea, coffee, milk and the added cost of fridge cleaning etc.	If budget not top-sliced across Directorates then pressure will fall to Corporate Landlord.	Increased cost of new TFM contracts due to change in central requirements which will appear as an overspend if we can't identify where/how to collect budgets.	4	0	500

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GET	Marriage Schedule Act 2021	The Marriage Schedule Act 2021 will place increased demand and capacity on the Registration Service requiring the addition of three new full time posts. The risk is whether new burdens money is forthcoming from Government to compensate for the increased workload.	The risk is that that no new burdens funding is forthcoming, so KCC is left with the additional gross costs of delivering these changes but without additional compensating funding.	This would cause an immediate unfunded pressure as both the gross costs and the assumed grant income have been built into the MTFP/Budget.	4	0	81
ALL	Covid 19 additional revenue costs/ loss of income	<p>Additional costs arising from the impact of and recovery from the Covid 19 pandemic and the consequential loss of income for services exceed the estimates included in the budget. Additional costs could arise from:</p> <ul style="list-style-type: none"> <li>* needing to make further continuity payments to support the market in key service areas such as transport , early years and social care especially as specific funding for infection control and support for the workforce is unlikely to continue</li> <li>* increased demand to address unmet and more complex need in adults and children's social care, domestic abuse, mental health and drug and alcohol services as a consequence of the national lockdown and related restrictions</li> <li>* the impact of changes to the way people access our services such as waste recycling</li> <li>* provision of emergency response services</li> <li>* support for vulnerable residents, local communities and businesses</li> </ul> <p>Loss of income could arise from reduced take up of services or council decisions to waive fees to support residents and businesses.</p>	Financial impact of Covid 19 pandemic continues and is not fully compensated by Government. Increased costs and income losses become the new normal if footfall for services does not recover due to reduced consumer confidence. The situation is still too uncertain and unpredictable to quantify at this stage.	Additional unfunded pressures that lead to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	0	?

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ASCH	Underlying cost pressure in operational care budgets in 2021-22	There is a significant forecast pressure in 2021-22 across most activity driven lines. The main areas with increased pressures are: Older People, both long and short term residential and nursing placements; mental health and learning disability supported living. These pressures are in the main to do with increased hours of care or increased costs, although there has been an increase in both short term beds for older people and numbers of people with mental health needs receiving supported living.	There is a risk that cost pressures will continue to rise into 2022-23 with an even greater full year cost than has been included in the 2022-23 budget	This means that there is the risk of additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	4	0	?
ALL	Capital - Capital Receipts	Capital receipts not yet banked are built into the budget to fund projects.	Capital receipts are not achieved as expected in terms of timing and/or quantum.	Funding gap on capital projects requiring additional forward funding.	3	0	12,400
GET	English National Concessionary Travel Scheme (ENCTS) and Kent Travel Saver (KTS) journey levels	ENCTS journeys have reduced over time, more so during the pandemic, so a £3.4m reduction in budget has been reflected in the MTFP based on this downturn. For KTS, reduced activity in terms of the number of full paying passes has been reflected as a saving of £1.9m.	Activity levels return to a level of journeys in excess of the revised budget, therefore causing a financial pressure.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years if current activity levels are not indicative of the new normal.	3	0	5,300
ALL	BREXIT and EU Transition	The Council requires full reimbursement from Central Government for the additional ongoing costs of BREXIT and transition.	Full cost reimbursement not received from government.  The grants received to date have not been sufficient to cover the council's additional spending on BREXIT and transition costs (estimated £2.1m shortfall over the period 2018-19 to 2021-22)	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves	3	0	3,000

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<b>Non Apportionable</b>	Loss of Investment Income	For 2022-23 and future years it is anticipated that income from cash investments will continue to reflect low interest rates. Rates are forecast to rise but are unlikely to return to pre-pandemic levels. Given the uncertainty caused by the affect on companies of the Covid virus dividend income from pooled funds may also be lower than previously. The extent and timeframe of impact of Covid on financial markets uncertain.	Performance of our investments falls below predicted levels as a result of external factors such as impact of Covid on the economy	Reduction in investment income leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	3	0	3,000
<b>CYPE</b>	Changes to OFSTED regulation for 16 & 17 year olds	Ofsted have indicated that they are looking to introduce regulations for current un-regulated accommodation (for 16 and 17 year olds) from April 2023, with a 6-month implementation timescale. The two main contracts affected by this decision are due to expire in Autumn 2022. The future of commissioning of these services needs to be reviewed in light of this decision.	Further detail is yet be published on the regulation requirements and the implementation timescale, however the cost of regulated accommodation is more expensive and could add a further pressure on placement costs ahead of formal implementation. Government have indicated they will provide additional funding to compensate however this may not be sufficient or provided in a timely way.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years. Further discussions with Home Office if the additional costs cannot be managed within existing grant rates.	3	0	2,200
<b>CYPE</b>	SEN Reprourement	Restructure and retender the SEN network and development of hub pick up points	Total savings are not in line with initial estimates and timescale.	Additional unfunded cost due to delay or non-delivery of saving that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	3	0	2,100
<b>CYPE / S&amp;CS</b>	Reduction in DFE grants for central services for schools and review of school services provided by the Local Authority	The government has reaffirmed its intention for all schools to become part of the multi-academy Trust. Local Authority grant funding to support schools continues to be reduced, equating to a cumulative total reduction of nearly £4m for KCC since 2019-20. Consequently the Local Authority needs to review its relationship with schools and the services it provides free of charge.	Long term solutions cannot be implemented within timescales and may require schools agreement (which may not be achieved). There is also a risk that by passing greater responsibilities to schools could have a possible negative impact on other areas of Local Authority responsibility if schools do not comply (for example: school maintenance). There is also the risk of further cuts to the Local Authority Central Services for School Grants in the future.	If this remains unresolved there is a risk that this will also have to either be met from reserves in future years or result in an overspend until a longer term solution is identified	3	0	1,800



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<b>Non Apportionable</b>	Insufficient cash balances	Higher than expected payments for example related to the response to Covid or lower than forecast receipts	Insufficient cash to cover council's outflows	Borrowing required that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves.	3	0	1,000
<b>GET</b>	Waste Volumes	A £2.9m pressure is included in the MTFP for 2022-23 for increased kerbside (black sack) tonnage due to continued home-working as a result of the pandemic representing a shift from commercial waste to residential waste.	Continued home-working could mean that this estimate is exceeded if more companies choose to home-work (some currently partially office based but this could increase) so increased tonnages could ensue which the authority has a statutory duty to dispose of and/or recycle.	Additional tonnes collected by the districts and brought into the Waste Transfer stations for disposal/recycling at KCC's expense meaning an unfunded pressure.	3	0	1,000
<b>CYPE</b>	Community Learning & Skills (CLS) achievement of surplus	Ongoing impact of the COVID pandemic on the recovery of CLS adult education service	Recovery affects ability to generate sufficient income to meet surplus targets	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves.	3	0	500
<b>S&amp;CS</b>	Highways unadopted land	Maintenance costs for residual pieces of land bought by Highways for schemes and subsequently tiny pieces not required or adopted.	Work becomes necessary on these pieces of land and neither Highways or Corporate Landlord have budget to pay for it.	Work needs to be completed whilst estates work to return the land to the original landowner	3	0	50
ALL	Income	The Council must ensure that the Medium Term Financial Plan (MTFP) includes robust income estimates.	Income is less than that assumed in the MTFP.	Loss of income or reduced collection of income that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	3	0	?
<b>ASCH (PH)</b>	Uplift in Public Health Grant	The anticipated 'real' increase in the Public Health grant is insufficient to meet increase in costs and costs of new responsibilities.	The increase in the Public Health grant is less than the increases in costs to Public Health.	(i) Public Health reserves would be exhausted (ii) Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves.	3	0	?
<b>CYPE</b>	Capital - Basic Need Allocations	Estimates of future basic need allocations are included in the capital programme.	Basic need allocations are less than expected.	Funding gap for basic need projects which will need to be funded either by reprioritising the capital programme or by additional borrowing with a consequential unbudgeted impact on the revenue position of the costs of borrowing.	2	0	12,700

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ALL	VAT Partial Exemption	KCC VAT Partial Exemption Limit is almost exceeded.	Additional capital schemes which are hosted by KCC result in partial exemption limit being exceeded.	Loss of ability to recovery VAT that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	2	0	8,700
CYPE	Supporting Families (previously Troubled Families)	The Government has confirmed the Troubled Families Grant will be replaced with a new Supporting Families Grant. Grant allocations and conditions of grant have not yet been confirmed. Commitments total £3.8m.	There is a risk that the service are unable to achieve the Government's expected outcomes within existing services and do not have sufficient time to reconfigure without incurring additional costs.	Additional unfunded cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	2	0	3,800
S&CS	Backlog of maintenance for properties transferring to Corporate Landlord	Maintenance backlog historically funded by services from reserves or time limited resources which have been exhausted. Properties that have been transferred to the corporate landlord require investment.	Urgent repairs required which cannot be met from the Modernisation of Assets planned programme within the capital budget	Unavoidable urgent works that lead to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	2	0	400
ASCH	New Social Care Legislation	Increased costs of implementing the Adult Social Care Reform white paper and paying providers a fair rate of care. In addition, the Deprivation of Liberty Safeguards (DoLS) is being replaced with new legislation Liberty Protection Safeguards (LPS) in 2022	Additional costs over the next three years as a result of these changes in legislation over and above the government funding provided	Overspend on the revenue budget or alternative offsetting savings required or temporary unbudgeted funding from reserves. Potential recurring budget pressure for future years.	2	0	?
ALL	Capital Costs	Pre-Capital Works Expenditure.	Capital project doesn't proceed as planned and capital costs are transferred to revenue.	Aborted capital cost that leads to an overspend on the revenue budget, requiring compensating in year savings or temporary unbudgeted funding from reserves.	2	0	?
ALL	Capital - Climate Change	Additional costs are incurred to comply with climate change policy	Project costs increase beyond budget	Overspend on the capital programme resulting in additional borrowing	2	0	?

### Likelihood Rating

Very Likely	5
Likely	4
Possible	3
Unlikely	2
Very Unlikely	1