

REPORT TO: Cabinet

MEETING DATE: 14 June 2016

BY: Chief Executive

SUBJECT: Corporate Risk Register 2016

1 PURPOSE

- 1.1 To present to Cabinet the Corporate Risk Register 2016 for discussion, comment and approval.

2 RECOMMENDATIONS

- 2.1 It is recommended that Cabinet approves the Corporate Risk Register for 2016.

- 2.2 In doing so, Cabinet is asked to:

- agree that the relevant risks have been identified;
- agree that the significance of each risk is appropriate to the current nature of the risk;
- agree that the total profile of corporate risk can be borne by the Council at this time in relation to the Council's appetite¹ for risk;
- recognise that, although the risks presented are those requiring close monitoring and scrutiny throughout 2016, many are in fact longer term corporate risks for the Council that are likely to be a feature of the risk register over a number of years; and,
- note that the Council Management Team will review all risks in the Corporate Risk Register on a regular basis.

3 BACKGROUND

- 3.1 In keeping with the Council's risk management strategy, the Corporate Risk Register has been updated following a review by the Corporate Risk

¹ How much risk the council can bear, or could be willing to take in pursuit of an opportunity (if it were judged to be (1) worthwhile pursuing and (2) the council was confident in its ability to achieve the benefits and justify the risk).

Management Group on behalf of and in consultation with Council Management Team.

- 3.2 In presenting the proposed Corporate Risk Register 2016 to Cabinet for approval, the Council Management Team would wish to draw the Committee's attention to one specific matter. All risks have been evaluated using the standard (5x5) risk matrix which involves multiplying the likelihood of occurrence of a risk (scored 1-5) by its potential impact (scored 1-5). This produces an evaluation of risk as either 'low (1-4)', 'medium' (5-9), 'high' (10-19) or 'very high' (20-25).
- 3.3 The Council's response in relation to adverse risk or its risk appetite is such that:
- Very High risk is unacceptable and measures should be taken to reduce, transfer or treat the risk to a more tolerable position
 - High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place
 - Medium risk is tolerable with control measures that are cost effective
 - Low risk is broadly acceptable without any further action to prevent or mitigate risk.
- 3.4 The 2016 Corporate Risk Register includes 1 Very High risk, 10 High risks, 5 Medium risks and 1 Low risk.
- 3.5 In accordance with the Risk Management Strategy 'Very High' and 'High Risks' identified in the Corporate Risk Register will be subject to closer scrutiny by the Council Management Team, the Cabinet and the Audit and Governance Committee.

4 POLICY IMPLICATIONS

- 4.1 In approving this report the Council will be further establishing a policy that will ensure risk management principles are embedded across the Council.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – It is the consideration of the Corporate Risk Management Group that recurring costs associated with the measures in place for each risk are proportionate to the level of risk. The financial requirements to support the Corporate Risk Register for 2016 should be met within agreed budget

allocations. Any unplanned and unbudgeted costs that arise in relation to any of the corporate risks identified will be subject to review by the Council Management Team and if required will be reported to Council.

- 6.2 Personnel – There are no immediate implications.
- 6.3 Other – Effective implementation of this register will require the support and commitment of the Risk Owners identified within the register.

7 BACKGROUND PAPERS

- 7.1 Appendix 1 – Corporate Risk Register

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DATE	1st June 2016

East Lothian Council Corporate Risk Register (V21: 3rd June 2016)

Risk Ref.	Risk Description	Existing Risk Control Measures	Assessment of Current Residual Risk			Planned Additional Risk Control Measures	Assessment of Predictive Risk			Risk Owner	Timescale for Completion / Review Frequency	Evidence held of Regular Review
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ELC CR 1	<p>Financial pressures: If the council's financial pressures were not to be successfully planned for and managed effectively over the medium to longer term (i.e. the next 3 and possibly up to 7 years), there would be a serious risk of unplanned/ reactive budget realignments with significant adverse impact on availability and quality of both front-line services and required investment in the Council's infrastructure and asset base.</p> <p>Over the medium term it is highly likely that the Council's income will, at best, remain static and may even reduce. At the same time it will have specific cost and demand pressures to deal with. These include:</p> <ol style="list-style-type: none"> (1) demographic change and social-economic pressures - increasing pupil and elderly numbers; (2) general inflationary pressures and contractual commitments including pay and pensions; (3) specific cost pressures such as the affordability of the increasing number of high-cost individual care packages; and (4) potential financial costs associated with legislative changes such as a number of environmental issues, delivery of increased childcare commitments and Free Personal Care for all P1-P3 school children. 	<p>The Council has well developed short to medium term financial planning arrangements. These include:</p> <ul style="list-style-type: none"> • Three year General Services revenue budgets; • Six year General Services capital plan budgets; • Ten year Housing Revenue Account revenue and capital budgets. <p>In addition, it has cost control and financial management arrangements for managing in year budget performance. Both of which provide mitigating controls in terms of the immediate financial risk and pressures the Council is faced with.</p> <p>There continues to remain significant uncertainty in terms of the longer term financial projections for the public sector with the expectation that the current austerity measures will remain in place until at least 2019/20. The current financial strategy covers the medium term planning period of the next 3 financial years however this is likely to be extended to ensure that the Council is placed to meet the future challenges if current forecasts emerge.</p> <p>Partnership working with Midlothian Council and other partners is being developed to increase capacity to provide services within existing resources. The Council has also made significant progress towards implementation of the new Integrated Health and Social Care Partnership with effective shadow arrangements now in place and the statutory Integration Scheme close to being finalised.</p> <p>Continue to closely monitor information arising from both UK and Scottish Financial settlements through intelligence gathered from COSLA, professional bodies such as CIPFA Directors of Finance and also professional commentators.</p>	4	5	20	<p>CMT/Managers continue to follow the financial strategy i.e. cost control/ cost minimisation to ensure delivery of agreed savings. This is also being monitored closely through the continued operation of the Chief Executive's Budget Review Group.</p> <p>Through the Corporate Asset Group and the newly formed Corporate Investment and Asset Management Group the Council will implement the approved Asset Management Strategy and related action plan.</p> <p>CMT will continue to monitor the impact of council restructuring and service re-design that flows from Efficient Workforce Management Planning.</p> <p>Further consideration will be given to increasing income where possible.</p> <p>The Workforce Development Plan is a key part of the Council's response to increasing financial pressures. It aims to support transformational change, build and sustain leadership and management capacity, sustain a skilled, flexible and motivated workforce and develop the workforce for the future.</p> <p>The Chief Executive has established a sub-group to the CMT that will oversee delivery of a programme of strategic change projects that will help improve services and secure planned efficiencies.</p>	3	4	12	<p>Chief Executive</p> <p>Depute Chief Executive – Resources and People Services</p> <p>Depute Chief Executive – Partnerships and Community Services</p> <p>Head of Council Resources</p> <p>Council Management Team</p>	<p>Action ongoing and continuous review.</p> <p>Monitoring arrangements will continue to be applied.</p>	<p>Risk reviewed by Head of Council Resources and Service Manager Business Finance May 2016.</p> <p>Risk reviewed by CMT in May 2014 and current score increased from 15 to 20.</p>

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ELC CR 2	<p>Welfare Reform</p> <p>A range of measures has been introduced to reform the welfare system and reduce the budget for welfare benefits. It is expected that East Lothian residents will continue to experience financial detriment as a result of ongoing changes.</p> <p>The rollout of Universal Credit in East Lothian started in April 2015. Whilst the volumes of new cases hasn't been as high as initially expected, the workload created by this change has been significant and has so far been managed within existing resource. The current working arrangements may not be sustainable once volumes match JCP/DWP projections and it is predicted that considerable investment in additional staffing resource will be required.</p> <p>The DWP will introduce its Full 'Digital' Universal Credit service in East Lothian on 23rd March 2016. This will see UC payment extended to all eligible claimants/households and will increase the live UC caseload significantly. It is anticipated that new claims to legacy benefits will be closed once claimants begin their transition to UC; Migration to Universal Credit of existing HB cases is expected to follow from July 2018.</p> <p>When full implementation of Universal Credit has been achieved (expected to be by 2018/19), it is estimated that the Council's Rent Income team would have to collect an additional £8.3m per annum from claimants whose rent is currently paid direct to their rent account by housing benefit.</p> <p>A reform which continues to pose a significant risk to rent collection is the removal of the spare room subsidy from those claiming housing benefit and under occupying their homes. This reform is also known as the 'bedroom tax'. Whilst this has been mitigated by funding made available by the Scottish Government there is a risk that this funding may still be inadequate for alleviating Housing related hardship and may not be sustainable in the longer term.</p> <p>Following the publication of the Smith Report recommendations the Scottish Government is considering how it may use its devolved powers provided for within the Scotland Bill (yet to be enacted). The outcome of these deliberations will introduce Scottish flexibilities to the delivery of UC in Scotland.</p> <p>Within the business areas covered by Council Resources, further changes could lead to:</p> <ul style="list-style-type: none"> • Increase in rent arrears from reduced assistance with Housing costs and possible increase in evictions • increased pressures on rent collection teams • increase in Council Tax arrears and non- 	<p>The Council has received several update reports and will continue to be updated.</p> <p>The Council has established a Welfare Reform Task Group to plan for the changes to the welfare system. The Task Group has a detailed action plan to ensure that the Council takes the necessary measures to prepare for the changes to the welfare system.</p> <p>Up until now the work of the group has been based around communications; data sharing; training; and migration to the new benefits system such as the establishment of the Scottish Welfare Fund. However, the focus of the group will change as welfare reform evolves further.</p> <p>The Task Group and its work stream sub groups are continuing to meet regularly and will continue to report back to the Council Management Team and to the Council.</p> <p>The Benefit Service is continuing to make full use of additional Discretionary Housing Payment, (DHP) funding to mitigate for the impact of the removal of the spare room subsidy and other forms of housing related hardship wherever possible.</p> <p>An impact analysis report (UC on rent collection) has been produced and has been considered by Senior Management.</p> <p>The Welfare Reform Task Group, Welfare Reform Reference Group and Welfare Reform Liaison Group will all continue to implement their action plans to mitigate the impact of welfare reform.</p> <p>The Benefit Service will continue to monitor it's DHP expenditure and will regularly report the extent of any potential overspend to the CMT & Elected Members.</p> <p>Revenues & Benefits Services engage in meetings between other colleagues and DWP/Job Centre Plus staff to ensure a managed transition to Universal Credit is achieved.</p> <p>Castle Rock HA providing personal budgeting support for East Lothian UC claimants.</p> <p>Approval was given in December 2015 for additional staffing resource within the Rent Income team to help manage the impact of UC on rent collection. 0.5FTE with immediate effect and provision made to increase establishment by 1 additional FTE in 2016/17 and 1 additional FTE in 2017/18, subject to management review.</p> <p>Recruitment has been ongoing to maintain current benefits establishment.</p> <p>Promotion of ELC 'Right Benefit Campaign' objectives to maximise opportunity to qualify for FERIS incentive payments (to offset HB admin subsidy reductions).</p>	4	4	16	Both the Revenues and Benefits Services will monitor the progress of the Scotland Bill recommendations and will engage in any consultation relating to its findings on further devolution of welfare.	4	4	16	Depute Chief Executive – Resources and People Services Welfare Reform Task Group Depute Chief Executive – Partnerships and Community Services	Risk is under constant review by the group.	<p>Risk refreshed by Service Managers – Revenues & Benefits March 2016 with both current and planned scored increased to 16 due to current uncertainty.</p> <p>Risk further refreshed March 2015 with no further changes to scores.</p> <p>Risk reviewed April 2014. Current score reduced from 16 to 12 and predicted score reduced from 12 to 9.</p>

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ELC CR 3	<p>Information Security and Data Protection</p> <p>Failure to have comprehensive council wide Information Security Management measures in place will put at risk the availability, integrity and confidentiality of the councils information and may cause a Council wide failure of central I.T. systems (incl. Telephony) caused by a malicious attack by hackers, virus, trojan, disclosure of information or Fire/Flood event.</p> <p>Attacks via spam emails containing infected ransomware attachments are on the increase amongst local authorities and should these emails manage to break through Firewalls and Intrusion Detection Systems there is a high possibility of file encryption at both a local and network wide levels. The Cabinet Office has introduced zero tolerance for all LA's connected to the Public Sector Network (PSN). All Scottish LA's use the PSN to register Births, Marriages & Deaths and connection to DWP for benefit provision. We have to re-accredit to this network every year and must meet stringent requirements. Failure to do so would mean disconnection from the PSN.</p> <p>Breach of the Data Protection Act, other confidentiality requirements, any relevant laws or duty of care through the loss or wrongful transmission of information (including information stored electronically) could result in</p> <ul style="list-style-type: none"> - harm to individuals; - legal action; - fines of up to £500,000. - requirement to pay compensation; - adverse publicity; - damage to reputation. 	<p>The Council uses the international standard ISO 27001:2014 as the framework for its Information & I.T. Security Management system. This includes objectives, policy framework, internal audit, management support and treatment, training and awareness, risk assessment, measurement of effectiveness, management review, non-conformity management and continual improvement.</p> <p>As part of the security controls required by the standard to mitigate risks, several control areas are set out :</p> <p>Information security policy; Information security organisation; Human resources security; Asset management; Access controls and managing user access; Physical & Environmental security of all sites/equipment, Secure communications, Data handling and Data Protection (including paper documents etc); Secure acquisition, development, and support of information systems; Security for suppliers and third parties; Information Security Incident management; Business continuity/disaster recovery (to the extent that it affects information security);</p> <p>Compliance - ELC takes measures to avoid breaches of law, statutory, regulatory or contractual obligations (incl. DP Act and Public Records Act).</p> <p>There is a Council Information Security (IS) Forum hosted by the IT Security Officer. IS, DP and Records Management Awareness training now forms part of our induction process for new employees. Data Protection and Information Security awareness training is mandatory for all employees and must be renewed every two years.</p> <p>IT health checks on the existing infrastructure are carried out annually. New systems being introduced to our infrastructure are risk assessed and security checked before introduction to ensure they meet criteria.</p> <p>The Data Protection Officer carries out a series of "health checks"/audits in various Council departments to ensure compliance and to improve practice. Online Data Protection Training rolled out to all employees and repeated every 2 years.</p> <p>The Council's Records Management Plan was adopted in 2014 and approved by the Keeper in January 2015. This 5 year plan covers how the Council manages its records and includes links to our information security and data protection policies.</p>			16	<p>An implementation group has been formed to ensure improvements are made in relation to the Record Management Plan.</p> <p>I.T. has purchased additional logging system licenses and is investigating upgraded security gateway systems which will allow closer inspection of any suspected malicious activity on I.T which will be put in place later this year.</p> <p>The Council is carrying out a programme of Information Security Awareness sessions within all schools.</p> <p>Acceptable use policy for all ELC employees is to be refreshed during 2016 and all employees will be expected to sign.</p>			12	<p>Depute Chief Executive – Resources and People Services</p> <p>Head of Council Resources</p> <p>Depute Chief Executive – Partnerships and Community Services</p>	<p>March 2017</p> <p>September 2016</p> <p>July 2016</p> <p>December 2017</p>	<p>Risk further reviewed and updated May 2016 with no chance to scores.</p> <p>Risk reviewed March/April 2015 with new measures now in place although risk score remains at 16 due to the increase of attacks via spam emails containing infected ransomware attachments amongst local authorities.</p>

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ELC CR 4	<p>Flooding and Coastal Erosion</p> <p>As the incidence of flooding and coastal erosion increases as an impact of Climate Change, there is an increased risk of disruption to road and path networks, impact on public safety, damage to roads, property, harbours and natural heritage sites and an associated increase in claims against the Council.</p>	<p>Flooding and drainage issues are considered when processing planning applications. Inspection regimes and good housekeeping measures in place and working effectively.</p> <p>The Severe Weather Response Plan has been developed over the past few years and ensures a co-ordinated and consistent multi-agency response across the county. Emergency surface water, coastal and river flood procedures in place and have proven effective.</p> <p>Shoreline Management Plan has been produced and Flood Risk Management Strategy and Plans are being prepared to meet the requirements of the Flood Risk Management (Scotland) Act 2009.</p> <p>Flooding advice is given on the Council website and directs people to the relevant pages on the SEPA website.</p> <p>The Council is working with the Community Councils to promote and progress "Resilient Communities" as per the Scottish Government initiative "Ready Scotland".</p> <p>Improved communication with vulnerable groups regarding access and assistance during severe weather events.</p>	4	4	16	<p>ELC have commissioned Flood Studies for Haddington and Musselburgh and are to engage a consultant to further develop Flood Protection works on the River Tyne and Esk.</p> <p>Flood Protection Schemes for Musselburgh and Haddington have been included in the List of Prioritised Actions in SEPA's Flood Risk Management Strategy. The implementation of Flood Protection Works is reliant on funding availability. Currently it is envisaged the majority of schemes on SEPA's list will be funded in the 2016-2022 planning cycle.</p>	3	3	9	<p>Depute Chief Executive – Partnerships and Community Services</p> <p>Depute Chief Executive – Resources and People Services</p>	June 2016	Risk reviewed January 2016.
ELC CR 5	<p>Public Sector Reform</p> <p>Major elements of public sector reform have been or are being implemented including:</p> <ul style="list-style-type: none"> Integration of Health and Social Care and creation of a new H&SC Partnership; Review of Community Planning; New legislative duties in relation to procurement, community empowerment, regulation, and children and young people. <p>However, the Scottish Government and the Accounts Commission have reflected that the pace of public sector reform across the Scottish public sector is slower than they had expected</p> <p>Following the Scotland Act 2016 there is continuing uncertainty about the future governance of Scotland, the future structure and governance of local government and the public sector and continuing pressure on public finances.</p> <p>The new Scottish Government's legislative programme is likely to include further proposals that, if implemented, could further centralise control over,</p>	<p>Effective working relations with key partners including Police Scotland, Scottish Fire and Rescue Service, NHS Lothian and the voluntary sector are being further developed through East Lothian Partnership and bi-lateral meetings and arrangements to prepare for public sector reform.</p> <p>The Council Management Team and Council or Cabinet receive reports on the implications of the reform proposals and on the Council's preparations, which are led by the Chief Executive and other senior officers.</p> <p>Responses to the Scottish Government on consultations around public sector reform are prepared and submitted as required. Financial and resource scoping is carried out as required.</p> <p>The Integration Joint Board has been established along with appropriate governance and scrutiny arrangements.</p> <p>The Community Planning Partnership structure established in September 2013 provides a more strategic focus for the East Lothian Partnership including early intervention, tackling inequalities, joint resourcing, and joint asset management. This was</p>	4	4	16	<p>East Lothian Partnership and the Single Outcome Agreement are to be reviewed again in 2016/17 to ensure they meet new requirements set out in the Community Empowerment (Scotland) Act 2016 and the Scottish Government's new legislative programme.</p> <p>Continue to monitor developments in the Public Sector Reform agenda and Scottish Government's legislative programme and develop responses to exploit potential benefits from, or mitigate potential negative impacts of, different future scenarios</p> <p>CMT and elected members will work together to ensure that the Council is prepared for future public sector reform and differing scenarios for future governance, financial, operational and performance management arrangements are explored in order to minimise risk.</p> <p>Area Partnerships now established</p>	3	3	9	Chief Executive	<p>March 2017</p> <p>March 2017</p> <p>March 2017</p>	Risk reviewed and refreshed May 2016 with Current Risk Score increased from 9 to 16.

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	<p>and reduce the powers of, local government. Such proposals include moving responsibilities and funding for education and schools from Councils to Head Teachers; creating new 'educational regions'; decentralising local authority functions and budgets; setting arbitrary targets for devolving funding; and, further review and reform of community planning.</p> <p>The cost of implementing changes arising from legislation is not always fully reflected in Scottish Government funding. In addition, the Scottish Government's commitment to protect and increase funding in priorities such as health and education run the risk of further eroding Scottish Government funding for other local government services.</p> <p>Existing public sector reforms and new reforms expected in the lifetime of the next term of the Scottish Government create uncertainty, additional workload, a requirement to restructure services and create new accountability, governance, scrutiny and partnership arrangements.</p>	<p>tested by a Self-Assessment carried out with the support of the Improvement Service in December 2014, which resulted in a detailed Improvement Plan.</p>				<p>and will be supported to enhance local service delivery.</p> <p>Maintain regular communication with employees to manage any uncertainty in times of change.</p>						
ELC CR 6	<p>Development Plan</p> <p>Failure to maintain an up-to-date Local Development Plan could lead to a shortfall in the effective 5 year housing land supply to meet the needs of our growing population and a lack of control over planning decisions due to planning by appeal. This could lead to unplanned development at odds with the Council's planning strategy for East Lothian, and consequent reputational damage. It could also contribute towards the Council not being able to achieve its Council Plan objectives – Growing our Economy and Growing our Communities – and related Single Outcome Agreement objectives.</p> <p>The Local Development Plan is also required to support and guide the provision of infrastructure required to meet the needs of our growing population and growing economy.</p>	<p>Staffing levels and other resources are stretched in fulfilling the task.</p> <p>Finalisation of the proposed Local Development Plan for examination is part of a Planning Business Plan objective (ongoing review). Details are set out in the Local Development Plan Scheme with timescales (to be reviewed by April 2016).</p> <p>Detailed timeline drawn up for LDP finalisation key stages, including internal consultation and allocation of tasks to staff in other services. Cumulative impacts require to be assessed. Education review and consultations require to be carried out and Transport modelling completed along with assessment of infrastructure requirements.</p> <p>ELC and SESplan Development Plan Schemes commit to a programme of Development Plan Scheme review (reviewed annually).</p> <p>SESplan Joint Committee, Project Board and Steering Group guide joint authority preparation of Strategic Development Plan for Edinburgh and SE Scotland.</p> <p>Community Planning Partnership liaison and involvement through East Lothian Strategic Land Use Planning Group.</p>	4	3	12	<p>Draft proposed LDP approved with amendment November 2015. This gives a basis to consider the principle of housing development on sites that may contribute to a 5 year housing land supply, subject to further technical assessment including cumulative impacts.</p> <p>A fully collaborative and corporate approach is being taken to prioritise development of the Council's proposed plan for ratification and the representation/examination periods</p> <p>Work on schools consultation(s) and transport modelling being undertaken. These are not yet fully aligned and integrated with proposed plan development work due to site/type selection issues with schools and delay of Transport Scotland base model.</p> <p>Infrastructure constraints are being identified collaboratively in accordance with proposed plan development work and are being considered in terms of future financial planning.</p> <p>Housing Land Supply: Interim Planning Guidance as updated approved by East Lothian Council 23 February 2016.</p>	3	3	9	Head of Development	December 2016	Risk Refreshed by Head of Development and Service Manager – Planning February 2016. Current risk score reduced from 15 to 12.

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ELC CR 7	<p>Failure to maintain a highly skilled workforce</p> <p>While private sector wages are beginning to increase the public sector pay rates remain at a lower level with little chance of comparable rises. The Council's salary and grading structure may not be competitive against other local authorities and the private sector making it more difficult to recruit qualifies staff to certain posts.</p> <p>The high number of specialist roles/skills within the Council means that for example service reviews, budget restrictions, long-term absence, cessation of contract etc. would compromise service delivery.</p> <p>Reduction in skilled, qualified and experienced workforce would result in an inability to provide high quality services, increased pressure on existing staff and increased likelihood of poor operational performance.</p> <p>The age profile of the Council staff is a concern as a large proportion of the workforce is aged over 55 years and many staff with significant knowledge and experience could leave the Council leaving the Council at risk in key areas.</p> <p>There is a risk that the Council will not be able to provide the significant investment in time and resources is required to ensure staff maintain their professional and continuing personal development requirement in regulated services such as education and social work, but also to ensure that staff across all services are up-skilled and supported to develop their careers within the Council</p>	<p>The Council's People Strategy and Workforce Development provide the basis for addressing some of the key risks</p> <p>The Workforce Development Plan is informed by the feedback from the Employee Engagement Survey, Investors in People assessment and self-evaluations</p> <p>Annual analysis of age profile engagement survey.</p> <p>Ability to determine and assess staff turnover figures both Council wide and at service level, therefore able to assess any jobs or service areas where there is a higher turnover.</p> <p>Service Reviews take account of requirement for skilled workforce to deliver services.</p> <p>Staff encouraged and supported to work collaboratively where appropriate to share skills, experience and knowledge.</p> <p>Management training (Chartered Management Institute level 3 and 5) available to managers to enable them to develop their management and leadership skills.</p> <p>Performance Review and Development process rolled out across all services providing staff and managers with opportunity to review training and development needs of staff and services.</p> <p>Continue to Identify critical 'specialist' work and contingency measures such as cross-training, shadowing, alternative 'backup' provision and support arrangements.</p> <p>Continuous Professional Development and Supervision and ability to undertake training for professional qualifications in key professions, including teaching and social work to ensure staff maintain their professional accreditation.</p> <p>Programmes in place for graduates internships, apprentices and modern apprentices and school work placements for 16+ are increasing the number of young people employed by the Council.</p> <p>Continued development of skills academies e.g. Construction/ Hospitality will ensure that traditional crafts and skills are not lost and will provide a future pool of skilled labour to recruit from as vacancies arise.</p> <p>Programmes and initiatives in place to support staff and provide a range of benefits including worksmart policy and flexible working, Healthy Working Lives and Employee Benefits such as car leasing scheme, bike buying scheme, and childcare vouchers.</p> <p>Employees have access to the relevant pension scheme, either Lothian Pension Fund or Scottish Teaching Pension Scheme.</p>	4	3	12	<p>Review the Council's People Strategy</p> <p>Review Workforce Development Plan, including development of management and other staff training</p> <p>We have begun exploring implications of ELC's policy of recruitment to first point of pay scales, as part of our overall succession planning and allowing managers to bid to amend this on a case by case basis.</p> <p>Managing attendance policy currently being revised.</p> <p>Explore potential of additional employee benefits</p>	3	3	9	<p>Service Manager HR & Payroll</p> <p>Service Manager Corporate Policy & Improvement</p>	<p>December 2016</p> <p>December 2016</p> <p>December 2016</p> <p>December 2016</p> <p>December 2016</p>	<p>New Risk Created May 2016.</p>

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ELC CR 8	<p>Duty of Care to Public and Public Protection</p> <p>The Council has a responsibility to provide care and support for the people of East Lothian and East Lothian's environment. Any breach of this duty of care may compromise legislative duties, health, safety and wellbeing, impacting on, for example, the protection of children and adults.</p> <p>Failure to fulfil the duty of care could also result in serious harm/death to an individual/s, prosecution, having to pay compensation and have a negative impact on the reputation of the Council.</p> <p>A failure to secure efficient and effective Public Protection arrangements, covering Child Protection, Adult Protection, Offender Management, Violence against Women and Girls and Substance Misuse services, may see the Council being unable to fulfil its statutory duties/duty of care which could contribute to a service user suffering harm/death or detriment. This would in turn result in reputational damage to and increased scrutiny of the Social Work services.</p> <p>The duty of care is at the heart of the Council's approach to risk management.</p> <p>The likelihood of this risk occurring is influenced by a range of factors including for example:</p> <p>(1) Complexity of service delivery, infrastructure, environment and partnership arrangements across the Council services;</p> <p>(2) Increased population and more complex service demands presented by an increasing number of service users whilst resources have reduced</p> <p>(3) Increasing population and the number of vulnerable people in East Lothian;</p> <p>(4) Levels of deprivation in East Lothian;</p> <p>(5) Capacity in partnership and purchased services.</p>	<p>The East and Midlothian Public Protection Committee (EMPPC) established in July 2014 to incorporate the Adult Protection Committee, Child Protection Committee, Offender Management Committee and Violence Against Women Partnership and to ensure robust links with Midlothian and East Lothian Drug and Alcohol Partnership (MELDAP).</p> <p>Governance and scrutiny arrangements in place through Critical Services Oversight Group (CSOG), including Self Evaluation. The Public Protection Office Business Plan is reviewed six monthly by CSOG.</p> <p>East Lothian and Midlothian Public Protection Strategic Business Plan 2014-18 approved by CSOG 03/12/15.</p> <p>Terms of Reference exist for :</p> <ul style="list-style-type: none"> • East and Midlothian Critical Services Oversight Group • East and Midlothian Public Protection Committee • East and Midlothian Performance and Quality Improvement sub-group • Child Protection Inter-Agency Referral Discussion (IRD) Overview Group • Adult Support and Protection IRD Overview Group • MARAC steering group • Violence Against Women and Girls Delivery Group <p>Public Protection Learning and Development and Engagement and Communications strategy developed and under implementation.</p> <p>Policies, Protocols, Procedures and Guidance are in place and available on Public Protection website www.emppc.org.uk. A process is in place for distribution and implementation of policies, protocols, procedures and guidance via PPC members within their areas of influence. There is a programme of review of all policies, protocols procedures and governance arrangements.</p> <p>Chief Social Work Officer (CSWO) fulfils statutory role and responsibilities, overseeing and reporting on Public Protection issues to Chief Executive and Elected Members.</p> <p>CSWO reports annually to Council giving oversight of Public Protection performance including assessment of risks and pressures.</p> <p>Regular public protection performance reporting to PPRC.</p> <p>The Council delivers services within a comprehensive framework of business control arrangements i.e. Single Outcome Agreement, Council Plan, Service</p>	3	4	12	<p>Review of Violence Against Women and Girls Services initiated April 2016.</p> <p>Ongoing review of the Public Protection Performance Framework through the EMPPC Performance & Quality Improvement Sub Group.</p> <p>New obligations of the Children & Young People Bill introducing the 'Named Person' role will be further developed and implemented during 2016/17.</p> <p>Assess implementation of Adult Support and Protection procedures across partnership services to fully embed procedures in practice meeting legislative duties.</p> <p>Suite of Health and Safety Management Arrangements being introduced.</p> <p>The Council is working towards delivering the UK Governments Counter Terrorism strategy, known as Prevent, Contest.</p>	2	4	8	<p>Chief Executive / Critical Service Oversight Group</p> <p>Depute Chief Executives, Director of East Lothian Health and Social Care Partnership and Heads of Service</p> <p>Chief Social Work Officer</p> <p>Public Protection Office</p> <p>Health and Safety Team</p> <p>Emergency Planning and Risk Management Team</p>	<p>March 2017</p> <p>March 2017</p> <p>March 2017</p> <p>March 2017</p> <p>March 2017</p> <p>December 2016</p>	<p>Former Public Protection and Duty of Care to Public Risks combined and reviewed May 2016. Current risk score reduced from 16 to 12 and Predictive Risk score reduced from 12 to 8 as likelihood reduced.</p> <p>Risk reviewed and updated April 2015 by CMT with further review planned throughout 2015/16.</p>

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			L	I	L x I		L	I	L x I			
		<p>Plans, Service Business Continuity and Risk Management Plans, CONTEST and a suite of corporate health and safety policies. This framework provides a robust control and ongoing review for public duty of care and public protection risks.</p> <p>The Council employs staff through robust recruitment policies including pre-employment vetting through Disclosure Scotland and the Protecting Vulnerable Groups scheme.</p> <p>Details of the posts which are subject to the Disclosure process are published on the Council intranet.</p> <p>Council IT systems e.g. the Social Work Framework system and service specific systems are used to identify and record risk factors, relating to people, buildings and places, in a structured and consistent manner; this ensures appropriate legislatively compliant partnership information sharing.</p> <p>All employees access appropriate training/E-Learning covering core Public Protection and Health and Safety training e.g. GIRFEC, Child Protection, Prevent, Adult Protection and Health & Safety.</p> <p>All Regulated Services e.g. Homes for the Elderly, Schools are inspected by Care Inspectorate and HMiE. Action Plans are implemented following on from all Regulated Services inspections.</p>										
ELC CR 9	<p>Duty of Care to Council Staff (Health & Safety)</p> <p>East Lothian Council has a duty of care to all its employees across the full range of services and those who can be affected by the Council's activities.</p> <p>Any breach of this duty of care may affect the health, safety and wellbeing of the Council's employees leading to increased sickness absence, pressures on service delivery with the added potential for claims against the Council for incidents involving employees or non-employees.</p> <p><u>Lone Working</u></p> <p>Failure of the Council to provide employees with effective Lone Working Arrangements and the appropriate training could result in injury or death to those employees resulting in H&S prosecution, civil insurance liability, reputational risk, increased sickness absence and pressures on service delivery.</p>	<p>All employees receive an induction, have job outlines and follow the PRD process ensuring all are capable and trained to perform safely in their roles.</p> <p>Quarterly Joint Health and Safety Committees oversee the Health and Safety Agenda of Council. This is supported by Departmental committees examining health and safety at a department level.</p> <p>Health and Safety Training needs are identified from project plans and Risk Assessment Findings.</p> <p>Risk assessments carried out to identify significant workplace hazards and to establish suitable workplace controls e.g. safe systems of work.</p> <p>Safety Management System in place and supported by audit and inspection programme across the Council.</p> <p>Managing attendance and Managing sickness Absence Policies in place. Training for managers in managing attendance and sickness absence in place.</p> <p>Quarterly reviews of Occupational Health Service referral levels take place. Monthly Occupational health contract and work level review takes place along with a review of service need and demands.</p>	3	4	12	<p>A comprehensive suite of Management Arrangements and supporting Guidance are being developed.</p> <p>Managing Attendance Policy currently being reviewed following which a series of new workshops will be rolled out to managers.</p> <p>Explore implementation of Vehicle Tracking system into Fleet Vehicles used by lone staff working directly with clients.</p> <p>Review the Staff Domestic Abuse Policy.</p> <p>Implement and review Policy and Guidance through the Safe Driving at Work Group.</p>	2	4	8	<p>Head of Children and Adult Services</p> <p>Service Manager – Revenues</p> <p>SDAW Group</p> <p>Depute Chief Executive – Partnerships and Community Services</p> <p>Health and Safety Team</p> <p>Human Resources / Public Protection Office</p>	<p>March 2017</p> <p>March 2017</p> <p>March 2017</p> <p>March 2017</p> <p>November 2016</p>	<p>Risk reviewed and updated May 2016.</p> <p>Risk refreshed December 2015 by CMT with current residual score reduced from 15 to 12 and planned score reduced from 10 to 8.</p> <p>Risks on Lone Working, Safe Driving at Work and Duty of Care amalgamated into one Duty of Care (H&S of employees) Risk in May 2014 at the request of CMT.</p>

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	<p><u>Safe Driving at Work</u></p> <p>“Health and Safety Law applies to on the road work activities as to all work related activities and the risks should be managed within a health and safety management system”. Failure to implement and maintain a Safe Driving at Work (SDAW) Policy and Guidance to ensure that the Council meets current Health & Safety guidelines could result in the Council facing legal action if a serious road accident were to take place involving any driving operation undertaken by employees, Elected Members, volunteers, agency workers or other authorised parties using personal, Council or hired vehicles, as well as any driving Council fleet vehicles, in connection with Council business.</p>	<p><u>Lone Working</u></p> <p>Information on Lone Working is part of the Service Level Induction process. Lone Working employees who require access to the lone worker system have received training on the use of this. Specific procedures are in place in services with a high level of lone working such as Children’s Wellbeing and Revenues, including risk assessments, electronic diaries, mobile phones and signing in/out books. Lone workers register and use the Corporate Lone Working System operated through the Contact Centre.</p> <p>Revenues lone workers are allocated a Peoplesafe personal alarm that provides 24/7 monitoring using GPS. Lone workers can be tracked via a dedicated website and are able to raise an alarm by activating their device. http://peoplesafe.co.uk/services/identicom_877.asp</p> <p>A Potentially Violent Clients Register has been set up which enables the sharing of information relating to potentially violent clients across customer facing teams allowing managers to identify and implement control measures to protect employees from potential harm.</p> <p><u>Safe Driving at Work</u></p> <p>A Safe Driving at Work Policy and a Guidance Manual has been completed by the SDAW Group to ensure that safe driving principles are embedded across the Council. The draft policy has been consulted on and has been approved by Cabinet and is about to be publicised to all staff and implemented alongside new Transport checks.</p> <p>Arrangements in place to ensure the reporting and recording of all accidents and incidents arising from work related driving as well as identifying and implementing remedial actions following road traffic accidents.</p> <p>Council vehicles used in the course of Council activities are properly maintained and fit-for-purpose. All Council vehicles over 3.5t are maintained in accordance with VOSA publication “Guide to Maintaining Roadworthiness”.</p>										
ELC CR 10	<p>Corporate Events Management</p> <p>Effective preparation and co-ordination across a number of services, for high profile events coming to East Lothian is essential and failure to achieve this could result in a risk of adverse reputational impact for the Council on a national/international level as well as possible legal procedures at fatal accident enquiries accounting for our action or non-action.</p>	<p>Currently for each <i>major event</i> considerable pre-event liaison with Council teams, event organisers and the Emergency Services takes place. However, there is no <i>overall co-ordination</i> of all events and no SAG process in place.</p> <p>Council staff involved in events have considerable experience and proven track records in organising and managing events.</p>	3	4	12	<p>Selected staff to attend SAG training and liaise with other Local Authorities and COSLA to determine and introduce ‘best practice’.</p> <p>Corporate Events Management Group to be put in place and hold regular overarching SAG meetings (suggested quarterly) to decide which events require specific SAG.</p>	2	4	8	<p>Depute Chief Executive - Partnerships & Community Services</p> <p>Head of Service (Development)</p>	<p>December 2016</p> <p>December 2016</p>	<p>New risk created May 2016.</p>

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			L	I	L x I		L	I	L x I			
	<p>COSLA, Police Scotland and the Health & Safety Executive (HSE) recommend that Local Authorities form a core group, led by a senior officer, who will meet to discuss all events taking place within their area over a pre determined period of time. This group would include the blue lights and other appropriate organisations and decide if each individual event should be organised through a separate, specific Safety Advisory Group (SAG) or if the event can carry on without interference, other than appropriate safety advice.</p> <p>The following criteria would be considered by the 'over arching' SAG:</p> <ul style="list-style-type: none"> • Status of the principal e.g. HM Queen • Status of the event organiser e.g. Scottish Defence League • The size of the crowd or the number of spectators • The profile of the event e.g. North Berwick Highland games. • The requirement for a TTRO • At the request of one of the partner agencies • At the request of an event organiser <p>The council is involved in events as they tend to take place in Council parks or on our roads. ELC also provide infrastructure such as barriers and have staff working at events. We also issue licenses and permits and for many events we also provide grants.</p> <p>Whilst the majority of these events are organised by outside bodies, most will require a licence from the Council and while the Council will obviously do everything possible to help the organisers operate within the law, if they fail to have the correct licences in place then it is them that face the risk of criminal prosecution.</p> <p>The Council has a statutory role in enforcement /inspection (building control, food hygiene etc.) and we do help the organisers in relation to traffic management and other aspects but it would be the organisers themselves that carry the risk.</p>	<p>Event guidance for organisers of events is published on the Council website.</p> <p>Where a SAG group is set up, for a specific event, it has no statutory power to stop it taking place, however, it can withdraw its support and co-operation which means that the event cannot proceed. This is especially true in terms of their insurance cover. Police Scotland will always provide the final advice on public safety.</p>				<p>Corporate Events Management Group meetings to co-ordinate preparation for various events as per event schedule, with representation from all relevant Services areas and Multi-Agency Partners.</p> <p>Events Guidance Manual to be drafted and put online with information on Insurance, Communications, Travel Plans (bus routes) and Council and External Contact information.</p> <p>Single Point of Contact (SPOC) resource requirement to be quantified and assessed to maintain an overview of events and event notifications, awareness and assessment to support overarching SAG meetings and Corporate Events Management Group meetings and the actions that flow from these.</p>				<p>Service Manager – Environmental Health</p> <p>Team Manager, Economic Development</p>	<p>December 2016</p> <p>September 2016</p> <p>August 2016</p>	
ELC CR 11	<p>Contest</p> <p>Deliver the UK Governments Counter Terrorism strategy, known as CONTEST.</p> <p>All Local Authorities in Scotland are required to comply with the statutory legislation issued under section 24 of the Counter Terrorism and Security Act 2015.</p> <p>Failure to discharge this duty could result in the Secretary of State issuing a direction to the Council via the powers within the act and would also result in a loss of reputation and negative publicity.</p>	<p>Multi agency 'J' Division CONTEST Meeting attended by East Lothian Council representatives.</p> <p>ELC has established a CT WG chaired by the Deputy Chief Executive with members consisting of the CMT.</p> <p>ELC has appointed a senior member of staff as SPoC for Prevent as per the guidelines issued.</p> <p>ELC has also appointed a SPoC for Prepare and Protect.</p> <p>A training gap analysis has been completed in respect of Prevent.</p> <p>Education personnel are fully engaged with Prevent.</p>	4	3	12	<p>Programme of awareness training and delivery of packages such as WRAP/ACT Now training to be followed in ELC.</p> <p>A good level of engagement to be sustained with Community Planning Partners.</p> <p>Head of Education to progress Prevent training for staff and pupils. School IT filters will follow Government Guidance.</p> <p>ELC will follow and contribute towards the 'J' Division Contest group implementation plan.</p>	2	3	6	<p>Chief Executive</p> <p>Depute Chief Executives</p> <p>Council Management Team</p>	<p>March 2017</p> <p>December 2016</p> <p>December 2016</p> <p>September 2016</p>	New risk created May 2016.

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			L	I	L x I		L	I	L x I			
		<p>ELC Managers have received Prevent training.</p> <p>E Learning, level 1, training package available to all staff.</p>				Reporting process will be established.				September 2016		
ELC CR 12	<p>Severe Weather</p> <p>There is a risk that an extended period of severe winter weather will lead to an increase demand for gritting and snow clearing of roads/footpaths which exceeds normal capacity and supplies of salt.</p> <p>This could result in travel disruption, difficulties for people in accessing services, failure to maintain refuse collection timetable and school closures at short notice as well as a possible increase in insurance claims related to pothole damage.</p>	<p>East Lothian Councils Winter Maintenance Plan has been in place for some time and ensures that the main transport routes are treated as priority.</p> <p>The ELC Severe Weather Response Plan has been developed over the past few years and ensures a co-ordinated and consistent multi-agency response across the county and is reviewed annually.</p> <p>Claims protocol in place within the Insurance section.</p> <p>Council's Salt Barn has a capacity of 8,000 tonnes to meet demand arising from severe cold weather.</p> <p>Snow clearing equipment has been supplied to Primary Schools and Community Councils on request. A number of grit bins are provided to enable self-help gritting of adopted roads and footways.</p> <p>Winter Maintenance operatives are trained to SVQ or equivalent in winter gritting and snow clearing. Winter Maintenance Duty officers trained as Winter Service Supervisors to City and Guilds level.</p> <p>Guidance and information on ELC website.</p> <p>Several Community Councils have started to create their own emergency response plans or asset registers of volunteers and skills available at a time of crises. A workshop, hosted by East Lothian Council, to further progress Resilient Communities, for the benefit of Community Councils and other voluntary organisations, took place in 2014 creating momentum in this area. As a direct result of this workshop ELC will now finance all 20 Community Councils annual insurance premiums ensuring that Insurance is not perceived as a barrier to invoking such plans.</p> <p>Training and awareness sessions for staff.</p> <p>Training and exercising with partner agencies.</p>	3	3	9	The Council continues to work with the Community Councils and other voluntary groups including Tenants and Residents Associations to promote and progress "Resilient Communities" as per the Scottish Government initiative "Ready Scotland".	3	3	9	Depute Chief Executive – Partnerships and Community Services	Ongoing through 2016	Risk refreshed April 2016 with no changes to risk scores.

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			L	I	L x I		L	I	L x I			
ELC CR 13	<p>Carbon Management</p> <p>There is a risk that the Council may fail to meet its public bodies duty under the Climate Change (Scotland) Act 2009 to reduce its carbon emissions, adapt to climate change and endeavour to act sustainably. Failure to mainstream and embed action to address climate change issues may harm the Council's reputation (in terms of corporate social responsibility) and increase the potential for unbudgeted costs and financial penalties.</p> <p>Such an example is the Carbon Reduction Commitment (CRC), which is essentially a carbon tax. In 2014/15, the CRC was extended to include emissions from street lighting. Additionally, the CRC cost per tonne of carbon emitted from energy and street lighting rose from £12 to £16 per unit.</p>	<p>A Climate Change Planning and Monitoring Group has been established, under the East Lothian Partnership (inaugural meeting February 2015). The Group will play a critical part in driving and coordinating the work of the Partnership to meet its climate change obligations and commitments.</p> <p>The Group will be responsible for developing and monitoring a Climate Change Strategy to replace the Environment Strategy and the Carbon Management Plan (2009-14, extended to 2015).</p> <p>Supporting the work of the Group will be a number of delivery subgroups, a number of which already exist (e.g. Carbon Management Team). The Subgroups will be tasked to implement relevant plans and projects identified in the Climate Change Strategy.</p> <p>Area Partnerships serving the six cluster areas of East Lothian were established in 2014, providing the main opportunities for local communities to contribute to the East Lothian Plan and influence service planning and delivery in their area. Each Partnership is responsible for developing a strategic level area Plan, linked to the priorities in the ELP, which will be delivered by partners and involve local communities. Sustainable travel has been identified as a key priority across all the Partnerships.</p>	3	3	9	<p>Develop a Climate Change Strategy.</p> <p>Update the Carbon Management Plan.</p> <p>Develop an Active Travel Improvement Plan, with input from the 'East Lothian on the Move' events held within each Area Partnership, as part of the Local Transport Strategy.</p>	2	3	6	Depute Chief Executive – Partnerships and Community Services	<p>March 2017</p> <p>June 2016</p> <p>December 2016</p>	Risk refreshed January 2016 by Sustainable Development Officer.
ELC CR 14	<p>Stability of the Council Plan</p> <p>The Council will begin drafting a new Council Plan for 2017 to 2022 in Autumn 2016. It will engage with communities and partners on a refresh of the council vision and priorities that will form the basis for the new plan.</p> <p>The Council Plan is a key element in securing long term stability for future service delivery planning. The risk of not fulfilling this would present challenge for the council in maintaining high quality service delivery, meeting the aspirations of our customers and the longer term effectiveness of the organisation.</p>	<p>The Plan is regularly monitored and reviewed by CMT and reported to Audit and Governance on an Annual basis.</p> <p>The following are all currently in place:</p> <p>Council Plan 2012-2017</p> <p>Council Vision</p> <p>Strategic Objectives</p> <p>Single Outcome Agreement</p> <p>Long term budget planning</p>	3	3	9	The Council will begin drafting a new Council Plan for 2017 to 2022 in Autumn 2016. It will engage with communities and partners on a refresh of the council vision and priorities that will form the basis for the new plan.	2	3	6	Council Management Team	April 2017	Risk created May 2016

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			L	I	L x I		L	I	L x I			
ELC CR 15	<p>Business Continuity</p> <p>Non availability of:</p> <ul style="list-style-type: none"> premises, through fire, flood or other unexpected incident; key staff or significant numbers of front-line staff for any reason including a Pandemic; and/ or systems (IT, telephony, power failure etc) any form of transportation due to a fuel shortage <p>The occurrence of any of these may have an adverse effect on the Council to function fully and to complete critical services and statutory requirements.</p>	<p>Business Continuity Framework Plan in place and regularly reviewed.</p> <p>Business Continuity Plans are maintained for all service areas, giving details of minimum levels of staff, alternate locations, exercise and review dates and version control.</p> <p>The Chief Executive has a statutory responsibility for the ELC BC process. The Heads of Service remain responsible for ensuring the BC process is completed within their area of work.</p> <p>As a result of a Business Continuity (BC) review in 2015 each service area now has a Single Point of Contact (SPoC) and deputy who are responsible for, their services BC Plan, exercising this plan and ensuring it is maintained. All BC Plans are managed through Rivo software.</p> <p>ELC staff have access to an e-learning package on Business Continuity.</p> <p>IT –specific disaster recovery arrangements in place for the critical systems – e-mail and social care. These have duplicate services in place off site which can be brought into action if ELC lost its main data centre at JMH.</p> <p>For single server failure - there are over 100 systems now running on virtual servers which automatically fall over to another server if there are hardware issues.</p> <p>Controls that are in place to prevent and limit the effects of IT system unavailability including firewalls, anti-virus software, system/ data backup routines, and resilience in the form of a back-up generator for the main data centre at JMH.</p> <p>The Council has a Fuel Plan in place and is able to call a Fuel Group at anytime. Fuel supply held at our depots and can be sourced externally from local fuel service stations and through shared services with other Local Authorities. Regular monitoring of current fuel stock and assessment of any weather predictions, political developments or industrial action etc that may affect fuel availability.</p> <p>An IT Disaster Recovery Plan is in place and will be regularly updated when any changes take place in the main data centres.</p>	2	4	8	<p>Progress Business Continuity 'alternative accommodation' plan and a 'site specific' plan.</p> <p>Replace the Rivo BC/EP software as it is not 'fit for purpose'.</p> <p>Organise and plan a full real time exercise, involving a facility (possibly JMH) to test the ELC BC plans once new software is introduced and staff are familiar with it.</p>	2	3	6	<p>Depute Chief Executive – Partnerships and Community Services</p> <p>Depute Chief Executive – Resources and People Services</p>	<p>March 2017</p> <p>July 2016</p> <p>March 2017</p>	Refreshed April 2016
ELC CR 16	<p>Equality</p> <p>Failure to meet duties and legislative requirements of the Single Equality Act 2010</p> <p>The Single Equality Act 2010 and related guidance places a general duty on public authorities to be active in promoting equality, eliminating unlawful conduct and fostering good relations. It also places specific duties on public authorities to</p>	<p>ELC Equality Plan in place and available online</p> <p>A new Integrated Impact Assessment Process has been developed with Midlothian Council and NHS Lothian to support the Council to meet its legal duties</p> <p>The Senior Management Team received a presentation on the new IIA process in April 2016 to assist in embedding the new process across the</p>	2	3	6	<p>Embedding of new Integrated Impact Assessment procedure across all Council services.</p>	2	3	6	<p>Depute Chief Executive – Partnerships and Community Services</p>	December 2016	Risk reviewed and refreshed May 2016 with both current and predictive scores reduced from 8 to 6 due to implementation of additional

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ELC CR 17	<p>Standards in Public Life</p> <p>Failure of corporate governance or to meet standards in public life.</p> <p>Failure of the Council's corporate governance or of officials or members to meet standards in public life could result in reputational damage.</p>	<p>The main internal controls are the Council's Code of Corporate Governance, the Annual Governance Statement, Standing Orders, Scheme of Administration and Financial Regulations. Standing Orders (the Schemes of Administration and Scheme of Delegation) were extensively revised and approved by Council in August 2013 and further revised on a regular basis since.</p> <p>The conduct of elected members, officials and employees is governed by Codes of Conduct. The Standards Commission is responsible for encouraging high standards of behavior by Councillors and will adjudicate where there are allegations that Councillors have breached the Code of Conduct. The Audit and Governance Committee also has a role in promoting good governance. The Council's Monitoring Officer and legal advisers provide advice as required. Internal Audit conducted a review of the process for Elected Members' Registers of Interests and Declarations of Gifts and Hospitality and a report was submitted to the Audit & Governance committee in March 2015. The report recommendations were implemented in May 2015 and remain current best practice.</p> <p>A programme of briefings for Elected Members has been established since 2013 with events currently scheduled every month during the committee session. Ad hoc additional briefings are also held. Briefing topics for the 2015/16 session include: Performance Management, Developing the Young Workforce, Education- roll capping, Academies and Risk Management. Topics are already in the pipeline for session 2016/17.</p> <p>The Council is developing its links with the Local Area Network of audit and inspection agencies and with its Auditors.</p> <p>Elected Members have an ongoing opportunity to participate in the Improvement Service's CPD programme.</p> <p>Elected Members have an ongoing opportunity to attend Master classes which are run by the Improvement Service. 2015/16 topics include: Strengthening Personal Resilience; Benchmarking; and Improving Economic Outcomes</p> <p>Since May 2015, a six monthly reminder is issued to Elected Members regarding updating their Register of Interests and Declarations of Gifts and Hospitality.</p>				Induction training for new members or re-elected members to ensure understanding of the importance of standards in public life.				<p>Depute Chief Executive – Resources and People Services</p> <p>Depute Chief Executive – Partnerships and Community Services</p>		Risk reviewed February 2016 with Current Score reduced from 6 to 4.
			2	2	4		2	2	4			

Original date produced (Version 1)	13 April 2011		
File Name	East Lothian Council Corporate Risk Register		
Original Author(s)	Scott Kennedy, Risk Officer		
Current Revision Author(s)	Scott Kennedy, Risk Officer		
Version	Date	Author(s)	Notes on Revisions
1	13/04/2011	S Kennedy	Original Version
2	05/12/2011	S Kennedy	2 nd version made available to BoD for review
3	23/08/2012	S Kennedy	Draft version updated
4	15/11/2012	S Kennedy	Updated following BoD meeting and Strategy update
5	07/12/2012	S Kennedy	Updates received from services following BoD recommendations
6	18/12/2012	S Kennedy	Updated with additional risks.
7	04/01/2013	S Kennedy	Updated following consideration by CMT
8	09/05/2013	S Kennedy	EP & BC Risks updated
9	31/07/2013	S Kennedy	Data Protection Risk Added
10	01/11/2013	S Kennedy	Welfare Reform Risk updated (no change to score)
11	04/03/2014	S Kennedy	New Corporate Risks added on Safe Driving at Work, VERS, Fuel Shortages and Lone Working
12	March/April 2014	S Kennedy	All risks reviewed, refreshed and scores updated where required.
13	11/04/2014	S Kennedy	New Corporate Risk on Integration of Health & Social Care and Adult Wellbeing added.
14	25/04/2014	S Kennedy	Amendments following consultation with CMT and Risk Authors
15	01/05/2014	P Vestri	Amendments following review of latest draft by Chief Executive and Depute Chief Executives.
16	27/05/2014	S Kennedy	Final amendments following consultation with CMT and Risk Authors including addition of Development Plan and Public Protection risks
17	23/12/2014	S Kennedy	Climate Change Risk refreshed as well as adding column for date Planned Risk Measures will be completed by to the Register.
18	February-April 2015	S Kennedy	All Risks Refreshed by authors and reviewed by CMT
19	December 2015	S Kennedy	All Risks Refreshed by authors and reviewed by CMT
20	January 2016	S Kennedy	Carbon Management, Flooding and Equality Risks refreshed.
21	April – May 2016	S Kennedy	Amended following CMT meeting & further update of all risks including new risks created and Duty of Care and Public Protection Risks combined.

Risk Score	Overall Rating
20-25	Very High
10-19	High
5-9	Medium
1-4	Low