

REPORT TO: Audit and Governance Committee

MEETING DATE: 13 September 2016

BY: Chief Executive

SUBJECT: Education Risk Register

1 PURPOSE

- 1.1 To present to the Audit and Governance Committee the Education Risk Register (Appendix 1) for discussion, comment and noting.
- 1.2 The Education Risk Register has been developed in keeping with the Council's Risk Management Strategy and is a live document which is reviewed and refreshed on a regular basis, led by the Education Local Risk Working Group (LRWG).

2 RECOMMENDATIONS

- 2.1 It is recommended that the Audit and Governance Committee notes the Education Risk Register and in doing so, the Committee is asked to note that:
 - the relevant risks have been identified and that the significance of each risk is appropriate to the current nature of the risk.
 - the total profile of the Education risk can be borne by the Council at this time in relation to the Council's appetite for risk.
 - although the risks presented are those requiring close monitoring and scrutiny over the next year, many are in fact longer term risks for Education and are likely to be a feature of the risk register over a number of years.

3 BACKGROUND

- 3.1 The Risk Register has been compiled by the Education LRWG. 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).

- 3.2 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.
- 3.3 The current Education Risk Register includes 6 High risks, 10 Medium risks and 2 Low Risks. As per the Council's Risk Strategy only the Very High and High risks are being reported to the Committee.
- 3.4 A copy of the risk matrix used to calculate the level of risk is attached as Appendix 2 for information.

4 POLICY IMPLICATIONS

- 4.1 In noting this report the Council will be ensuring that risk management principles, as detailed in the Corporate Risk Management Strategy 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 Education Local Risk Working Group that the recurring costs associated with the measures in place for each risk are proportionate to the level of risk. The financial requirements to support the Risk Register for the year ahead should be met within the proposed 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 Corporate Management Team.
- 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 – Education Risk Register

7.2 Appendix 2 – Risk Matrix

AUTHOR'S NAME	Scott Kennedy Paolo Vestri
DESIGNATION	Emergency Planning and Risk Officer Service Manager - Corporate Policy and Improvement
CONTACT INFO	skennedy@eastlothian.gov.uk 01620 827900 pvestri@eastlothian.gov.uk 01620 827320
DATE	31 August 2016

Education Risk Register v9

Date reviewed: 31 August 2016

Risk ID	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion/ Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood	Impact	Risk Rating		Likelihood	Impact	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
ED 1	<p>Educational Attainment</p> <p>Failure to raise the standards of educational attainment for all will lead to a reduction in opportunities for young people such as entrance to Further and Higher Education or employment, with the consequence of parental dissatisfaction and damage the reputation of individual schools and the education service as a whole.</p> <p>A failure to report positive findings in relation to the four national priorities set out within the national improvement framework will lead to further scrutiny by external organisations such as Audit Scotland, Education Scotland and Scottish Government and the Local Area Network.</p>	<p>Each school has a School Improvement Plan, guided by the revised Education Service Plan (developed and delivered by Education Steering group in consultation with Head Teachers) with target setting for attainment.</p> <p>QIOs monitor and evaluate schools while HMIE have a schools inspection programme.</p> <p>Regular liaison with Education Scotland Area Lead Officer (ALO).</p> <p>Curriculum for Excellence continues to evolve in schools while Education disseminates best practice, guidelines and policies.</p> <p>School strategies are in place for increasing expectations of pupils and families (including tackling the barriers to improving achievement and ensure pupil attendance i.e. reducing the attainment gap).</p> <p>Targeted support for schools and early year's providers is provided where a need is identified.</p> <p>An Education Digital IT group is in place to review the current ICT strategy and infrastructure. The current strategy identifies the required level of support and intervention within the authority and schools.</p> <p>Policies are in place covering Health & Wellbeing, Numeracy & Mathematics, Quality & Assurance and Learning & Teaching, all approved by Education Committee.</p> <p>All Schools now have at least two focussed attainment challenge meetings per annum. Primaries are held at cluster level led by the QIO and secondaries are chaired by the Head of Education with the QIO, Deputy Chief Executive and an independent Head Teacher.</p> <p>Activities to improve attainment to be reported upon at every future Education Committee as appropriate.</p> <p>A suite of data has been developed to highlight KPIs, share with schools and agree performance improvement.</p>				<p>Plan to develop curriculum across all areas to improve continuity and progression in learning with the broad general education</p> <p>Continue to improve the transition of young people from mainstream education to work, training, further and higher education through working with secondary schools.</p> <p>Develop an authority wide model for the Senior Phase that incorporates all elements of the curriculum.</p> <p>Early Learning and Childcare Strategy to develop a career path for potential future Early Years Practitioners. Strategy being presented to Cabinet on 13th September 2016.</p>				<p>Head of Education</p> <p>Quality Improvement Officers</p> <p>Head Teachers</p>	<p>August 2018</p> <p>August 2017</p> <p>August 2017</p> <p>September 2016</p>	<p>2</p> <p>3</p> <p>4</p>	<p>Refreshed August 2016 with no changes to scores.</p> <p>Refreshed August 2014 with current risk score increased from 6 to 16 and residual risk score increased from 4 to 9.</p>
			4	4	16				3	3	9		

Risk ID	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion/ Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood	Impact	Risk Rating		Likelihood	Impact	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
		<p>Continue to develop partnership arrangements with QMU and Edinburgh College to broaden the curriculum.</p> <p>Education Steering Group will review priorities detailed in the Service Plan and update as appropriate.</p> <p>An on-line learning environment has been developed with partners for all students to reflect the way young people can now learn.</p> <p>The connected learning network is currently in all six secondary schools and two early adopter primary schools. There is a further roll-out to six more primary schools this current school session. Roll out to all schools will be incremental dependent on funding.</p> <p>The Future Technologies Centre (Construction Academy) in partnership with Edinburgh College and Infrastructure Dept opened on 29th August 2016.</p>											
ED 2	<p>Supply Teachers</p> <p>There is a nationwide shortage of supply teachers which is impacting on East Lothian. In practice this means that classes are being covered by Management. Further changes are being made to the supply system to improve efficiency of processes however this is having little impact on the number of supply vacancies filled.</p> <p>This is impacting on the quality of learners experience also on the availability of management to undertake their leadership role.</p>	<p>LNCT Group set up in addition to national COSLA working group, identifying practical solutions to the challenge.</p> <p>Continue to advertise and recruit to supply list.</p> <p>Appointment of permanent Primary supply teachers.</p> <p>Continue to work with Contact Centre to improve communication with supply teachers in order to engage their services.</p>	4	4	16	<p>The Council is aiming to revisit our procedures for supply staff including inter-authority collaboration which it is hoped this will lead to a reduction in unfilled posts.</p> <p>Working collaboratively with neighbouring authorities and Edinburgh University to provide an appropriate course for returners to the profession. This will be enhanced through local advertising.</p> <p>Via COSLA continue to inform the national debate around teacher numbers, both permanent and supply.</p>	3	3	9	Service Manager – Education (Strategy & Ops)	December 2016	2 3 4	<p>Risk refreshed August 2016 with no changes to scores.</p> <p>Residual risk score increased from 6 to 9 July 2015.</p>
ED 3	<p>Education Budget</p> <p>A failure to meet our statutory requirements and other targets due to budget constraints or conversely overspending our budget in order to meet said statutory requirements and targets.</p> <p>There are increasing requirements from the Government e.g. teacher numbers guarantee and 600/1140 hours of childcare and early education and there is a need to think creatively around budget deployment to meet needs.</p> <p>If appropriate solutions are not implemented, this could lead to a reduction in opportunities for young</p>	<p>The annual budget allocation is prioritised and monitored while the Scheme of Devolved School Management determines the allocation at School level.</p> <p>Detailed budget planning measures are in place together with monthly monitoring and validation.</p> <p>Education Steering Group meets every six weeks to review, direct and agree changes to strategy.</p> <p>Benchmarking against other authority initiatives and devolved school management schemes to ensure efficiencies.</p>	3	4	12	<p>Implement an Early Years Strategy 2016-2021 to incorporate future delivery of 1140 hours of free early learning and childcare by 2020.</p> <p>Strategy to include trial proposals in conjunctions with SFT and SG.</p> <p>An Inter Authority Group is to be established to agree a way forward in relation to Cross Boundary Charges.</p>	3	3	9	<p>Chief Executive</p> <p>Head of Education</p> <p>Service Manager – Education (Strategy & Ops)</p> <p>Head of Council Resources</p> <p>Deputy Chief Executive – Resources and People Services</p> <p>Head of Finance</p>	<p>September 2016</p> <p>September 2016</p> <p>September 2016</p>	2 3 4	<p>Risk Refreshed August 2016 with current score reduced from 16 to 12.</p> <p>Refreshed September 2015 – Current Risk Score increased from 8 to 16 and residual score from 4 to 9.</p>

Risk ID	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion/ Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood	Impact	Risk Rating		Likelihood	Impact	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
	people with the consequence of parental dissatisfaction and damage the reputation of the Council. The opportunity is to create new propositions and service offerings.	Working with Finance colleagues at early stage to highlight and address possible budget pressures. Staffing is continually monitored to ensure we meet the required Pupil to Teacher ratio at September 2016 Census point. Scottish Government monitors this. Close working with schools regarding established staffing compliments and continual updating of SEEMIS records to ensure accurate and up to date information is held.											
ED 4	School Estate Management Failure to maintain up-to-date information on the Condition and Suitability of the schools' estate may result in having insufficient data to inform planned maintenance budgets and essential building works. Failure to provide adequate financial and staffing resources to maintain the school estate to the required standard.	Condition and Suitability surveys for the Primary schools are refreshed annually to report SPI data. Property Inspectors and the Asset Team identify priorities on a 3 year rolling programme and implement within available budgets. Work is prioritised on a risk management basis, addressing statutory compliance matters first (fire safety, electrical, safety DDA etc).	3	4	12	Condition and Suitability surveys for all Primary schools are almost complete, with only newer schools to be completed for 2016 while these are refreshed annually to report SPI date. Reports to Corporate Asset Group will highlight risks which cannot be managed and may impact on the operation or safety of the school estate.	2	4	8	Depute Chief Executive – Resources and People Services Service Manager – Engineering Services & Building Standards	December 2016 December 2016	2 3 4	Risk refreshed August 2016 with no change to score.
ED 5	Education Estate Failure to make timeous responses to planning applications, identifying the impact of proposed development on the Education estate, resulting in delays to determining applications and potential claims from applicants.	Significant work has been undertaken through the LDP process to establish the likely impact of proposed development on the Education estate resulting in more robust information for responding to planning applications. Education and Strategic Asset Management teams work closely to analyse the data provided by Education and identify requirements arising as a direct result of proposed development. The S75 process is under review. An enhanced and robust school roll projection and class organisation system is in place in Education. This is key to determining the future capacity needs of schools.	3	4	12	Quarterly review meetings to be held with Education and Strategic Asset and Capital Plan Management to review school development programmes and projects. Minutes and Actions to be circulated to Corporate Asset Group. A review of average primary and secondary child per house ratio are due to be completed later this year.	2	4	8	Depute Chief Executive – Resources and People Services Service Strategic Asset & Capital Plan Management	October 2016 December 2016	2 3 4	Risk refreshed August 2016 with no change to score.
ED 6	IT Infrastructure The IT infrastructure will not be in place to support the use of digital technologies moving forward. A failure to address this could result in a lack of infrastructure to address the use of digital technology and impact on the ability to enhance learners' digital literacy skills.	Collaborative working between IT ICT and Education continues in respect of addressing the needs of schools and the wider services. EDIT group re-established and includes representatives from central IT, central Education officers and school based management and meets bi-monthly and is looking to develop an ICT strategy and maintain and improve the current ICT infrastructure within schools.	3	4	12	Finalise and implement the ICT strategy which is dependent upon appropriate finance. Work with schools to encourage them to promote the effective use of current and future ICT resources.	2	4	8	Head of Education Service Manager Education (Strategy & Ops) Service Manager - IT Infrastructure	February 2017 December 2016	2 3 4	New risk created August 2016

Risk ID	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Risk Owner	Timescale for Completion/ Review Frequency	Single Outcome Agreement Outcome Number Link	Evidence held of Regular Review
			Likelihood	Impact	Risk Rating		Likelihood	Impact	Residual Risk Rating				
			L	I	L x I		L	I	L x I				
Original date produced (Version 1)		1st March 2012											
File Name		Education Risk Register											
Original Author(s)		S Kennedy											
Current Revision Author(s)		S Kennedy											
Version	Date	Author(s)	Notes on Revisions									Risk Score	Overall Rating
Original	1 st March 2012	S Kennedy										20-25	Very High
2	19/11/12	S Kennedy	Updated following update to Risk Strategy									10-19	High
3	08/01/13	S Kennedy	Updated with Education Risk Group's updates.									5-9	Medium
4	11/04/13	S Kennedy	Updated with Education Risk Group and Management Team's updates.									1-4	Low
5	May 2014	S Kennedy	Risks refreshed by Education and Corporate Risk on School Estate Management Added										
6	August 2014	S Kennedy	Risks refreshed (including former risk on post replacements being removed and new risks added) by Richard Parker and Liz McLean for Property involvement then checked and further updated by Darrin Nightingale.										
7	July 2015	S Kennedy	Risks refreshed (including former risks on standard of competence, service performance and replacement of director being removed and new risk on safes added) by Darrin Nightingale and Liz McLean for Property involvement.										
8	September 2015	S Kennedy	Risk relating to Property updated by Liz McLean and one of those risks split into two risks. Further refresh by Darrin Nightingale.										
9	June-August 2016	S Kennedy	Updated following meetings with Head of Education and Senior Staff										

Appendix 2
East Lothian Council
Risk Matrix

Likelihood Description

Likelihood of Occurrence	Score	Description
Almost Certain	5	Will undoubtedly happen, possibly frequently >90% chance
Likely	4	Will probably happen, but not a persistent issue >70%
Possible	3	May happen occasionally 30-70%
Unlikely	2	Not expected to happen but is possible <30%
Remote	1	Very unlikely this will ever happen <10%

Impact Description

Impact of Occurrence	Score	Description						
		Impact on Service Objectives	Financial Impact	Impact on People	Impact on Time	Impact on Reputation	Impact on Property	Business Continuity
Catastrophic	5	Unable to function, inability to fulfil obligations.	Severe financial loss (>5% budget)	Single or Multiple fatality within council control, fatal accident enquiry.	Serious - in excess of 2 years to recover pre-event position.	Highly damaging, severe loss of public confidence, Scottish Government or Audit Scotland involved.	Loss of building, rebuilding required, temporary accommodation required.	Complete inability to provide service/system, prolonged downtime with no back-up in place.
Major	4	Significant impact on service provision.	Major financial loss (3-5% budget)	Number of extensive injuries (major permanent harm) to employees, service users or public.	Major - between 1 & 2 years to recover pre-event position.	Major adverse publicity (regional/national), major loss of confidence.	Significant part of building unusable for prolonged period of time, alternative accommodation required.	Significant impact on service provision or loss of service.
Moderate	3	Service objectives partially achievable.	Significant financial loss (2-3% budget)	Serious injury requiring medical treatment to employee, service user or public (semi-permanent harm up to 1yr), council liable.	Considerable - between 6 months and 1 year to recover pre-event position.	Some adverse local publicity, limited damage with legal implications, elected members become involved.	Loss of use of building for medium period, no alternative in place.	Security support and performance of service/system borderline.
Minor	2	Minor impact on service objectives.	Moderate financial loss (0.5-2% budget)	Lost time due to employee injury or small compensation claim from service user or public (First aid treatment required).	Some - between 2 and 6 months to recover.	Some public embarrassment, no damage to reputation or service users.	Marginal damage covered by insurance.	Reasonable back-up arrangements, minor downtime of service/system.
None	1	Minimal impact, no service disruption.	Minimal loss (0.5% budget)	Minor injury to employee, service user or public.	Minimal - Up to 2 months to recover.	Minor impact to council reputation of no interest to the press (Internal).	Minor disruption to building, alternative arrangements in place.	No operational difficulties, back-up support in place and security level acceptable.

Risk	Impact				
	None (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	5	10	15	20	25
Likely (4)	4	8	12	16	20
Possible (3)	3	6	9	12	15
Unlikely (2)	2	4	6	8	10
Remote (1)	1	2	3	4	5

Key

Risk	Low	Medium	High	Very High
------	-----	--------	------	-----------