

RISK #5	Risk Owner and Risk Description	Inherent Risk Rating	What are we already doing?	Key Risk Indicators			Status of Risk		
							Residual Risk Rating	Risk Appetite	What can we do to reach appetite / strengthen our position?
LEGISLATIVE NON-COMPLIANCE	GM Growth & Regulation								
	The potential for Council to fall short of meeting its legal obligations, leading to fines, penalties, damages, personal liability, or even imprisonment. These risks arise from various sources, including misunderstandings of legislative clauses or regulations, inadequate internal controls, or failures in monitoring and enforcement.	Very High	<ul style="list-style-type: none"> • Knowledge of well qualified, professional staff • Annual compliance attestation using a spreadsheet tool developed by Legal Counsel • Specific delegations in place for various decision-making actions • Horizon scanning for change via Legal Counsel and via established relationships with external legal providers, professional memberships and sector knowledge forums such as Taituara • Te Ohu Takatū Anamata (Future Ready Group) reviews impact of proposed legislative changes assists with submissions, etc • Identified changes incorporated into SOPs, policies, strategies, plans and processes • Legal issues arising or already actioned reported to E Team on a bi-monthly schedule • Training and development of our staff • Established performance measures monitor compliance with some of our key legislative requirements • Internal and external reporting such as NMS, consent monitoring, etc 	Annual compliance attestation outcomes	Issues identified from various compliance audits - Building Act, Waters, etc	Number of legal claims made against Council, adverse findings by the Ombudsman	High	Low	<p>Council is currently operating outside of assessed appetite.</p> <p>Achieving appetite is challenging given the wide ambit of legislation that Council is subject to and the reliance on key staff to ensure compliance. It is however considered achievable over time if the following mitigations are successfully introduced:</p> <ul style="list-style-type: none"> • Investigation into and possible introduction of a more developed, systemised tool for comprehensively identifying key legislative requirements (including new legislative changes) and running and reporting on an annual attestation of whether or not they've been complied with. One possible tool in that regard that is well-utilised in NZ local government is 'Comply With'. A tool like this would draw on a fuller and wider sector knowledge-base than what could be built in-house. • Continued education programmes on the importance of legislative compliance. These could include, for example, education on privacy requirements and the consequences of these being breached. Another example where general staff education would be valuable is in the LGOIMA space and the requirements for openness and transparency that this drives.
				Negative media attention to specific breach/incident			Tolerance		Outside of Appetite