

Risk Management Policy LLT



LYDIATE LEARNING TRUST

ENGAGE, ENABLE, EMPOWER

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1. Introduction

- 1.1. This document sets out for Lydiate Learning Trust ("the Trust") the Risk Management Policy ("the Policy"). Reference to the Trust includes its member organisations for the purpose of the role, responsibility and procedures contained herein, except where otherwise stated.
- 1.2. The purpose of this Policy is to ensure that the Trust maintains and develops a robust approach to risk and risk management in terms of process and procedures. The Trust considers risk management to be fundamental to good management practice and a significant aspect of corporate governance. Effective management of risk will provide an essential contribution towards the achievement of the Trust's strategic objectives and associated business priorities. It is essential that these systems operate properly to meet the requirements of our funding agreement with the Department of Education (DfE).
- 1.3. The Trust must comply with the principles of risk management outlined in the Academies Trust Handbook published by the DfE. This Policy expands on that and provides detailed information on the Trust's risk policy and procedures.
- 1.4. The Trust considers risk and risk management as an integral part of decision making and routine management and must be incorporated within strategic and operational planning processes, at all levels, across the Trust.
- 1.5. Risk assessments must be conducted on new ventures and activities, including projects, processes, systems and commercial activities to ensure that these are aligned with the Trust's objectives and goals. Any risks or opportunities arising from these assessments will be identified, analysed and reported to the appropriate management level. The Trust will centrally maintain a strategic risk register. All Academies within the Trust will maintain operational risk registers. The Trust is committed to ensuring that all staff, particularly Head Teachers are provided with adequate guidance and training on the principles of risk management and their responsibilities to implement risk management effectively.
- 1.6. The Trust will regularly review and monitor the implementation and effectiveness of the risk management process, including the development of an appropriate risk management culture across the Trust.

2. Purpose of the Policy

2.1. Taking risk management seriously is a priority for the Trust. This Risk Management Policy forms part of the Trust's internal control and corporate governance arrangements. It is designed to provide assurance that the Trust has adopted best practice in this area, as advocated by the Turnbull Report on internal control of companies and in other parts of the education and voluntary sectors.

Risk is defined as, "Any event happening that may have an impact on the achievement of business objectives". Such events can be either actual threats to the provision of existing programmes and

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projects, or opportunities missed.

- 2.2. The purpose of this policy and procedure is to outline the risk management strategy of the Trust. It sets a framework for the management of risks and identifies roles and responsibilities of staff in the management of those risks.
- 2.3. The Trust sets out strategic and business objectives and risk management is the discipline by which risks that threaten the achievement of those objectives are identified and managed as part of the planning process.
- 2.4. "Risk" is used in this policy and procedure to describe the uncertainty surrounding events and their outcomes that might have a significant effect, either enhancing or inhibiting:
 - Operational performance;
 - · Achievement of aims and objectives; or
 - Meeting the expectations of stakeholders.
- 2.5. "Major risks" are those risks which have a high likelihood of occurring and would, if they occurred, have a severe impact on operational performance, achievement of aims and objectives, or could damage the reputation of the Trust or its constituent Academies.

3. Aims and Underlying Approach to Risk Management

3.1. This policy and procedure applies to the risk management strategy for the Trust, as a whole, and the Academies which go to makeup the Trust.

Risk Management is the culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects. It is a process that involves the systematic application of management policies, procedures and practices to the tasks of establishing the context, identifying, analysing, evaluating, controlling, monitoring and communicating risk.

The process and procedures of how Trust manages and controls risk across the Trust are covered in section 8 below.

- 3.2. The Trust has a risk management strategy which aims to:
 - Identify and evaluate risks which could prevent the Trust from achieving one or more of its strategic aims and objectives and delivery targets or make their achievement substantially more difficult;
 - Assess the likelihood of such risks occurring and the potential impact of such occurrences with particular reference to the areas of Academy, Reputation, Strategy and Business, Finance

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and Treasury and planning/operations; and

• Enable decisions to be taken on how much risk to accept, the actions/controls applied to avoid or mitigate the likelihood of such circumstances arising, to transfer risk or insure against the consequences and assign responsibility for implementation.

In practice there are a multitude of risks within the Trust, and it is not possible in a simple statement, or measure, to set out the Trust's appetite for the level of risk to take. This is something that needs to be considered on a risk-by-risk basis, taking into account the context of the risk.

Once risks have been assessed, evaluated, and ranked, the Trust will put in place appropriate plans to manage them. These may include preventative controls, mitigation processes and contingency plans, if risks materialise. The approach taken will be a function of the Trust's risk appetite and risk capacity:

- Risk appetite the amount of risk the Trust is willing to accept in pursuit of its objectives.
- Risk capacity the resources (financial, human etc) available within the Trust to manage risk.

Selecting the most appropriate risk treatment options involves balancing the potential benefits from the achievement of objectives against the costs, efforts or disadvantages of proposed actions.

The Trust will determine the most appropriate method of dealing with each risk using the four Ts Process:

- Tolerate risk (accept/retain) where no action is taken to mitigate or reduce a risk. This may be because the cost of instituting risk reduction or mitigation activity is not cost-effective, or the risks of impact are at so low that they are deemed acceptable to the Trust. Even when these risks are tolerated, they should be monitored because future changes may make it no longer tolerable.
- Transfer risk (insurance/contract) Transferring risk can be achieved through the use of various forms of insurance, or the payment to third parties who are prepared to take the risk on behalf of the Trust.
- Treat risk (control/reduce) controlling risk through actions that reduce the likelihood of the risk occurring or minimize its impact prior to its occurrence. The majority of risks will be managed in this way.
- Terminate risk (avoid/eliminate) some risks will only be treatable, or containable to acceptable levels by terminating the activity.

4. Key Principles

4.1. The Trust believes that an effective risk management strategy is a matter of good organisational practice, lying at the heart of good management and good governance. The risks to which the Trust is exposed to reflect the dynamic and changing environment in which

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it operates and the risk management strategy reflects this.

- 4.2. The following key principles outline the Trust's approach to risk management and internal control in pursuing the aims set out below:
 - The Trust has responsibility for ensuring all systems and processes appertaining to risk management are in place and reviewed regularly.
 - The Trust carries out this responsibility through its Board of Directors:
 - An open and receptive approach to solving risk problems is adopted by the Trust.
 - Key risk indicators are identified and closely monitored on a regular basis at both the Trust and at an individual Academy level. The Trust's wider risk register is updated on a regular basis.
 - The Board of Directors review The Trust's risk register and action plan on a regular basis.
 - The Trust, through its Executive team, are responsible for the operational management of this policy and in giving assurance to the Board on its compliance.
 - The Trust makes conservative and prudent recognition and disclosure of the financial and non-financial implications of risks.
 - Resources are assigned to the management of risks in such a way to optimise value for money.
 - The Trust uses a weighted scoring for all identified risks, early warning indicators, milestones on actions and details sources of assurance over the controls in place, relevant to each identified risk; and
 - All staff within the Trust are encouraged to be involved in the risk management process by the reporting of risks through the risk template for both the Trust as a whole and Academy specific risks. The Trust aims to ensure that its risk management policy and strategy are fully embedded across the Trust.

5. Rationale

- 5.1. The Trust Board has a responsibility under law to state in its annual accounts that the major risks to which it is exposed have been reviewed and systems have been established to mitigate those risks.
- 5.2. Properly controlled risk taking is necessary to the success of the organisation to build capacity for the future and deliver against the strategic goals set out in the development plans of the Trust's and its constituent Academies.

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6. Policy

6.1. The Trust's Policy is to adopt best practice in the identification, evaluation, and effective control of risks to ensure they are managed to an acceptable level. It is acknowledged that some risks will always exist and will never be eliminated. The specific procedures for the implementation of this policy and the personnel responsible are detailed below.

7. Responsibilities

Trust Board

- 7.1. The Trust Board is responsible for making a statement on risk management within the annual report and financial statements of the Trust. To be able to make the required statement with reasonable confidence Board Members should:
 - Ensure that the identification, assessment and mitigation of risk is linked to the achievement of the Trust's vision and strategic goals as set out in its development plan;
 - Ensure that the process covers all areas of risk, e.g. governance & management, operational, financial, reputational and external factors and is focused primarily on major risks;
 - Ensure that the process produces a risk exposure profile that reflects collective views as to levels of acceptable risk;
 - Review on a regular basis and consider the principal results of risk identification, evaluation, and management; and
 - Ensure that risk management is ongoing and embedded in the management and operation procedure (including the delivery of appropriate assurances, skills, knowledge, and training).
- 7.2. The Trust Board delegates operation responsibility for the development and management of this policy to the Finance and Resources Committee including developing and setting of 'Risk Appetite' at both Trust and Academy level.
- 7.3. The Trust Board is responsible for overseeing the development and implementation of the risk management strategy and the categorisation of academy risk type.

Academy Governance Committees of each Academy within the Trust (AGC)

7.4. The AGC is responsible for managing, monitoring, and reporting risks within each individual

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Academy. In order to deliver this with reasonable confidence the AGC should:

- Ensure that the identification, assessment and mitigation of risk is linked to the achievement of the Trust's vision and strategic goals as set out in its development plan;
- Ensure that the process covers all areas of risk, e.g. Student Outcomes, Student Welfare, Student attendance, Safeguarding, Extra and extended Curricular activities, reputational and external factors and is focused primarily on major risks;
- Ensure that the process produces a risk exposure profile that reflects collective views as to levels of acceptable risk;
- Review academy risks and consider the principal results of risk identification, evaluation, and management; and
- Ensure that the risk management is ongoing and embedded in the management and operation procedure.

Executive Team (ET)

- 7.5. The Executive Director of Finance & Operations (DoFO), through the Executive Team (ET), has responsibility for ensuring that the risk management policy is implemented and for coordinating risk management activity across the Trust, including liaison with the Headteacher of the Trust's constituent Academies. The DoFO will provide a regular report on risk management to the Trust Board.
- 7.6. The DoFO and ET are responsible for ensuring that they take personal responsibility for championing risk assessment across the Trust and its constituent Academies and for reinforcing risk-aware attitudes and responses.
- 7.7. Their role is to provide objective assurance to the Trust Board that:
 - Risks are being correctly identified and evaluated;
 - Key risks are being managed appropriately including the effectiveness of controls and other responses to them;
 - The risk management framework and internal control framework is operating effectively; and Management is properly reporting the status of key risks and controls.

Headteacher within the Trust Academies

7.8. The Headteacher, through their respective leadership teams, has responsibility for ensuring

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that the risk management policy is implemented and for coordinating risk management activity across the Academy including liaison with the DoFO. The Headteacher will provide a regular report on risk management to their respective AGC.

- 7.9. The Headteacher and their respective leadership teams are responsible for ensuring that they take personal responsibility for championing risk assessment across their Academy and for reinforcing risk-aware attitudes and responses.
- 7.10. Their role is to provide objective assurance to their AGC and the DoFO that:
 - Risks are being correctly identified and evaluated.
 - Key risks are being managed appropriately including the effectiveness of controls and other responses to them; and Management is properly reporting the status of key risks and controls.

8. Process and Procedure

- 8.1. The Trust's goal is to be "in control" which means that all risks have been effectively identified, assessed and that controls have been put in place to reduce the risk to within the Trust's risk appetite. Once identified, the Trust will then ensure that risks continue to be appropriately managed and reported to enable effective decision making to be made.
- 8.2. The Trust has developed a risk management strategy built around a comprehensive risk management and controls assurance framework/ process as detailed in the 4 step process below:
 - 1. Risk Identification;
 - 2. Risk Assessment;
 - 3. Risk Management and Assurance; and
 - 4. Risk Monitoring, Evaluation and Review.



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Risk Identification

- 8.3. The process of risk identification will involve Trust Board Members and Executive Team along with Governors, Headteachers and management at individual Academy's.
- 8.4. Risk identification is an ongoing process, it is recognised that the identification and proactive management of risk in the early stages of an initiative is far more cost effective than introducing retrospective interventions at a later date.
- 8.5. When identifying risks consideration will be given to the following factors:
 - The Trust's / Academy vision, beliefs, values and strategic goals;
 - The nature and scale of the Trust and the individual Academy's activities, both current and planned;
 - External factors that may affect the organisation such as legislation and regulation, and the Trust's / Academy's reputation with its key stakeholders; and
 - The operating structure, e.g. functions.
- 8.6. Risks will be identified and grouped into two levels and into five standard generic categories which will reflect the size and scale of the Trust's activities and includes:

Trust Level - Corporate and Strategic Risks

Academy/ Operational Level - Operational Risks

Risk Categories

- 1. Academy
- 2. Brand/ Values or Reputational
- 3. Strategic and Business
- 4. Finance and Treasury
- 5. Regulation and Compliance

Examples of risks that fall into the above generic categories are shown in Appendix 1

8.7. The 'Risk Register' is a repository for all identified risks within the Trust and within each individual Academy (See section 9 below).

Risk Assessment

8.8. Each identified risk will be assessed to determine the likelihood of the risk occurring and the potential consequence or impact of its occurrence for the Trust and (or) the individual

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Academy.

- 8.9. The net risk change over the year is highlighted by use of RAG rating.
 - Increasing risk;
 - No or minimal change; and
 - Reducing risk.
- 8.10. Risk assessments allows the Trust to identify and employ the appropriate means and resources to manage the risk. It is calculated by considering the probability/ likelihood of the risk materialising against the impact should it materialise (using the 5 by 5 risk assessment matrix).
- 8.11. The following scoring system will be applied to each risk, whereby the risk score represents the product of the impact score and the likelihood score.

				F	isk Scoring		
				Trust Report	ing: Board Re	ed / Amber	
	Critical - Reached risk limit, immediately compromises the ability / licence to operate. Reportable to Board, Appropriate Body	5	5A (15)	5B (19)	5C (22)	5D (24)	5E (25)
I m	Severe - Approaching risk limit, could compromise licence to operate if not addressed. Reportable to Board, Appropriate Body	4	4A (9)	4B (14)	4C (18)	4D (21)	4E (23
P a c	Major - Outside of appetite but unlikley to compromise the licence to operate. Reportable to Board	3	3A (7)	3B (11)	3C (13)	3D (17)	3E (20)
	Moderate - Some elements outside of appetite but not entirely. Reportable to Board	2	2A (5)	2B (6)	2C (10)	2D (12)	2E (16)
	Minor - Within risk appetite, Managed locally - AGC / Exec	1	1A (1)	1B (2)	1C (3)	1D (4)	1E (8)
			A	В	C	D	E
			Very Unlikely	Unlikely	Possible	Probable	Imminent
			<10% in year	10-30% in year	31-50% in year	51-75% in year	>75% in year
			May occur within next 10 years	May occure within next 5 years	May occure within next 3 years	May occur within the year	About to happen
				Probab	ility / Likelih	ood	

Critical
Severe
Major
Moderate
Minor

Risk Event

Key: *Impact (I)* = Severity of impact if the risk should crystallise. *Likelihood (L)* = Likelihood that the identified risk might crystallise

8.12. Guidance on the definitions of likelihood and impact on occurrence on risks is highlighted in **Appendix 2 attached**.

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- 8.13. Each risk will be assessed to determine its "gross" or inherent risk score the higher the score the more urgent the need for the risk to be mitigated and its "net" or residual risk score, taking into account risk mitigation factors (see below), which either lessen the likelihood of the risk occurring or lessen its impact if it does.
- 8.14. 'Management' will use the net risk scores to rank those risks that they regard as most serious the "major risks".
- 8.15. The Trust Board will need to form a view as to the acceptability of the residual risk that remains after mitigation.
- 8.16. The level of risk tolerance may vary depending on the nature of each risk or activity. The Trust Board will also consider the overall risk profile, i.e. the balance between higher and lower risk activities. The boundaries and limits will be communicated to management to ensure a clear understanding of the risks that can be accepted and those considered unacceptable. This may include identifying "target" risk scores for certain major risks, to be achieved after actions to further mitigate the risks.

Risk Management and Assurance

- 8.17. For each of the major risks identified, the Trust Board will need to ensure that appropriate action is taken to mitigate these to an acceptable level. They will also wish to gain assurance for those risks showing significant reductions in the gross to net risk score. This will involve:
 - Establishing the effectiveness of the key factors mitigating or controlling the inherent risk;
 - Identifying further actions and resources required to achieve target risk scores;
 - Taking responsibility for monitoring the risk and sources of assurance; and
 - The DoFO will provide an annual report on risk management to the Trust Board.
- 8.18. The AGC of each Academy within the Trust is responsible for managing, monitoring and reporting risks within each individual Academy,
- 8.19. The DoFO supported by the ET is responsible for ensuring the risk management policy is implemented and for coordinating risk management activity across the Trust, including liaison with the Headteacher of the Trust's constituent Academies.

Risk Monitoring, Evaluation and Review

8.20. Risk monitoring and reporting aims to provide the Trust Board, AGC's and ET with an accurate,

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timely and clear account of the current and projected risk exposure. This in turn assists management when making informed strategic and operational decisions to ensure the Trust continues to operate in line with our values, ethics and performance objectives.

- 8.21. Risk reporting occurs at a number of levels to ensure the availability of timely/ relevant information for a variety of stakeholders to support informed decision making on an ongoing basis.
- 8.22. The Trust Board will utilise the role of the internal audit function to provide assurance of compliance with this policy.
- 8.23. This policy will be reviewed when there are changes in the law, or in accordance with the schedule drawn up by the DoFO and ET and agreed by the Trust Board.

9. Risk Register

- 9.1. The results of the approach to risk identification, evaluation and management described above will be codified through the use of a Trust-wide risk register.
- 9.2. The Trust Board has adopted a standard (generic) risk register template across the Trust, highlighted in **Appendix 3**
- 9.3. The risk register will be updated as follows:
 - Risks will be identified and prioritised at both Trust and Academy level;
 - Risks will be reviewed in accordance with the agreed timetable for review of the vision, together with the Trust Board / Individual Academy development plan and budget;
 - Significant new opportunities and unforeseen risks will be assessed as and when they arise; and
 - Emergency/ Urgent risks may be documented separately for more regular review.
- 9.4. The registers as appropriate will be circulated to all relevant parties so that they are aware of the risk management policy and the controls in place to limit exposure to risk.

10. References

10.1. Charity Commission guidance on Charities and Risk Management

https://www.gov.uk/guidance/charity-commission-guidance

10.2. Education & Skills Funding Agency

https://www.gov.uk/government/organisations/education-and-skills-funding-agency

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10.3. Orange Book – Management of risk principles and concepts

https://www.gov.uk/government/publications/orange-book

11. Linkages with Trust Members

- 11.1. The Trust's Members Committee has an additional responsibility outside of this core policy to:
 - Receive and challenge assurance from Lydiate Learning Trust Board members that the Lydiate Learning Trust key risks (relating to the Trust) are under sufficient control (this will be a formal annual process, within Lydiate Learning Trust, utilising existing material and reports); and
 - Receive escalations from the Trust where Lydiate Learning Trust may not be discharging its responsibilities to the Trust.

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Appendix 1 – Not an exhaustive list

The Lydiate Learning Trust Generic Risks – Multi Academy Trust Examples of Sub-risk Categories Trust Risk Register Trust Level Corporate and Strategic Risks (Main Categories) Academy (Trust) Risk (if any?) 1. **Brand** 2. **Brand and Reputational Ethics** Objectives 3. **Strategic and Business** Change and Change Management Governance **Business Continuity** Technology People Crime and Security **GDPR** Contracts and third party management Information Management and Security (Inc cyber) Health and Safety **Financial Control and Reporting** 4. **Finance and Treasury** Fraud **Asset Management** Treasury Management (Inc Liquidity) Performance Management Financial Planning/ Forecasting Legal **Regulation and Compliance** 5. Regulator - DfE Regulator - ESFA

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Academy - Operational Level	
Operational Risks	
1. Academy Operational	51
i. Academy Operational	Educational OutcomesOFSTED downgrade
	People
	Student Welfare and Attendance
	Health and Safety
	Safeguarding
2. Brand and Reputational	Brand
	• Ethics
	• Objectives
3. Strategic and Business	ObjectivesChange and Change Management
	Governance
	Business Continuity
	Technology
	People
	Crime and Security
	• GDPR
	Contracts and third party management
	 Information Management and
	Security (Inccyber)
	Health and Safety
4. Finance and Treasury	Financial Control and Reporting
	Fraud
	Asset Management
	Treasury Management (Inc Liquidity)
	Performance Management
	Financial Planning/ Forecasting
	a Logal
5. Educational Outcomes/ Regulation and	Legal Regulator, DfF
Compliance	Regulator - DfERegulator - ESFA
	■ Vegalatol - ESFA

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Appendix 2

The Lydiate Learning Trust Guidance on Likelihood and Impact Definitions and Risk Score **Definition and Risk Rating / Scores** Category Imminent - Rating E (Score 5) 1 Occurrence Likelihood About to happen (>75% in year) **Probable - Rating D (Score 4)** May occur within year (51-75% in year) Possible - Rating C (Score 3) May occur within 3 years (31-50% in year) Unlikely - Rating B (Score 2) May occur with next 5 years (10-30% in year) Very unlikely - Rating A (Score 1) May occur within next 10 years (<10% in year)

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Occurrence Impact

Score 5 Critical

Loss of operations for more than a week; severe injuries or loss of life; gross failure to meet national/professional standards; major long term consequences; extensive coverage in press; major financial loss then threatens existence.

Score 4 Severe

Loss of operations for up to a week; severe injuries; severe financial loss with impact on operations; damage to reputation, local press coverage.

Score 3 Major

Some disruption to operations for 48-72 hours; short term illness/injuries; some damage to reputation; financial loss than can be managed within overall Trust budget.

• Score 2 Moderate

Limited short-term disruption to operations; minor injuries/illness; small financial loss.

• Score 1 Minor

Not a noticeable effect on the school; no injuries; no damage to reputation

Financial Impact

		Finance &	Treasury
		Trust Level	Academy Level
<u>Critical</u> - Reached risk limit, immediately compromises the ability / licence to operate. Reportable to Board, Appropriate Bodies	5	>£300k	>£150k
Severe - Approaching risk limit, could compromise licence to operate if not addressed. Reportable to Board, Appropriate Bodies	4	>£150k and <£300k	>£75k and <£150k
Major - Outside of appetite but unlikely to compromise the licence to operate. Reportable to Board	3	>£75k and <£150k	>£40k and <£75k
Moderate - Some elements outside of appetite but not entirely. Reportable to Board	2	>£40k and <£75k	>£20k and <£40k
Minor - Within risk appetite, Managed locally - AGC / Exec	1	<£40k	<£20k

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Appendix 3 – Risk Register Example

		Action Required / Recommendation	· ·	Impact (1 to 5)	Risk Event	Monitoring / Actions required	Owner	Review Dates

				I	Risk Scoring			
				Trust Report	ing: Board R	ed / Amber		Risk Ever
	Critical - Reached risk limit, immediately compromises the ability / licence to operate. Reportable to Board, Appropriate Body	5	5A(15)	5B (19)	5C (22)	5D (24)	5E (25)	Critical
I m	Severe - Approaching risk limit, could compromise licence to operate if not addressed. Reportable to Board, Appropriate Body	4	4A (9)	4B (14)	4C (18)	4D (21)	4E (23	Severe
p a c	Major - Outside of appetite but unlikley to compromise the licence to operate. Reportable to Board	3	3A(7)	3B (11)	3C (13)	3D (17)	3E (20)	Major
	Moderate - Some elements outside of appetite but not entirely. Reportable to Board	2	2A (5)	2B (6)	2C (10)	2D (12)	2E (16)	Moderate
	Minor - Within risk appetite, Managed locally - AGC / Exec	1	1A(1)	1B (2)	1C (3)	1D (4)	1E (8)	Minor
			A	В	C	D	E	
			Very Unlikely	Unlikely	Possible	Probable	Imminent	
			<10% in year	10-30% in year	31-50% in year	51-75% in year	>75% in year	
			May occur within next 10 years	May occure within next 5 years	May occure within next 3 years	May occur within the year	About to happen	
				Probal	oility / Likelil	100d		

Risk Key	1	2	3	4	5
Risk Category	Academy Risk	Brand and Reputational	Strategicand Business	Finance and Treasury	Regulation and Compliance
	Educational Outcomes	Brand	Objectives	Fiancial Control and Reporting	Legal
	People	Ethics	Change Management	Fraud	Regulator - DfE
	Student Welfare & Safety		Governance	Asset Management	Regulator - ESFA
Sub-risk	Health and Safety		Business Continuity	Treasury Management	
Categories			Technology	Perfroamene Management	
cutegories			People	Financial Planning / Forecasting	
			Crime and Security		
			GDPR		
			Contracts / Third Party management		
			Information Management / Security		
			Health & Safety		

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