



Risk Management Exception Report

Directorate Updates

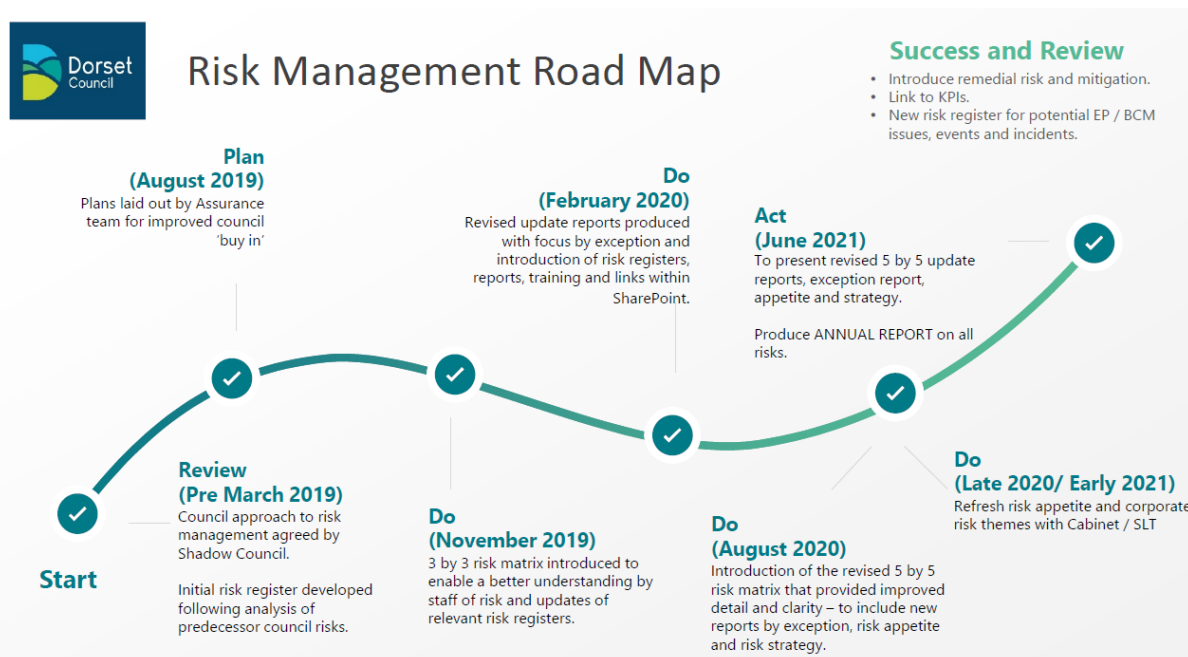
HIGH RISK



June 2021

The continual development and promotion of risk management will ensure that the Council is well placed to demonstrate that objective and informed decisions are taken and that the Council is ultimately in a strong position to successfully face and address the challenges ahead.

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Introduction

We recognise that risk management helps us to embed a culture, process and structure that is directed towards the effective management of opportunities and threats to the council. Such effective management will help the council in achieving its priorities and objectives as part of the council's governance framework.

We acknowledge that the Annual Governance Statement (AGS) highlighted several opportunities to enhance risk management and for example efforts have been made to:

- Increase the level of engagement and ownership.
- Enhance the engagement of Members in the risk management process.
- Refresh and update the Corporate and Directorate Risk Registers.
- Update the risk management training and awareness functionality.

The Accounts and Audit Regulations 2015 require the council to have in place arrangements for the management of risk. These arrangements are reviewed each year and reported as part of the Annual Governance Statement (AGS). The statement must identify any significant governance issues that may have resulted from failures in governance and risk management.

Risk Management

Risk affects all organisations. It can have far-reaching consequences in terms of economic performance, environmental and safety outcomes, and professional reputation. Risk is an important part of doing business – used to identify, assess, prioritise, manage, mitigate, communicate, and report on risk. Risk is anything and everything that could impact upon the successful achievement of aims and objectives.

Risk management is a process to identify, assess, manage, and control potential events or situations to provide reasonable assurance regarding the achievement of the organisation's objectives. Success comes from managing both the positive and the negative aspects of risk effectively. Understand the linkage between risk and controls - Risk drives controls, not the other way round. Internal controls exist for many reasons but one of their prime functions is to manage risk.

Update Statement

We continue to look at what makes sense, to understand where we need the resources and the skill sets, we need. We will be working to support the challenge to make our services as efficient as possible, and that's a relentless part of our budget setting process. We are all passionate about delivering the best outcomes for Dorset residents. We recognise that Risk Management is an integral part of good governance to which we are all committed.

Risk Management helps us to provide the framework and processes that enables the Council to manage uncertainty in a systematic way. As part of the Risk Management arrangements the Council reviews the Risk Management Assurance Policy on an annual basis.

We expect to receive more guidance from central government about any post lockdown office arrangements but based on experience to date. Even if we can start to fully relax all Covid-secure office restrictions from the earliest possible date of the 21 June, it will take time for our facilities teams to remove the Covid-secure office setup (or change it if there are new requirements) to prepare our offices for the return of colleagues.

Risk Ranking Matrix identifies the level of risk

Severity (IMPACT)	Description
Catastrophic Score 5	<ul style="list-style-type: none"> Multiple deaths of employees or those in the Council's care Inability to function effectively, Council-wide Will lead to resignation of Chief Executive and/or Leader Corporate Manslaughter charges Service delivery must be taken over by Central Government Front page news story in National Press Financial loss over £10m
Major Score 4	<ul style="list-style-type: none"> Suspicious death in Council's care Major disruption to Council's critical services for more than 48hrs Noticeable impact achieving strategic objectives Will lead to resignation of Corporate Director and/or Cabinet Member Adverse coverage in National press/Front page news locally Financial loss £5m-£10m
Moderate Score 3	<ul style="list-style-type: none"> Serious Injury to employees or those in the Council's care Disruption to one critical Council Service for more than 48hrs Will lead to resignation of Head of Service/Project Manager Adverse coverage in local press Financial loss £1m-£5m
Slight Score 2	<ul style="list-style-type: none"> Minor Injury to employees or those in the Council's care Manageable disruption to services Disciplinary action against employee Financial loss £100k-£1m
Limited Score 1	<ul style="list-style-type: none"> Day-to-day operational problems Financial loss less than £100k

Likelihood (PROBABILITY)	Description
Very High Score 5	Reasonable to expect that the event WILL happen, recur, possibly or frequently
Likely Score 4	Event is MORE THAN LIKELY to occur. Will Probably happen, recur, but is not a persisting issue.
Possible Score 3	LITTLE LIKELIHOOD of event occurring. It might happen or recur occasionally.
Unlikely Score 2	Event NOT EXPECTED . Do not expect it to happen or recur, but it is possible that it might do so.
Very Unlikely Score 1	EXCEPTIONAL event. This will probably never happen or recur.

Level of Risk	How should the risk be managed
HIGH (15-25)	Risks at this level sit above our tolerance and form the biggest risks. The Council is not willing to take risks at this level and action should be taken immediately.
MEDIUM (8-12)	While these risks can be tolerated, controls should be identified to bring the risk down to a more manageable level.
LOW (1-6)	These risks sit on the borders of the Council's risk appetite and so while they don't pose an immediate threat, they are still risks that should remain under review.

Adults and Housing

HIGH RISKS	<u>Adults & Housing - Adult Care</u>
	Risk 125 - Gap exists between amount of available resource and post-COVID statutory demand – Accountable Officer - Head of Commissioning /Corporate Director for Adults (Impact 4 Likelihood 4)
	<u>Housing</u>
	Risk 247 - Temporary Accommodation is insufficient to meet community need - Accountable Officer - Service Manager for Housing Solutions (Impact 4 Likelihood 4)
	Risk 180 – Increased Homeless Population – Accountable Officer – Corporate Director for Housing and Community Safety (Impact 4 Likelihood 4)

Children's Services

HIGH RISKS	<u>Children's Care & Protection</u>
	Risk 104 - A lack of sufficiency and resilience (placements/residential/foster care) impacts negatively on the demands led budget for children in care – Accountable Officer - Assistant Director for Care & Protection (Impact 4 Likelihood 4)
	<u>Schools & Learning</u>
	Risk 272 - Failure to stabilise the budget for the High Needs Block - Accountable Officer - Corporate Director for Schools & Learning (Impact 4 Likelihood 4)

Corporate Services

HIGH RISKS	<u>Assurance</u>
	Risk 59 - Inability to respond to the impacts of concurrent events - Accountable Officer - Service Manager for Assurance (Impact 4 Likelihood 4)
	Risk 212 - Inadequate information governance culture and framework and culture (policy; training; monitoring etc) results in a significant data breach - Accountable Officer - Service Manager for Assurance (Impact 4 Likelihood 4)
	Risk 321 - Unable to sustain Assurance service due to prolonged pressures (increasing caseloads; pandemic etc) - Accountable Officer - Service Manager for Assurance (Impact 3 Likelihood 5)

[ASSETS & PROPERTY](#) [Engineering & Special Projects](#)

Risk 201 - Climate change effects on sea level rise and uncertainty could lead to low lying areas such as Weymouth being uneconomic to defend – Accountable Officer - Service Manager for Engineering & Special Projects
(Impact 4 Likelihood 4)

[Economy Infrastructure and Growth – HIGHWAYS](#) [Infrastructure & Assets](#)

Risk 84 - Failure to deliver a safe and suitable alternative to the current arrangements for Wareham Level Crossing - Accountable Officer - Service Manager for Infrastructure & Assets
(Impact 4 Likelihood 4)

[Commercial Waste & Strategy](#)

Risk 208 - Gaining sites and planning to provide infrastructure leads to failure to deliver service – Accountable Officer - Head of Commercial Waste and Strategy
(Impact 4 Likelihood 4)

[Fleet Maintenance](#)

Risk 83 - PUWER Regulations - non-compliance of PUWER Regulations (H&S Provision and Use of Work Equipment Regulations 1998) – Accountable Officer - Head of Waste Operations
(Impact 4 Likelihood 4)

Risk Management Exception Report

HIGH RISK



Adults and Housing Services Directorate

June 2021

Adults & Housing - Adult Care

Risk 125 - Gap exists between amount of available resource and post-COVID statutory demand						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Head of Commissioning /Corporate Director for Adults	Improved	17 June 2021	HIGH			
			Impact	4	Likelihood	4
<p>Update - This remains a significant risk. Operational and commissioning action is being taken to mitigate and reduce the financial risk. This is being overseen by a new Savings and Transformation Board which is jointly chaired by Corporate Directors. In addition, Cabinet is considering a request to approve a new Dorset Care Framework in June which when implemented will help shape the market costs. Conversations with the CCG are also taking place as we review and right size funding arrangements for a selection of packages and placements and finally, we are reviewing hospital discharge arrangements. We are working closely with Finance and Procurement colleagues on this matter.</p>						

Housing

Risk 247 - Temporary Accommodation is insufficient to meet community need						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Service Manager for Housing Solutions	Improved	28 May 2021	HIGH			
			Impact	4	Likelihood	4
<p>Update - The Covid-19 pandemic has seen the Council's dependence on B&B accommodation for homeless households increase by over 50%. As at May 2021 the number of households in temporary accommodation including B & B was 307 of these 86 were in B & B. As at 7 August 2020 the Council had 349 households in temporary accommodation of which 139 households were in B&B accommodation.</p> <p>During the pandemic the number of families with children in B & B for over 6 weeks reduced to 1 but is now at 3 and expected to rise with the lifting of the eviction ban. We continue to prioritise these households. Work continues the Next Steps Accommodation Programme (NSAP) 14 new properties have been purchased and we have supported a local housing association to bid for funds that purchased 3 additional properties with support. MHCLG announced a second phase of funding – Rough Sleeping Accommodation Programme (RSAP). We have submitted a bid and anticipate the results during June 2021. Funding will be used to continue the provision of additional accommodation and support for this cohort.</p> <p>Despite the challenges faced by developers to complete new affordable homes our target of 300 was surpassed with 301 new affordable becoming homes available in 20/21.</p> <p>Work will start in 21/22 to develop a new Dorset Council Housing Strategy to drive incremental improvements in access and provision of suitable housing for our residents. There is a direct cost to the Council for every household placed in B&B accommodation in housing benefit top up. Additional temporary accommodation takes the pressure off B&B placements and results in a cost avoidance.</p>						

Risk 180 - Increased homeless population						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Corporate Director for Housing and Community Safety	Worse	28 May 2021	HIGH			
			Impact	4	Likelihood	4
<p>Update - Risk of homelessness increasing due to the release of the ban on landlords taking possession proceedings to Court (eviction), income loss due to rises in unemployment and income loss due to the £20 Universal Credit top up being removed. Protections have been in place during the lockdown period, since March 2020, to prevent eviction and to top up income shortfalls through furlough or Universal Credit.</p> <p>New approaches are returning to pre-pandemic levels however, the lifting of the eviction ban and gradual easing of notice periods over the next few months is expected to contribute to an increase in the levels of households approaching the service.</p> <p>Advice and guidance available within the community and via website. Support to complete residency available at Citizens Advice Bureau and Race Equality group. Should additional people then become homeless they are not eligible for service and this should be considered as part of wider community strategy in partnership with all community and voluntary agencies. Clear engagement work required with relevant agencies to support this cohort.</p> <p>Advice and guidance available within the community and via website. Support to complete residency available at CAB and Race Equality group.</p> <p>Should additional people then become homeless they are not eligible for service and this should be considered as part of wider community strategy in partnership with all community and voluntary agencies. Clear engagement work required with relevant agencies to support this cohort.</p>						

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Children's Services Directorate

June 2021

Children's Care & Protection

Risk 104 - A lack of sufficiency and resilience (placements/residential/foster care) impacts negatively on the demands led budget for children in care						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Assistant Director for Care & Protection	No Change	7 June 2021	HIGH			
			Impact	4	Likelihood	4
<p>Update - Response: Ensuring sufficient local placements for our children in care, closer to their families and communities, is a priority within our Strengthening Services for Children and Families Plan. We are continuing focused initiatives during Summer and Autumn 2021 to further enhance our campaigns to promote Foster Care in Dorset, this has included social media and radio campaigns. We have an active group of Foster Carers and a recently formed Foster Carers association who are continually helping us to shape our services and support. We are also continuing to deliver our Looked After Children Reduction Strategy. This strategy explicitly states our commitment to reducing the number of children in our care.</p> <p>Current Controls - Early help strategy; Commissioning strategy for placements; performance management; prevention is a priority within the Children Families & Young Peoples plan ensuring partner engagement; budgetary controls, monthly tracking and performance meetings and continued progress through the Strengthening Services plan.</p>						

Schools & Learning

Risk 272 - Failure to stabilise the budget for the High Needs Block						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Corporate Director for Schools & Learning	No Change	7 June 2021	HIGH			
			Impact	4	Likelihood	4
<p>Update - Response: Failure to stabilise the pressures in the HNB budget will result in a further increase in the deficit in the DSG. Legally this deficit sits with the DSG and is not part of the LAs budget, however, this does not absolve the LA of working with all schools to support actions to create an inclusive culture of support for pupils with additional and special educational needs in all Dorset schools. Work is being undertaken to move to early intervention and support for families across Dorset; to identify pupil needs earlier so that remedial support can be put in place quickly and thus try to stop expensive support later; to create specialist support in all schools and highly specialist support in local schools to reduce the need for pupils to be placed in the independent sector.</p>						

Risk Management Exception Report

HIGH RISK



Corporate Services Directorate

June 2021

Assurance

Risk 59 - Inability to respond to the impacts of concurrent events						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Service Manager for Assurance	No Change	April 2021	HIGH			
			Impact	4	Likelihood	4
<p>Update - A contingency group was established during the Covid-19 outbreak at Local Resilience Forum level which looked at response to concurrent events. Throughout the duration of the Covid response, the team have been dealing with concurrent events. The dedicated Covid Silver role has been stepped down, in line with the LRF standing down the Major Incident declaration in April 21 but would be reinstated in the event of a significant surge.</p> <p>The Council has played an active role in the LRF Concurrent Risks Groups (Strategic and Tactical) and onwards into recovery. There has however been a significant impact on responding officers, including a build-up of leave and hours. Emergency Planning team will consider whether additional resilience can be built into the team.</p> <p>Command and Control structure (Gold and Silver; Duty EP; LALO) - Multi agency work via Local Resilience Forum - DC Incident Management Team - Portfolio of emergency plans - Safety Advisory Groups - Work of the LRF Contingency Group (Covid-19)</p>						

Risk 212 - Inadequate information governance culture and framework and culture (policy; training; monitoring etc) results in a significant data breach						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Service Manager for Assurance	No Change	April 2021	HIGH			
			Impact	4	Likelihood	4
<p>Update - The Shaping Dorset Council programme included a workstream on information governance to ensure that key policies and processes were harmonised, which has transformed into an Information Governance working group since 1 April, chaired by the Senior Information Risk Officer. The Information Compliance team are formulating an action plan, which will be owned by the board.</p> <p>A new data protection training module is available and will be a mandatory requirement for all staff. Compliance is monitored by SLT.</p> <p>The Council is currently recording "red" performance for meeting Subject Access Request timescales.</p> <p>Work is underway with Children's Services to identify how this position can be improved. Capacity in the information compliance team has been challenging, with team resources focussed on "firefighting" Freedom of Information; Subject Access Requests and Data Breaches, leaving limited time to move forward strategic information governance improvements. Portfolio of information governance policies - GDPR training - Information Governance Group - Information Governance Action Plan.</p>						

Risk 321 - Unable to sustain Assurance service due to prolonged pressures (increasing caseloads; pandemic etc)						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Service Manager for Assurance	Worse	June 2021	HIGH			
			Impact	3	Likelihood	5
<p>Update - There are significant pressures across all parts of the Assurance Service. Emergency Planning Team have been focussed on the ongoing Covid response; complaints team have seen a doubling of cases and there are also significant pressures on an already under pressure information compliance team. A business case is being developed to resource those areas more effectively where caseloads are excessively high. Annual leave and wellbeing more generally are being monitored across the service.</p> <p>Controls - 1 to 1s / My Roadmap; Team meetings and Workstream allocation.</p>						

Risk Management Exception Report

HIGH RISK



Place Directorate

June 2021

ASSETS & PROPERTY

Engineering & Special Projects

Risk 201 - Climate change effects on sea level rise and uncertainty could lead to low lying areas such as Weymouth being uneconomic to defend						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Service Manager for Engineering & Special Projects	No Change		HIGH			
			Impact	4	Likelihood	4
Update - Latest inter-governmental guidance is used when designing coast defences, design life of 50 years. Shoreline Management plan review – agree to use managed realignment of coastline in areas. May have to design coastal defences for 100 years life and accept increased costs of doing so. May have to relocate coastal communities. Work with, not against, nature. Further bids to Defra and others to increase funding above EA thresholds for erosion management and flood defence works. EA grant calculator update expected spring 2020, potential for increased funding to protect infrastructure and economic activity. Funding currently mainly based on numbers of homes protected						
Use latest inter-governmental guidance when designing coast defences, design life of 50 years. Shoreline Management plan review						

Economy Infrastructure and Growth – HIGHWAYS

Infrastructure & Assets

Risk 84 - Failure to deliver a safe and suitable alternative to the current arrangements for Wareham Level Crossing						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Service Manager for Infrastructure & Assets	No Change		HIGH			
			Impact	4	Likelihood	4
<p>Update - Dorset Council assumed responsibility from Dorset County Council (DCC) to manage the pedestrian level crossing in Wareham. The lease agreement between Network Rail and Dorset Council for the level crossing runs until 2038; this crossing will close in 2038 as per the terms of the lease. If no suitable alternative is delivered before 2038 Dorset Council would be found to be breaching Equalities legislation. In 2008/9 The Office for Road and Rail (ORR) raised safety concerns with the pedestrian level crossing in Wareham. The ORR stated that mitigating measures had to be put in place or they would force the closure of the crossing. As a result, DCC paid for the provision of security guards at the crossing to improve compliance and safety at the crossing. In more recent years, following an additional review by the ORR the crossing has been managed with electronic gates closed by security guards when a train is approaching. The crossing is currently managed between 6am and 1am (19hours) seven days a week. The provision of security staff is provided by third party contractors STM Security Ltd. The crossing is locked closed between 1am and 6am each day.</p>						
<p>Network Rail and the Council have tried twice before to resolve this by proposing ramped bridges adjacent to the existing footbridge but failed to obtain planning permission from the then Purbeck District Council owing to local objections. The crossing continues to be a financial commitment with ongoing reputational concerns as there is no suitable alternative means for all to cross the rail lines if the crossing is closed – there is a stepped footbridge adjacent to the crossing. A parallel footway/cycleway along the A351 is being explored in the area to address an existing network deficiency. There remains commitment from Dorset Council and Network Rail to finding a resolution. Commitment from central government appeared more likely following a visit by the Minister for Rail to the site and meeting with key stakeholders on 23 January 2020. The Minister for Rail stated that he was committed to finding a solution and that safety and accessibility were of paramount importance which would likely mean that a degree of compromise is required when considering suitable alternatives. Network Rail have agreed to explore and exhaust all possible technological options for providing an automated level crossing, however, it is more likely that an alternative step free route over the rail lines will be the most viable solution. Feb 2021 - No definitive permanent plans are proposed, or funding secured for a suitable alternative. Procurement of level crossing security contract is being progressed to make revenue savings for council to continue to deliver service.</p>						
<p>This has been an ongoing issue for 25 years. Network Rail have tried twice before to resolve this but failed due to planning issues; Currently costing the authority £120,000 per year for security guards (with costs rising); Introduce ramps, with crossing fenced off, and removal of security guards; Continued lobbying and negotiations with Network Rail; Implement main recommendation of ramped solution; Open public meeting held in the evening chaired by MP. Ramp proposal met with overwhelmingly hostile local reaction; Working to modify Network Rail asset, the existing bridge, has triggered more demanding NR assurance requirements; Introduction of ramps (main recommendation) failed to get planning permission; Access for All funding bid by South West Railways and Network Rail for DfT funding to install lifts failed; The crossing continues to be a high risk for safety, continuing financial commitment and reputational damage. Risk being realised with recent crossing incidents, lack of attendants and crossing closure.</p>						
<p>Cause: Failure to get planning agreement; Failure to get agreement on funding; Lack of Member/Cabinet support; Opposition from Town Trust - Consequence: Closure of crossing by Office of Road & Rail; Legal action against DC; Death; Serious injury; Reputational damage; Financial impact - either due to incidents or ongoing maintenance/management; Negative publicity; Customer dissatisfaction; Public liability claims.</p>						

Place Based Services – COMMERCIAL WASTE & STRATEGY

Commercial Waste & Strategy

Risk 208 - Gaining sites and planning to provide infrastructure leads to failure to deliver service.						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Head of Commercial Waste and Strategy	No Change	2 June 2021	HIGH			
			Impact	4	Likelihood	4
Update - Currently commissioned planning to conduct a site search for a new HRC in the East of the County. Planning Application submitted for a replacement HRC and waste transfer station in Blandford. Involved in the recent property review of depots across Dorset. Waste infrastructure review has been completed to provide a baseline of requirements.						
Working with waste planning authority to identify and safeguard sites to meet our needs through the Waste Local Plan. Working with neighbouring authorities for continued use of facilities. Robust business cases for any change in infrastructure.						

Place Based Services – WASTE & OPERATIONS

Fleet Maintenance

Risk 83 - PUWER Regulations - non-compliance of PUWER Regulations (H&S Provision and Use of Work Equipment Regulations 1998)						
Accountable Officer	Direction of Travel	Last Reviewed	Risk Rating			
Head of Waste Operations	Worse		HIGH			
			Impact	4	Likelihood	4
Update - There is a clear visual view to identify if individual plant items comply with the control measures. Each depot has a tagging colour scheme poster available to all operators. The system is simple and effective. Fleet will continue to monitor and audit the process to ensure compliance is consistent and maintained, with support from H&S; Countryside service is to start the first round of PUWER checks in February using the new process; Highways have completed the first round of 6 monthly checks in October and no items are outstanding; Highways compliance is excellent and is totally compliant. Countryside are struggling currently, but Fleet are aware of additional resources to catch up with the situation. Admin resources have been trained to implement the documents that are currently sat on desks. Fleet wave is showing 299 records from the Countryside service awaiting completed PUWER inspection sheets. Emails sent out explaining the current risk to the authority; Countryside and grounds are increasing the number of staff to carry out PUWER checks. Fleet Service to instruct on the practical checks and supply training on the Fleet Wave system to the nominated staff; The risk has changed to red due to the current situation. Audit of the system has resulted in 381 items of Countryside plant waiting for a PUWER sheet and the Fleet wave system to be updated. 80 items for Highways also in the same situation. The system was 95% compliant, but due to the current situation this has greatly reduced to 55% compliant. Update - the outstanding PUWER inspections have been completed from the previous scheduled programme. The next programmed 6-monthly PUWER inspections are currently in operation and will report on outstanding items not actioned next month.						
Cause: Failure to follow inspection schedule; Users using items out of schedule inspection date; No precise inventory of items available - Consequence: Reputational damage; Financial penalties; Increased visits from H&S Executive; Serious injury; Legal actions taken against DCC; Negative publicity; Negative impact on staff morale.						
Current Controls: Use Fleet wave system to record information; PUWER checks carried out by trained members of staff close to the location of the items; Network of external maintenance providers supporting Fleet Services; Any plant not fitted with current in-date PUWER label will be removed by the H&S team; 5 year schedule for recorded items of plant, with notifications sent to manager/site agent and the person identified to carry out the inspection; Precise inventory of items available - always updating, with managers to ensure staff supply the required information; Automated email informing manager of scheduled PUWER inspection now operating; Storeman in highways has been assessed to carry out PUWER inspections, with access given to Fleet wave and training to enable them to update PUWER data at source; Completed PUWER sheets scanned into Fleet wave attached to relevant job card, removing requirement to hold a paper copy; New plant items are being added to the system by all service reflecting that the system is working as expected.						