

Annex C

**BUSINESS RISK MODEL
DELIVERY/QUALITY FAILURE**

RISK AREA	PROBABILITY OF RISK	INCREASING OR DECREASING	EFFECT/ CONSEQUENCE OF RISK	CONTROL MEASURES AND MONITORING
Lack of robust, consistent enforcement processes	H	Neither	<p><i>Inconsistency in operational decision making</i> leading to:</p> <ul style="list-style-type: none"> • Adverse Court judgement in respect of operational decision or civil claim • 'Obiter dicta' in prosecution hearings at the higher courts, or negative outcomes of judicial review. • Findings of maladministration by the Parliamentary ombudsman, against HSE. <p><i>Successful challenges to our interpretation of open government code of practice on access to Government information or Data Protection Act (DPA).</i></p> <p><i>Claims of unfair competitive disadvantage.</i></p> <p><i>Civil claims associated with prosecution costs</i></p>	<p>Quality Framework - CA2/HSE Enforcement policy statement and supporting documents and the project to review and test fitness for purpose of these.</p> <p>Enforcement Handbooks: England & Wales and Scotland</p> <p>Operational Minutes (OMs) and Operational Circulars (OCs)</p> <p>OD Policies and Procedures including management involvement in enforcement decisions, Access to Solicitors Office, use of Solicitor Agents, Prosecution Pilot</p> <p>Training Programmes for inspectors e.g. NVQ for Regulators, Diploma, legal training</p> <p>General Administration Procedures (GAPs) particularly GAPs 1, 34, 37</p>

RISK AREA	PROBABILITY OF RISK	INCREASING OR DECREASING	EFFECT/ CONSEQUENCE OF RISK	CONTROL MEASURES AND MONITORING
Failure to respond appropriately to major incidents / civil emergencies	H	Increasing	<p><i>Failure to protect the public from harm.</i></p> <p><i>Loss of public confidence in HSE</i></p>	<p>HSE Major Incident response and investigation policy and procedures Including major accident investigation unit</p> <p>OD Policies and Procedures</p> <p>MOUs with other Authorities</p> <p>Establishment of RAIB</p> <p>Development of HSE's response to civil emergencies led by SCS member and linked to Whitehall Civil Contingencies agenda (N.B. this is also relevant to Risk 6 – Inability to respond quickly)</p>
Failure to achieve key operational outputs/outcomes	H		<p><i>Failure to deliver reductions in harm set out in HSC/E strategic plan</i></p> <p><i>Loss of HSE credibility with HSC, sponsoring departments and the Treasury</i></p> <p><i>Reduced ability to attract appropriate resource in future</i></p>	<p>PES Bidding process</p> <p>Strategic Planning process</p> <p>Document A: resource allocation across ODs (PEFD lead)</p> <p>Project Management processes. The risks for macro level objectives eg RHS, or major structural changes eg review of RI need to be identified upfront, on a case by case basis. All HSE projects to include a risk management plan. Major projects will fall within OGC Gateway procedures.</p>

RISK AREA	PROBABILITY OF RISK	INCREASING OR DECREASING	EFFECT/ CONSEQUENCE OF RISK	CONTROL MEASURES AND MONITORING
<p>Poor 'customer' relationship management, on operational issues</p>	<p>M</p>	<p>?</p>	<p>Loss of credibility and public support i.e. of HSE's customers- those involved or affected by enforcement processes: employers, self-employed, employees, Safety Reps, members of the public.</p>	<p>Operational Minutes (OMs) and Operational Circulars (OCs)</p> <p>General Administration Procedures (GAPs) particularly GAPs.</p> <p>Training of Inspectors e.g. Dealing with the bereaved.</p>