

Brexit Risk Assessment 2019-20

Last modified: 06/03/19

IDENTIFIED RISK						ACTION PLAN								
No.	There is a risk that..	Consequences of risk	Raw risk score			Control method	Key actions to be established	who	Reviewed by when	Action completed by when	Residual risk score			Corporate Priority
			Li	Im	Total						Li	Im	Total	
1	powers, currently implemented under EU law by all Welsh local authorities, may be withheld from WG by HMG under the EU Withdrawal Bill.	This introduces legal uncertainties for the delivery of our service areas. How long will they be withheld? Will all areas currently covered by EU law be treated in a similar manner?	1	1	2	Treat	Note and monitor developments. Engage with WLGA events (for example Environment 25th September, Public Protection 17th October) and other regional/national advisory bodies. Continue to engage with specific service discussions at a local, regional and national level.	Head of Legal & regulatory Services	27/03/2019				All	
2	the legislative basis for some of the Council's scheme of delegations will change from EU to UK or Welsh law.	The schemes of delegation will need to be updated to reflect amended legislative	5	2	10	Treat	Monitor legislative changes and associated changes that will be need to the scheme of delegation	Head of Legal & regulatory Services	27/03/2019				All	
3	the rules concerning state aid and procurement becomes uncertain because they are governed by the EU.	Impact on existing contractual arrangements	5	2	10	Treat	Monitor changes in legislation and link in with relevant forums and regional and national bodies.	Head of Legal & regulatory Services	27/03/2019				All	
4	ability to access required data could be disrupted in the event of a "No Deal" Brexit	Impact on functions or services that rely on data stored or processed in an EU or EEA Member State	1	1	2	Treat	Keep under review and follow Information Commissioner's guidance. No direct transfers of personal data between BCBC and any EU member state have been identified at this time.	Head of Legal & regulatory Services	27/03/2019		1	1	2	All

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5	the rules concerning Environmental Health and Trading Standards become uncertain because they are governed by the EU.	in the event of no deal there is a breakdown in regulatory control leading to consumer uncertainty and potential shortages of products and goods. Potential public health implications linked to the above as well as economic loss due to business uncertainty and lack of ability to import and export products to and from the EU	3	5	15	Treat	<p>Authorisations are being amended to take account of the many changes to UL legislation that are taking place as a result of legislation that are taking place as a result of the EU Withdrawl Act 2018 and to be sure that officers will continue to be able to regulate businesses post Brexit.</p> <p>Reviewing capability to provide export certificates to businesses where required following Brexit.</p> <p>Offices are attending briefing and training sessions across the range of Trading Standards and Environmental Health disciplines to ensure that they contribute to debate and are kept informed of the latest Regulatory Brexit implications.</p> <p>Offices within the service are contributing at a national and UL level to Brexit preparedness planning.</p>	Head of Shared Regulatory Services	27/03/2019		3	4	12	
6	there is a lack of clarity about the council's role as Porthcawl Harbour Authority	<p>The council may have to monitor passports for visiting vessels in the event of a no deal Brexit.</p> <p>Correspondence from the Department for Environment & Rural Affairs indicates a potential for the LA to play a role ensuring produce from commercial fishing vessels is traceable.</p>	3	2	6	Treat	<p>Monitor developments in relation to potential expectations to monitor passports for visiting vessels in the event of a "no deal" Brexit.</p> <p>Swansea Bay Port Health Authority are responsible for regulating activities linked to commercial fishing. The SRS are in contact with SBPHA and they have advised that they are liaising with the business that lands catches at Porthcawl. The catch is currently taken to action in Plymouth and then to the EU and it is unclear at this stage where any additional certification may need to originate. The SRS will feedback as this becomes clear.</p> <p>Keep staff and commercial fishermen updated with developments and give them the opportunity to highlight any concerns.</p>	Harbour Master	Jun-2019	Apr-2019	3	2	6	Supporting a successful economy

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7	the Council could lose access to EU funding programmes and the value and eligibility conditions of any replacement funding are unclear	<p>Uncertainty about the availability of future regeneration funding programmes.</p> <p>Impact on the Council's ability to effectively plan forward work programme.</p> <p>Increased pressure on capital programme.</p>	5	4	20	Treat	<p>Prepare and seek to influence developments where possible, respond to consultations and continue to work through local, regional, national and political channels. Link with WLGA, RET.</p> <p>Engage in discussion with UK Government about hared prosperity Fund.</p> <p>Engage in discussion with Welsh Government on future regional investment in Wales.</p> <p>The Council has: a) Supported European Territorial Cooperation 10 Reasons why the UK should participate lobbying paper b) Responded to WG Regional Investment in Wales after Brexit consultation c) Responded to the WLGA Call for Evidence Spring 2017</p> <p>Bridgend Local Action Group responded to WG "Brexit and our land " consultation.</p>	Regeneration Funding and Regional Engagement Team Leader	27/03/2019			5	4	20	All

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8	the Council will lose funding for existing EU funded projects should they fail to deliver to profile and/or be depended on HMT Guarantee.	Additional pressure on service budgets. Projects may have to close early with potential implications of service loss and negative publicity.	2	3	6	Treat	HMT Guarantee re-affirmed by WEFO on 23 August 2018. Prepare and influence where possible, working through local, regional, national and political channels. Link with WLGA, RET Continue close monitoring of 'live' projects. Continue to monitor arrangements for the delivery of HMT Guarantee	Regeneration Funding and Regional Engagement Team Leader	27/03/2019				All	
9	there will be no replacement ESF employability programme once the current 13-20 programme ends.	This could undermine the Local Authority's position as lead on employability within the County Borough resulting in less cohesive delivery. The loss of employability support for the most vulnerable would impact on the council's ability to support a successful economy and help people to be self-reliant.	5	3	15	Treat	Prepare and influence where possible, working through local, regional, national and political channels. Monitor WG moves to support employability in Wales and alternative funding streams. Link with WLGA, RET, CCR Skills Partnership and CCR City Deal working groups	Employability Programme Manager	27/03/2019				Supporting a Successful Economy Helping to be more self reliant	
10	there will be no replacement funds when the EU/WG funded LEADER programme ends in December 2020.	This will impact on the Council's ability to offer direct support to rural communities including the provision of non-statutory services and current expertise in rural development will be lost.	5	3	15	Treat	Monitor developments including potential extensions. Explore bridging options should funding end in December 2020.	Rural Development Manager	31/05/2019 Jan 2020	December 2020 December 2020	4 3	3 3	12 12	All

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11	there will be an economic downturn and continued austerity	<p>Uncertainty on economy with a weakening domestic economic growth because demand and supply within the UK economy will take a shock.</p> <p>Unknown impact on Interest Rates and Inflation</p> <p>Large influx of changes and new Council Tax Reduction Scheme claims may cause a capacity issue</p> <p>Bad debts may increase and income from fees and charges may reduce.</p>	4	3	12	Treat	<p>£200,000 Earmarked Reserve established.</p> <p>Regular updates from Treasury Management Advisors on changes to interest rates, credit ratings and corrective action taken. The loans and investment portfolio will be managed on a balanced basis.</p> <p>Contracts will be checked to see if they are index linked to inflation.</p> <p>Ensuring that there is an adequate impairment provision for bad or doubtful debts.</p>	Group Manager Chief Accountant	27/03/2019	Quarterly monitoring of revenue budgets for fees and charges and other income sources in line with Report to Cabinet timetable	4	2	8	Supporting a Successful Economy
12	Additional Emergency Planning - requiring liaison with partner agencies and contingency preparedness at the LRF level, specifically for Brexit impacts	Resources diverted to working specifically on Brexit related issues with partner agencies.	3	5	15	Treat	<p>Attendance at All Wales Strategic Brexit Workshop.</p> <p>Take part in tests of contactability of strategic officers and tactical commanders.</p> <p>LRF will be running a mini strategic/tactical course to train more gold commanders (this will be a shortened version of the usual two day course)</p> <p>Emergency planning officers feeding in to South Wales Resilience Team (SWRT)</p>	Strategic/Gold Commanders	<p>Feb</p> <p>Feb</p> <p>Unknown</p> <p>Current</p>	<p>Attendance at Brexit workshop/Exercise -Complete.</p> <p>Contactability tests - 2 completed in Feb, 1 outstanding in next few weeks (date unknown).</p> <p>LRF Mini strategic/tactical - waiting on LRF</p> <p>EP Officers feed any info into SWRT - ongoing</p>				All

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13	supplies and resources may be disrupted	Supply chain disruption and contractual risk Increased costs Possible delays	5	5	25	Treat	Consider supply chains as part of service continuity planning, following guidelines from WG. Consider whether a pan-Wales or regional approach could be developed across local authorities – raise with WLGA	All Heads of Service	27/03/2019	Ongoing	5	5	25	All	
14	There will be limited access or delays to overseas markets for receiving waste exports	1. The British market could be flooded with additional recyclates, which could devalue the products or tariffs could be imposed on waste exports to EU which increases disposal costs. 2. Haulage or movements of material could be affected and may cause greater on-site storage or slow movement of materials.	3	4	12	Treat	Investigate and liaise with Kier over contingency arrangements. The council's waste contractor has limited overseas contracts. (0.01% in 2017/18) Kier's waste processing contracts are already in place. Kier have been advised to reduce stock at the end of March to create greater on-site storage capacity.	Cleaner Streets and Waste Contract Manager	27/03/2019			2	4	8	Smarter use of resources
15	there will be a loss of employees who are non UK EU citizens	This may affect the Council's ability to commission services from the private sector	3	3	9	Treat	Ongoing discussions with WLGA, CCR Skills Boards and Welsh Government	All	27/03/2019					Smarter use of resources	
16	due to the impact of the EU settlement scheme on all workforce sectors (particularly health and retail), there will be a workforce shortage in the social care sector	A workforce shortage/gap in the health and retail sectors will result in those sectors recruiting staff from the care sector, which will impact on our ability to meet individual's assessed needs, and increase waiting times for services	3	4	12	Transfer	For internal services, non-UK EU staff members are being identified - which we are in the process of validating with relevant team managers For commissioned services, providers have been asked to identify any non-UK EU staff to help understand the wider risk implications. For health services, BCBC officers are in contact with colleagues in ABMU/Cwm Taf Health Boards to understand the potential impact there	Group Manager Commissioning Contracts and Contract Management	27/03/2019	31/12/2020		2	3	6	Helping to be more self-reliant

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17	there will be a skills shortage as non UK EU citizens leave the Council's employment	There is no complete data set immediately available on the number of non-UK EU workers employed within the Council. However based on information available it is not anticipated that Brexit will have a major impact on the overall numbers of staff directly employed.	1	1	2	Treat	Investigate and explore options to collect workforce data on non UK EU nationals. Internal comms to raise staff awareness Support staff to achieve settled or pre settled status through the EU Settlement Scheme Plan and link in with information events, such as the regional Home Office session (in association with WLGA/WCVA) in Cardiff on 20th September, WLGA updates	Group Manager Human Resources and Organisational development	29/03/2019				Smarter use of resources	
18	the electoral roll will be inaccurate as from 30 March non UK EU citizens can no longer take part in local elections	Any election undertaken would be open to challenge / petition from a candidate which would mean a hearing at the High Court in London and the possibility of the election having to be re-run at our cost (c£5k - £12K).	4	3	12	Treat	Keep a watching brief and continue to monitor information from Electoral Commission. EU27 nationals can be identified and removed from the electoral register if required.	Group Manager Business Support Unit and Electoral and Emergency Planning Services team Manager	31/05/2019		1	3	3	Smarter use of resources
19	demand for services will increase if Brexit results in a downturn in the economy and increased poverty	Additional pressure on budgets and service delivery.	3	4	12	Treat	Monitor developments across all service delivery and report into Brexit Forum.	All	29/03/2019				All	
20	there will be a downturn in the economy and that there will be increased demand for the Council to support a large scale redundancy response team.	Impact on resources. It will require more Economy Team officer time to be allocated to this area at the expense of dealing with other areas of work.	4	2	8	Treat	Partnership model recently re-established as a result of Ford redundancy announcements. The redundancy response team will provide a co-ordinated approach in assisting those companies and employees that might be impacted. BCBC; DWP/JCP; Business Wales; Careers Wales; Welsh Government will combine resources in order to deliver a comprehensive package of redundancy support.	Group Manager Economy Natural resources and Sustainability	June 2019	Dec-2020	4	2	8	Supporting a successful economy

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21	local businesses will have a lack of awareness about the implications of Brexit	The sustainability of the local economy will be impacted. Bridgend has a high proportion of employment in both manufacturing and motor trades. These sectors are identified 'most at risk' by Welsh Government	4	2	8	Treat /Transfer some aspects of the risk onto a third party – Business Wales	Investigate and Plan Disseminate information, as it becomes available, through existing networks including the Bridgend Business Forum, reach Local Action Group and Porthcawl Harbour Master re. commercial fishing Information about the Business Wales Brexit Portal and other Brexit business advice has been regularly shared in enews and will be included in every issue until Brexit and beyond. Information disseminated on Business Wales Brexit briefing sessions. Relevant information to be shared via wider Council avenues e.g BCBC corporate twitter account.	Group Manager Economy Natural resources and Sustainability	June 2019	Dec-2020	4	2	8	Supporting a successful economy
22	workloads will increase due to preparation for Brexit	Impact across service delivery areas due to a need to dedicate resource to Brexit preparations.	5	3	15	Treat	Plan a) Brexit overview leads have been identified b) Explore option to establish small working group. • Brexit Forum now established, chaired by Interim Chief Executive with all service areas represented. c) Invite WLGA to deliver a briefing at a future Cabinet/CMB meeting. • WLGA delivered briefing to Council on 15th March 2018.	Interim Chief Executive	27/03/2019				All	
23	existing partnerships and collaborative arrangements will be impacted	Focus on Brexit related matters may require a review of agreed short term priority actions. Potential call for additional resource.	4	3	12	Treat	Investigate, including discussion with LRF, PSB Brexit will be on the agenda for PSB sub board chairs meeting on 11 March	Interim Chief Executive	27/03/2019				All	

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24	workloads will go up due to an increased number of enquiries from the public	Additional pressure on service delivery	3	1	3	Treat	Plan Discuss with Customer Focus Wales Group	Head of Performance and Partnership Services	27/03/2019				Smarter use of resources	
25	there may be an increase in tensions in Communities and a rise in the far right	Compromise ability to deliver the Community Safety Strategy. Not enough capacity to respond to increase in ASB and hate crime. Increase referrals to Channel Panel	4	3	12	Treat	Community Safety partnership are leading on work including: a) Application to WG Community Cohesion Brexit Grant for additional resource (local officer to identify tensions) as part of the Western Bay Region. B) Community cohesion project (April'19-March'21)	Partnerships Co-Ordinator	27/03/2019			3 3 9	All	
26	It may not be possible to manage internal and external communications effectively due to Brexit uncertainty and availability of information	Effective communications will be a critical element of the Council's response to Brexit. Wider external communications should support the dissemination of key Welsh and UK Government messages for business and the wider community.	1	5	5	Treat	Monitor developments and updates from WG and UK Government Develop appropriate communications to manage expectations of council's role and offer reassurance	Communications Manager	27/03/2019				All	

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27	the EU subsidy for school milk may change. The existing framework for the scheme will be rolled over into UK law under the EU (Withdrawal) Act and legislation has been passed in Parliament to ensure the Scheme can continue after Brexit - regardless of the outcome of EU negotiations. However, policy on school milk is devolved to WG.	Impact on budget	3	3	9	Treat	Monitor developments and seek clarity from WG regarding future policy on this scheme in Wales.	Corporate Director Education and family Support	01/07/2019	01/03/2020	2	3	6	Smarter use of resources
28	modern language provision may be negatively impacted	Impact on education provision: Pupils may be discouraged from learning languages Reduced authentic learning experiences for pupils if foreign language assistants are discouraged from working in the UK	3	3	12	Treat	Monitor developments and seek clarity from schools with regard to the uptake of languages and changes to the number of European assistants working in schools. To mitigate risk, encourage schools to seek out online connections to schools in Europe and to emphasise the value attached to learning languages.	Corporate Director Education and family Support	01/12/2019	01/07/2020	2	3	6	Supporting a successful economy
29	there may be fewer enrichment activities for schools linked to town twinning	Impact on educational opportunities	3	3	9	Treat	Monitor developments and seek clarity from schools regarding current activity and any changes to school visits or activities post-Brexit. To mitigate risk, encourage schools to seek out/maintain online connections to schools in Europe and beyond.	Corporate Director Education and family Support	01/12/2019	01/07/2020	2	3	6	Supporting a successful economy

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30	there may be fewer non UK EU pupils for whom English is an additional language (EAL) moving to Bridgend County Borough or an increase in the number leaving	Impact on levels of EAL support required for pupils and their families. Impact on budget with regard to the EAL grant received by schools, especially St Mary's Catholic Primary School where there are currently 40.3% EAL pupils in the school.	4	4	16	Treat	Monitor developments and seek clarity from school census details about the number of EAL pupils in schools who require EAL support and for whom the school is eligible for EAL grant money.	Corporate Director Education and family Support	Next census Jan 2020	01/03/2020	3	3	9	Supporting a successful economy Smarter use of resources
31	the administration of the EU settlement scheme for Looked After Children will become uncertain. WLGA and Welsh Government are still working with the Home Office to establish LA responsibilities regarding Settlement Scheme applications for looked after children.	Potential resource and capacity issues	3	1	3	Treat	Identification and validation of those who may require assistance in respect of the EU settlement scheme is being undertaken - estimated to be very low numbers. Monitor developments and provide support in accordance with requirements	Head of Children's Social Care	27-Mar-19	31/12/2020	1	1	1	Helping to be more self-reliant
32	the administration of EU Settlement Scheme for individuals in the Council's social care services will become uncertain	Potential resource and capacity issues	3	1	3	Treat	Identification and validation of those who may require assistance in respect of the EU settlement scheme is being undertaken - estimated to be very low numbers. Monitor developments and provide support in accordance with requirements	Group Manager Commissioning Contracts and Contract Management	27/03/2019	31/12/2020	1	1	1	Helping to be more self-reliant

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33	Provision of Food to Schools and Care Homes will be disrupted by Brext	<ul style="list-style-type: none"> Supply disruptions. – likely in all cases but particularly in respect of a ‘no-deal’ Brexit. Possible impacts range from sterling’s exchange rate volatility to export certification challenges. Border delays are possible in all cases, but particularly in respect of a no-deal scenario. Delays for imports and exports at ports, including at the Ireland/NI border, are a strong probability in the event of ‘no-deal’. This increases the likelihood for Fresh Produce to spoil, thus creating shortages and spiralling price increases for this food category.. Warehouse space is limited. Food companies across the UK have been stockpiling food and ingredients- no additional capacity nationwide remaining Freight logistics may be affected. Depending on the deal or no-deal, there might be a problem of licences for hauliers and logistics 	5	5	25	Treat /Transfer some aspects of the risk onto the Suppliers to manage their Supply chain	Transfer - Incumbent Suppliers have been engaged with to check on their preparations for Brexit . All confirmed they had considered the risk to their supply chains, and had identified where (if at all) they anticipated issues covering the following - 1 - What contingency plans have been made to provide an alternative to the products currently imported from the EU. 2- What contingency plans have been applied/requested from your 2nd tier suppliers in terms of their buying ingredients/packaging from a UK Trader/Importer . Treat- BCBC Catering for schools - stock piling 6 weeks of Dry/Ambient Goods. Treat - Procurement working with Legal to create Contractual Brexit express terms (relating to the specs and food safety) stating that they shall not be prejudiced or diminished by the UK leaving the EU. and an additional clause to review pricing, given the potential for new import tariffs, VAT changes and other costs of trading to	Head Legal and Regulatory Services.	27/03/2019	Ongoing	5	5	25	Smarter use of resources