

## Risk Responses - Responses to risk can be divided into four response categories:

- Transfer:** For some risks the best response may be to transfer them. This might be done by conventional insurance, or it might be done by paying a third party to take the risk in another way. This option is particularly good for mitigating financial risks of risks to assets.
- Tolerate:** The exposure may be tolerable without any further action being taken. Even if it is not tolerable, ability to do anything about some risks may be limited, or the cost of taking any action may be disproportionate to the potential benefit gained. In these cases the response may be toleration. This option may be supplemented by contingency planning for handling the impacts that will arise if the risk is realised.
- Treat:** By far the greater number of risks will belong to this category. The purpose of treatment is not necessarily to obviate the risk, but more likely to take control action to contain the risk to an acceptable level. Such controls can be **corrective, detective, directive or preventive** (see glossary)
- Terminate:** Some risks will only be treatable, or containable to acceptable levels, by terminating the activity. It should be noted that the option of termination of activities may be severely limited in the public sector when compared to the private sector; a number of activities are conducted in the public sector because the associated risks are so great that there is no other way in which the output or outcome, which is required for the public benefit, can be achieved.
- Take the Opportunity:** This option is not an alternative to those above; rather it is an option which should be considered whenever tolerating, transferring or treating a risk. There are two aspects to this. The first is whether or not at the same time as mitigating threats, an opportunity arises to exploit a positive impact. The second is whether or not circumstances arise which, whilst not generating threats, offer positive opportunities – for example a drop in the cost of goods or services might free up resources for redeployment.

These risks need to be assessed for Probability and Impact using the following scale: Green: low risk, Amber: medium risk and Red: High Risk.

### Probability

| Level | Description    | Detailed Description  |
|-------|----------------|---|
| 5     | Almost Certain | Expected to occur in most circumstances. Greater than 95% probability of occurring. |
| 4     | Probable       | Will probably occur in most circumstances. 60% - 95% probability of occurring.      |
| 3     | Possible       | Might occur at some time. 20% - 60% probability of occurring.                       |
| 2     | Unlikely       | Unlikely to occur. Between 10% and 20% probability of occurring.                    |
| 1     | Rare           | May occur in exceptional circumstances. Less than 10% probability of occurring.     |

| Colour Key Code     |
|---------------------|
| Low Risk (1 & 2)    |
| Medium Risk (3 & 4) |
| High Risk (5)       |

### Impact

| Level | Description        | Financial   | Time  | Reputational  |
|-------|--------------------|---|---|---|
| 5     | Highly Significant | Huge financial loss, >10% of project cost.        | Major disruption to the school and/or services or major failure to deliver vital services.  | Serious major reputational damage inflicted, external intervention certain. |
| 4     | Major              | Major financial loss, 5-10% of project cost.      | Major disruption to the school and/or services or medium failure to deliver vital services. | Major reputational damage inflicted, external intervention likely.          |
| 3     | Moderate           | Medium financial loss, 2-5% of project cost.      | Disruption to the school and/or services or short failure to deliver vital services.        | Reputational damage inflicted, external intervention possible.              |
| 2     | Minor              | Minor financial loss, 1-2% of project cost.       | Little disruption to the school and/or services.  | Could affect reputation.  |
| 1     | Insignificant      | Little or no financial loss, >1% of project cost. | Inconvenience to the school and/or services.  | Potential reputation issue.   |

## STAFF & STUDENT MATTERS COMMITTEE RISKS

(Last reviewed by Committee: March 2024)

| Risk No. | Type & Category of Risk                  | Sub-category                  | Specific   | Probability of occurring (5=high, 1=low) | Impact if occurs (5=high, 1=low) | Response         | Control procedures to address risk  | Person(s) responsible for action            |
|----------|--|-------------------------------|--|--|----------------------------------|------------------|---|---|
| S1       | Compliance – 1 Employer legislation risk | GDPR                          | Legislative requirements re personal data are not known or fulfilled | 3  | 4                                | Treat            | <ul style="list-style-type: none"> <li>Subscribe to professional DPO service for information on current requirements</li> <li>Annual audit conducted by Essex Information Governance</li> <li>Annual staff training with certification to be completed</li> </ul> | Business Manager                            |
| S2       | Compliance – 1 Employee legislation risk | Employment laws risk          | Risk that legislative requirements are not known or complied with    | 1  | 4                                | Treat / Transfer | Subscribe to Juniper HR Services to provide advice and support as necessary. They are aware of the latest development in employment laws.   | Headteacher / Business Manager              |
| S3       | Compliance – 1 Employee legislation risk | Employment laws risk          | Discrimination risk  | 2  | 4                                | Treat / Transfer | Grievance procedure in place. Juniper HR and legal services support as required.  | Headteacher / Business Manager              |
| S4       | Compliance – 1 Employee legislation risk | Employment laws risk          | Data Protection risk   | 1  | 4                                | Treat / Transfer | School Data Protection Policy. Staff to be briefed on arrival and annually on DP.   | Business Manager / IT Manager               |
| S5       | Compliance – 1 Employee legislation risk | Employment laws risk          | Human Rights risk  | 1  | 4                                | Treat / Transfer | Juniper HR and legal services support available   | Headteacher / Business Manager              |
| S6       | Compliance – 1 Employee legislation risk | Employment laws risk          | Equal opportunities risk   | 2  | 5                                | Treat / Transfer | Juniper HR and legal services support available. Equal Ops policy in place. Academy has Disability Equality Scheme.   | Headteacher / Deputy Head (Pastoral)        |
| S7       | Compliance – 1 Employee legislation risk | Employment laws risk          | Contract risk  | 1  | 4                                | Treat / Transfer | Juniper HR Services to provide advice and support as necessary. They also provide a set of contract proforma for the different posts.   | Headteacher / Business Manager              |
| S8       | Compliance – 1 Employee legislation risk | Pension risk                  | Risk that legislative requirements are not known or complied with    | 1  | 4                                | Treat / Transfer | Juniper HR Services to provide advice and support as necessary. Teachers' Pension and Local Government Pension scheme are well established bodies. FRS17 Audit.   | Headteacher / Business Manager              |
| S9       | Compliance – 7 Welfare compliance risk   | Disability risk               | Risk that legislative requirements are not known or complied with    | 1  | 4                                | Treat / Transfer | New building constructed under DDA compliance.  | Headteacher/ Business Manager/ Site Manager |
| S10      | Compliance – 7 Welfare compliance risk   | Child Protection Act risk     | Risk that legislative requirements are not known or complied with    | 1  | 4                                | Treat / Transfer | Full Staff training for aspects of CP. CP policy in place.  | Headteacher / Deputy Head (Pastoral)        |
| S11      | Compliance – 8 Sector compliance risk    | Mental Health compliance risk | Risk that legislative requirements are not known or complied with    | 2  | 4                                | Treat / Transfer | A compliance checklist should be obtained to ensure full scope compliance.  | Deputy Head (Pastoral) & SEN Coordinator    |
| S12      | Operational – 2 Human resources risk     | Management risk               | SLT capability / experience of charity sector risk                   | 2  | 4                                | Treat            | Clear job description and personal specifications identified prior to recruitment. Training/induction programme for new members of SLT. Training also made available to existing SLT members.   | Trustees / Headteacher                      |
| S13      | Operational – 2 Human resources risk     | Management risk               | Integrity risk   | 1  | 4                                | Treat            | Training/recruitment procedures.  | Trustees / Headteacher/ SLT                 |
| S14      | Operational – 2 Human resources risk     | Management risk               | Key person loss/succession risk below SLT Level                      | 2  | 4                                | Treat            | Partial shadowing within each department. Need to include in DRP.   | Headteacher / SLT                           |

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|----------|--------------------------------------|-----------------|---|--|----------------------------------|----------|--|--|
| S15      | Operational – 2 Human resources risk | Management risk | Entrepreneurial risk - risk that management is too entrepreneurial. Risk that activities of the charity could be outside its objects. | 1  | 5                                | Treat    | See "1 Strategic Risks, Charitable Objects Risks"  | Trustees/ Headteacher / SLT                            |
| S16      | Operational – 2 Human resources risk | Staff risk      | Low morale risk   | 2  | 3                                | Treat    | Weekly staff briefing, termly staff meeting, Staff Voice, line manager meetings, performance management, staff events. | Headteacher / SLT                                      |
| S17      | Operational – 2 Human resources risk | Staff risk      | Retention risk  | 2  | 2                                | Treat    | Performance management and line management meetings.   | Headteacher / SLT                                      |
| S18      | Operational – 2 Human resources risk | Staff risk      | Recruitment risk (risk of recruiting the wrong person)  | 1  | 3                                | Treat    | Procedures for interviews and referral of candidates; reference and DBS checks   | Trustees / Headteacher / SLT                           |
| S19      | Operational – 2 Human resources risk | Staff risk      | Recruitment risk (recruiting someone unsuitable to work with children)  | 1  | 5                                | Treat    | DBS checks in place to ensure compliance/Barred List checks and overseas checks where applicable                       | Headteacher / Head's PA                                |
| S20      | Operational – 2 Human resources risk | Staff risk      | Appraisal /assessment risk  | 2  | 2                                | Treat    | Annual assessment of staff performance and appraisals  | Headteacher / SLT / Heads of Department                |
| S21      | Operational – 2 Human resources risk | Staff risk      | Staff matters not referred to HR professionals, may lead to tribunals   | 2  | 2                                | Treat    | The Academy has bought into Juniper HR Services. They should be consulted on employment related matters.               | Headteacher / Business Manager                         |
| S22      | Operational – 2 Human resources risk | Staff risk      | Recruitment risk (unable to recruit teachers for certain subjects)  | 2  | 3/4                              | Treat    | Advertise in all major teacher recruitment websites and publications. Use temporary staff as interim measure.          | Headteacher/SLT  |
| S23      | Operational – 2 Human resources risk | Staff risk      | Training risk   | 2  | 2                                | Treat    | Continued Staff Development. INSET sessions and training budget in place.  | Headteacher / Deputy Head (Academic)/ Business Manager |
| S24      | Operational – 2 Human resources risk | Staff risk      | Technical capability risk   | 2  | 2                                | Treat    | Training/recruitment procedures and Continuing professional development budget   | Headteacher / Deputy Head (Academic)/ Business Manager |
| S25      | Operational – 2 Human resources risk | Volunteer risk  | Excessive reliance on volunteers  | 1  | 2                                | Tolerate | No use of volunteers to date   | Headteacher / SLT                                      |
| S26      | Operational – 2 Human resources risk | Volunteer risk  | Lack of control over volunteers   | 1  | 2                                | Tolerate | If used - volunteers would work with paid staff.   | Headteacher / SLT                                      |
| S27      | Operational – 2 Human resources risk | Volunteer risk  | Training risk   | 1  | 2                                | Tolerate | If used - volunteers would work with paid staff.   | Headteacher / SLT                                      |
| S28      | Operational – 2 Human resources risk | Volunteer risk  | Risk that volunteers are not of appropriate quality/vetted/subject to police checks   | 1  | 4                                | Treat    | Volunteers would be subject to DBS checks.   | Headteacher's PA                                       |