

Report to Cabinet

Risk Management Strategy & Framework

Portfolio Holder: Cllr Abdul Jabbar MBE, Deputy Leader and Cabinet Member for Finance and Corporate Services

Officer Contact: Mark Stenson – Head of Corporate Governance

Report Author: Mark Stenson – Head of Corporate Governance **Ext.** 4783

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Reason for Decision

The purpose of this report is to propose a refreshed Risk Management Strategy and Framework. Under Financial Procedure Rules Cabinet is responsible for approving any revision in the corporate risk management arrangements of the Council.

Executive Summary

The Council produces a Corporate Risk Management Strategy and Framework, which is subject to regular review.

It is proposed that the existing Risk Management Policy is replaced with two separate documents i.e. Risk Management Strategy and a Risk Management Framework. The proposed Risk Management Strategy is a high level document that sets out the Council's strategic approach to risk management (Appendix 1), the proposed Risk Management Framework provides the detailed approach to risk management including the risk matrix and risk appetite tables for measuring the level of risk and ensuring that risks are managed within the Council's risk appetite (Appendix 2).

The refreshed Risk Management Strategy and Framework is presented for approval.

Recommendations

Cabinet approves the refreshed Risk Management Strategy and Framework

Cabinet

Risk Management Strategy and Framework

1 Background

- 1.1 Under Financial Procedure Rules, Cabinet is responsible for approving any revision to the corporate risk management arrangements of the Council. It is proposed that the existing Risk Management Policy is replaced with two separate documents i.e. Risk Management Strategy and a Risk Management Framework.
- 1.2 The proposed Risk Management Strategy is a high level document that sets out the Council's strategic approach to risk management (Appendix 1)
- 1.3 The proposed Risk Management Framework provides the detailed approach to risk management including the risk matrix and risk appetite tables for measuring the level of risk and ensuring that risks are managed within the Councils risk appetite (Appendix 2)

2 Current Position

2.1 There are two levels of risks: strategic risks and operational risks. The Council's working definition of risk, to be applied to both strategic and operational risks is:

"Risk is something that may have an impact on the achievement of our objectives. This could be an opportunity as well as a threat".

The two levels of risk and their management are clearly identified within the Risk Management Strategy and Framework documents.

Risk Management Strategy

- 2.2 The Risk Management Strategy provides the overall approach to risk management that addresses the risks facing the Council in achieving its objectives. The Strategy also facilitates the effective recognition and management of risk. It advises that the Councils aim is not avoid risk but to identify and manage an acceptable level of risk. It will therefore identify, understand and manage the risks inherent in service provision and those associated with plans, policies and strategies to support responsible informed risk taking.
- 2.3 The Strategy outlines the risk management objectives, the risk assessment technique, and risk appetite. It also confirms that there will be Operational Risk Registers and a Strategic Risk Register. It sets out the governance arrangements and highlights that the role of the Audit Committee in monitoring the Councils risk management arrangements.

Risk Management Framework

- 2.4 The Risk Management Framework defines how risk and opportunities will be handled within the Council. It provides information on roles and responsibilities, processes and procedures.
- 2.5 The leadership roles and responsibilities are detailed, highlighting how Cabinet, Audit Committee, the Head of Corporate Governance, Senior Managers and other officers will be involved in each stage of the risk management process.

- 2.6 The Framework details the four steps to good risk management including identifying the risks, assessing the risks, managing and controlling risks, and recording and reporting risks.
- 2.7 It is proposed to change the risk matrix from a current 7x5 matrix to a 4x4 matrix. One of the key aims of proposing a change is to simplify the risk management process. Risks will continue to be measured based upon their likelihood and impact. The Framework document presents two tables which show how to score this likelihood and impact including what the indicative threats and opportunities would look like for each category of risk. Once the risk score has been determined, mitigating controls and actions need to be applied to manage down the risk. Where services work with the NHS and need to use the National Patient Safety Agency model (a national model in use within the NHS), then these services will utilise a 5x5 matrix. Annual reviews of the Strategy and Framework will be undertaken to assess options for further alignment with practices adopted by partners.

Corporate Risk Register

2.8 The maintaining and monitoring of the Corporate Risk Register using the revised risk matrix will support the delivery of the Council's corporate aims in ensuring that the identified risks are appropriately managed. Given the role of the Audit Committee in monitoring risk management arrangements, it will review the Corporate Risk Register on a regular basis.

3 **Options/Alternatives**

- 3.1 The Cabinet can either:
 - a) Consider and approve the revised Risk Management Strategy and Framework.
 - b) Consider but not approve the revised Risk Management Strategy and Framework.

4 **Preferred Option**

4.1 The preferred option is that the Cabinet approves the refreshed Risk Management Strategy and Framework.

5 Consultation

5.1 Internal Consultation with Executive Members, Senior Management Team, Finance, Policy & Legal Services Officers and members of the Audit Committee at the meeting on 14 November 2019.

6 **Financial Implications**

6.1 Dealt with within the body of this report and the two appendices.

7 Legal Services Comments

7.1 Management of risk is essential of the Council to mitigate the risk of legal challenge. The risk management strategy and framework provide an appropriate tool for the identification and management of risk (Colin Brittain)

8 Cooperative Agenda

8.1 The Risk Management Strategy and Framework has been prepared so that it embraces the Council's co-operative agenda with risks being considered alongside the aims, objectives and co-operative ethos of the Council.

9 Human Resources Comments

9.1 There are no Human Resources implications.

10 Risk Assessments

10.1 Dealt with within the body of this report and the two appendices.

11 IT Implications

11.1 There are no IT implications.

12 **Property Implications**

12.1 There are no property implications.

13 **Procurement Implications**

13.1 There are no procurement implications.

14 Environmental and Health & Safety Implications

14.1 There are no Environment and Health & Safety implications.

15 Equality, community cohesion and crime implications

15.1 There are no specific equality, community cohesion and crime implications.

16 Equality Impact Assessment Completed?

16.1 Not applicable.

17 Key Decision

17.1 Yes.

18 Key Decision Reference

18.1 FCS-23-19.

19 Background Papers

19.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref:Background papers are included at Appendix 1 & 2Officer Name:Mark StensonContact No:Extension 4783

20 Appendices

20.1 Appendix 1 Risk Management Strategy Appendix 2 Risk Management Framework

Appendix 1

RISK MANAGEMENT STRATEGY

Oldham Metropolitan Borough Council

November 2019



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1 Introduction

- 1.1 The purpose of this document is to outline an overall approach to risk management that addresses the risks, both negative and positive, facing the Council in achieving its objectives and which will facilitate the effective recognition and management of risks. The approach has been designed to support Members and officers in fulfilling their risk management responsibilities in a consistent manner.
- 1.2 Risk management will be embedded within the daily operations of the Council, from strategy and policy formulation through to business planning, general management and operational processes. It will also be applied where the Council works in partnership with other organisations to ensure that partnership risks are identified and managed appropriately. However, where there is a need for services to work with a different matrix e.g. when working with the NHS, using the National Patient Safety Agency model (a national model in use within the NHS), these services will utilise a 5x5 matrix.
- 1.3 Through understanding risks, decision-makers will be better able to evaluate the impact of a decision or action on the achievement of the Councils objectives.
- 1.4 Risk management will not focus upon risk avoidance, but on the identification and management of an acceptable level of risk. It is the Councils aim to proactively identify, understand and manage the risks inherent in our services and associated with our plans, policies and strategies, to support responsible, informed risk taking and as a consequence, aim to improve value for money. The Council will not support reckless risk taking.
- 1.5 The Council will seek to learn from other organisations where appropriate and to keep up to date with the best practice in risk management. Annual reviews of the Strategy and Framework will be undertaken to assess options for further alignment with practices adopted by partners.

2 Risk Management Objectives

- 2.1 Oldham Council is committed to establishing and maintaining a consistent risk management approach throughout its decision making and operational processes.
- 2.2 The Councils risk management objectives are to;
 - Ensure that risks that could prevent the Council achieving its objectives are identified and appropriately managed
 - Ensure that risk management is clearly and consistently applied throughout the Council
 - Raise awareness of the principles and benefits involved in the risk management process
 - Inform policy and operational decisions through the identification of risks and their likely impact
 - Ensure compliance with statutory requirements
 - Ensure safety and wellbeing of staff, Members and customers

- 2.3 These objectives will be achieved by;
 - Maintaining documented risk management procedures
 - Considering risk management implications in reports and decision-making processes.
 - Maintaining strategic and project-based risk registers that identify and rank all significant risks facing the Council, which will assist the Council achieve its objectives through pro-active risk management.

3 Risk Assessment

- 3.1 This will involve consideration of all potential risks facing the Council, with risks broken down into strategic risks, which could impact on the achievement of the Councils objectives, and operational risks which could impact upon service delivery or the achievement of service objectives.
- 3.2 Identified risks will be assessed based on the likelihood of the risk materialising and the impact to the Council should the risk materialise. This will include an assessment of both the inherent risk i.e. the level of risk prior to mitigating actions and controls being applied and the residual risk i.e. the level of risk considering the mitigating actions and controls in place. The Council's specified risk matrix will be used to score each risk.
- 3.3 Where the risk carried more than one risk type e.g. financial and compliance; the primary risk factor will be used to ensure the risk is managed within the Councils risk appetite.

4 Risk Appetite

4.1 The Council will define its risk appetite across designated risk types i.e. economic, reputational, financial, legal, operational, and regulatory. Appropriate mitigating actions and controls will be put in place to ensure that residual risk scores are within the risk appetite for the primary risk type.

5 Risk Registers

- 5.1 The Strategic Risk Register will be approved by the Audit Committee half yearly. Monitoring reports will be provided to the Audit Committee, where required.
- 5.2 Operational Risk Registers will be maintained in individual services and be reviewed as part of the Business Planning Process. Where an operational risk materialises to a level where it becomes a potential strategic risk this will be escalated to the Head of Corporate Governance for consideration.
- 5.3 Risks will be allocated a "Risk Owner" who will be responsible for ensuring that the risk is appropriately managed.

6 Governance

- 6.1 There will be clear accountability for all risks. This will be achieved by:
 - The production of an Annual Governance Statement signed by the Chief Executive and Leader of the Council at the end of each financial year.
 - Making the Council's risks and risk management process open to regular Internal Audit and external inspections (e.g. by the Council's external auditors).

The Audit Committee will be responsible for monitoring the Councils risk management arrangements.

- 6.2 An annual review of this Strategy will be undertaken to ensure it remains current and up to date and reflects current best practice in risk management. Recommendations will be made to Cabinet if it is considered that any improvements or amendments are required.
- 6.3 Members will be briefed to ensure they are aware of significant risks affecting their portfolios and any improvements in controls which are proposed.
- 6.4 Service Directors will update their operational risk registers as part of the Business Planning Process. To ensure that risks are identified then these will be reviewed by the Head of Corporate Governance.
- 6.5 The Internal Audit section will audit the process, to ensure effectiveness across the whole Council.

Appendix 2

RISK MANAGEMENT FRAMEWORK

Oldham Metropolitan Borough Council

November 2019



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1 Introduction

- 1.1 The purpose of the risk management framework is to define how risks and opportunities will be handled within Oldham Council. The framework provides information on roles and responsibilities, processes and procedures. It sets the context for the management of risks and defines how they will be identified, assessed, managed and reviewed.
- 1.2 The Council has a clear framework and process for identifying, assessing, managing/ controlling, reviewing and reporting of its risks. The leadership, roles and responsibilities are defined for managing those risks.
- 1.3 The Council expects all of its employees, officers and Councillors to have a level of understanding of how risks and opportunities could affect the performance of the Council and to acknowledge the management of those risks / opportunities as part of their everyday activities. This could be the management of strategic risks (those risks that need to be considered when making judgements about medium and long terms goals), or operational risks that managers and staff will encounter in the daily course of their work.
- 1.4 The Council has a four-step process for identifying, assessing, managing and controlling and reviewing the risk (See Figure 1, page 5). This is a continuous process and integrates with performance management. The Council has agreed criteria by which to judge the likelihood and impact of risks, effectiveness of control measures and required level of management of residual risks.

2 Leadership roles and responsibilities

2.1 The respective roles and responsibilities within the Council for the Risk Management Framework are set out below:

Cabinet

The Cabinet will:

- Approve the Council's Risk Management Strategy and Framework
- Consider risk management implications when making decisions

Audit Committee

The Audit Committee will:

- Maintain an independent oversight of the risk register and risk management issues
- Undertake reviews of specific areas of risk management activity or initiatives where required
- Review and approve the Council's Annual Governance Statement

Head of Corporate Governance

The Head of Corporate Governance will:

- Be responsible for the oversight of risk management activities of the Council
- Provide the Cabinet and Audit Committee with assurance that the Councils corporate business risks are being actively and appropriately managed
- Review and keep up to date the strategic risk register
- Ensure that the most appropriate and cost-effective measures are adopted to avoid, minimise and control those risks in accordance with 'Best Value' principles
- Encourage the development of contingency plans

Senior Management Team

The Senior Management Team will:

- Oversee the corporate approach to risk management
- Identify, assess and capture improved performance and value for money through risk and opportunity management
- Identify, monitor and manage the Council's strategic risks and opportunities
- Demonstrate commitment to the embedding or risk management across the organisation

Heads of Service

Heads of Service will:

- Identify and assess new risks and opportunities
- Maintain the Council's operational risk registers in relation to their areas of responsibility, identifying and reporting any significant risk management issues affecting their service area.
- Ensure that an effective process is in place to manage risks faced by the service.
- Identify and analyse risks for impact and likelihood and introduce risk control measures
- Identify initiatives that could reduce the impact and/or likelihood of risks occurring.
- Identify initiatives that could increase the likelihood of an opportunity being realised.
- Ensure that risk register entries and controls are accurate and up to date.
- Monitor the progress of planned actions on a quarterly basis to ensure that aims are achieved.

Risk and Insurance Team

The Risk and Insurance Team will:

- Ensure that risk management records and procedures are properly maintained and that clear audit trails exist in order to ensure openness and accountability.
- Provide the Head of Corporate Governance with progress of delivery of risk register timescales and any other risk issues as appropriate.
- Ensure the timely purchase of adequate insurance for the transfer of risk, where appropriate.

All employees

All employees, within their given areas of responsibility and work, will:

- Understand risks and regard their management as part of their everyday activities, including the identification and reporting of risks and opportunities which could affect the Council.
- Assist with risk assessments for their areas of work
- Support and participate in risk management activities.

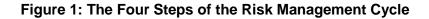
Internal Audit

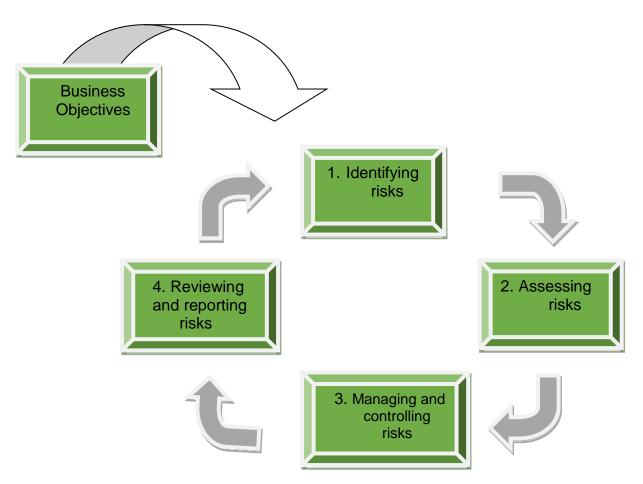
The Internal Audit team will:

- Independently assess the Council's risk management arrangements
- Review the adequacy of procedures by departments to assess, review and respond to risks
- Review the effectiveness of the Councils system of internal control
- Consider the content of the risk registers when preparing the Annual Audit Plan

3 Risk Management Process

The following four step process is fundamental to good risk management. Figure 1 below shows the four steps and the link to business objectives.





Step 1 - Identifying Risks

The working definition of a risk is:

"Risk is something that may have an impact on the achievement of our objectives. This could be an opportunity as well as a threat"

Drivers of risk

The Council faces risks from both internal and external factors. Understanding this helps us to assess the level of influence we may have over the risk.

There are three main parts to a risk – an **event** that has a **consequence** that leads to an **impact** on the Council objectives – and it can be measured by estimating the **likelihood** of the event happening and **impact** it may have on the objectives if it does.

It also helps to think of risk being driven by two basic categories **Strategic** and **Operational**. At Strategic levels, the focus is on identifying the key risks to successful achievements of the Councils overall objectives. Operational risks are the risks (or opportunities) that are most likely to affect the performance and delivery of business services.

Strategic and operational risk are not mutually exclusive, and a risk may escalate from one to another. They can all be driven by either external or internal factors, or a combination of both.

When identifying the risk, both positive and negative effects need to be considered. This will help with risk taking and exploiting opportunities. Insignificant risks can be ignored, significant risks can be planned for and the costs of taking action can be compared with the price to be paid if adverse events occur.

Risk	Consequence
Strategic	Doing the wrong things as an organisation, missing opportunities
Operational	Doing the right things in a wrong way (service delivery failure, targets missed)
Financial	Losing monetary resources or incurring unacceptable liabilities
Reputational The Council's image, loss of public confidence	
Political	Political embarrassment, not delivering local or national policies
Partnerships	The risks/opportunities the Council is exposed to as part of a partnership
Project	The risks/opportunities the Council is exposed to as part of a project
Legal/Regulatory	Claims against the Council, non-compliance
Information	Loss or inaccuracy of data, systems or reported information
Customer/residents	Understanding their needs, delivery of services
Environmental Things outside control, environmental impact	
People	Risks associated with employees, management

It will help to use prompts to identify the areas of risk e.g.

Using the categories above, it is important to consider the things that could prevent or hinder a team from achieving its business objectives. There should not be too much focus on the categories, or what risk fits under which category, they are just a general guide to assist.

The thoughts and ideas then need to be grouped into common themes and developed into the actual risk.

There should be, where possible, three parts to the risks **Event – Consequence – Impact**

This will ensure that focus and action is placed on the event.

Typical risk phrasing could be

Loss of Failure of Failure to Lack of Partnership with Development of

leads to resulting in

For example, Environmental Services may identify the failure of the waste collection service e.g. due to bad weather conditions, as a risk. Developed around event, consequence, impact to;

Failure of the waste collection service due to inclement weather (the event) could lead to unacceptable delays in collecting refuse (the consequence) resulting in public health issue and loss of reputation (the impact).

Step 2 – Assessing Risks

Once a list of risks has been established, the next step is to assess those risks in terms of the likelihood that they will occur and the impact if they do. This provides an inherent risk score that will help identify the most serious risks before any controls have been applied. Decisions can then be made about the significance of those risks and how or whether they should be addressed.

The Council has agreed criteria for the levels of likelihood and impact for risks and criteria for opportunities should in tables 1 and 2 below.

Consideration should be given to each of the identified risks, from Step 1, and using the criteria in the table, assess the risk in terms of **likelihood** that it will occur and **impact** on the Council if it should occur.

There should be a focus on the description when assessing the level of likelihood and impact and the number rating should be used to summarise the descriptive information.

When both the risk likelihood and impact have been assessed, the likelihood score should be multiplied by the impact score – this will give the inherent risk score. This is the score used to identify which risks are the most serious, allowing decisions to be made about the significance of those risks to the Council and how, or whether they should be addressed.

Rating	Score	Indicative Guideline					
		Threat	Opportunity				
Very Likely	4	 Regular occurrence Circumstances frequently encountered 	Favourable outcome is likely to be in short term (within 1 year)				
Likely	3	 Likely to happen at some point in the next 3 years Circumstance occasionally encountered 	Reasonable prospects of favourable outcome in short term (within 1 year)				
Unlikely	2	 Only likely to happen once every 3 or more years Circumstances rarely encountered 	Some chance of favourable outcome in medium term (up to 3 years)				
Remote	1	 Has never happened before Circumstance never encountered 	Little chance of a favourable outcome in short or medium term (up to 3 years)				

Table 1 – Likelihood – Description and definitions

Rating							
-		Threat	Opportunity				
Major	4	Major loss of service for more than 5 days	Major improvement in service delivery				
		• Severe disruption to the Council and its residents affecting the whole council	Income generation/savings >£1,000,000				
		 Major financial loss > £1,000,000 Loss of life, intervention by HSE National news coverage 	Positive national press, national award or recognition				
		Likely successful judicial review or legal challenge of Council decision Major environmental demage	Noticeable widespread environmental improvements				
Serious	3	 Major environmental damage Loss of service for 3 to 5 days Serious disruption, ability to service residents affected across 	Noticeable improvement to residents in service delivery, quality and cost				
		 several service areas of the council Serious financial loss £100,000 to 5000,000 	Income generation/savings >£100,000				
		£999,999 •Extensive/multiple injuries, intervention by HSE •Local adverse news item/	Sustained positive recognition and support from local press				
		 professional press item Likely judicial review or legal challenge of service specific decision 	Noticeable improvement to local environment				
		Serious damage to local environment					
Significant	2	 Loss of service for 1 -3 days Noticeable disruption, some residents would be affected across a service area of the 	Slight improvement in internal business processes. No noticeable change in service delivery or resident service.				
		Council • High financial loss £10,000 - £100,000	Income generation/savings > £10,000				
		Severe injury to an individual / several people	Positive support from local press				
		 Local news/minor professional press item Moderate damage to local environment 	Minor improvement to local environment				
Minor	1	 Brief disruption to service less than 1 day – minor or no loss of resident service Low financial loss > £10,000 	No noticeable improvement to service delivery or internal business processes				
		 Minor / no injuries Minimal news/press impact Affects single team only Minor/ no damage to local environment 	Income generation/ savings up to £10,000 No press coverage Insignificant/ no environmental improvements				

ble 2 – Impact – Description and definitions
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When the inherent risk score has been calculated, the next step is to plot the risks on a risk prioritisation matrix to show the level of the risks and make decisions about the significance of those risks to the Council and how they will be managed.

	Very Likely (4)	4	8	12	16
Likelihood	Likely (3)	3	6	9	12
	Unlikely (2)	2	4	6	8
	Remote (1)	1	2	3	4
		Minor (1)	Significant (2)	Serious (3)	Major (4)
		Impact			

Table 3 Risk Prioritisation Matrix and Risk Rating

Overall Risk Rating					
12-16 High					
6-9	Moderate				
3-4	Low				
1-2 Very Low					

Risks need to be managed within the Council's risk appetite. Whatever the risk score, mitigating controls and actions need to be applied to manage the risk down.

Risks identified will often have risk factors that fall within more than one risk type, in these cases the risk type deemed to present the highest level of risk should be designated as the Primary Risk Type.

NB Where services work with the NHS and need to use the National Patient Safety Agency model (a national model in use within the NHS), then these services will utilise a 5x5 matrix.

Step 3 Managing and Controlling Risks

When all the risk and opportunities have been identified and assed for likelihood and impact, there needs to be agreement on who will own the risk and who the risk/ opportunity will be managed, controlled or exploited.

There are three questions that will help?

- Can the likelihood of occurrence be reduced?
- Can the impact be reduced?
- Can the consequences of the risk be changed?

Tolerating the risk. An organisation that recognises the value of risk management may accept that it might be appropriate to continue with an "at risk" activity because it will open up greater opportunities for the future, or perhaps limited things can be done to mitigate a risk.

These risks must be monitored, and contingency plans should be put in place in case the risks occur.

Treating the risk. This is the most widely used approach. The purpose of treating a risk is to continue with the activity which gives rise to the risk, but to bring the risk to an acceptable level by taking action to control it in some way through either:

- Containment actions, these lessen the likelihood of consequences of a risk and are applied before the risk materialises
- Contingency actions, these are put in action after the risk has happened, thus reducing the impact.

Terminating the risk. Doing things differently and therefore removing the risk. This is particularly important in terms of project risk.

Transferring the risk. Sometimes a risk can be transferred to a third party, for example via insurance or by arranging for a third party to take the risk in another way.

Taking the opportunity. This is not an alternative to any of the above, rather it is an option to be considered whenever tolerating, treating, or transferring a risk.

The cost of risk management and control of the risk should be proportionate to the risk that is being addressed. There is a need to;

- Identify existing controls and actions plans that are in place. Develop new controls and action plans where none exist.
- Identify and agree who will own the risk and who will manage the risks. The risk owner should have authority to implement and manage the controls.

When the existing controls and action plans have been identified, the risk can be re-assessed for likelihood and impact.

Step 4 Recording and Reporting Risks

Risks should be recorded on a risk register. The risk register template is appended at Appendix A to this framework.

The Council maintains two levels of risk register, the Strategic Risk Register which is monitored by Internal Audit and presented to the Audit Committee and Operational Risk Registers which are maintained at a service level.

Circumstances and business priorities can, and do change, and therefore risks, opportunities and their circumstance need to be regularly reviewed. Some risks will move down the priority rating, some may leave, and new risks will be identified.

Conclusion

The risk management framework (the four steps of risk management) is a continuous cycle designed not only to identify, assess, manage and review risks, but also to support business objectives. The implementation of this framework will support the Council in recognising risk and minimising its impact through all areas of service provision.

APPENDIX A

Risk	Category of Risk	Risk Owner	Implications	Likelihood	Impact	Score	Mitigating Actions as at (input date)	Revised Likelihood	Revised Impact	Revised Score	Review Date
Number the risk eg1 Describe the Risk	Eg Financial	Eg SMT	Why the risk has been identified	Pick a score from 1,2,3,4	Pick a score from 1,2,3,4	Times the likelihood by the Impact to obtain the score	Input Risk Mitigation Actions	Revised Likelihood Score 1,2,3,4	Revised Impact score 1,2,3,4	New Score	Date Risk Reviewed