East Lothian Council

REPORT TO:	Audit and Governance Committee
MEETING DATE:	26 September 2017
BY:	Chief Executive
SUBJECT:	Corporate Risk Register

1   PURPOSE

1.1   To present to the Audit and Governance Committee the Corporate Risk Register (Appendix 1) for discussion, comment and noting.

The Corporate 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 Corporate Risk Working Group (RWG).

2   RECOMMENDATIONS

2.1   It is recommended that the Audit and Governance Committee notes the Corporate Risk Register and in doing so, 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 Corporate 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 Corporate and are likely to be a feature of the risk register over a number of years.

- note that the Council Management Team will review all risks in the Corporate Risk Register on a regular basis.

3   BACKGROUND

3.1   The Risk Register has been compiled by the Corporate RWG on behalf of and in consultation with Council Management Team. 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 Corporate Risk Register includes 1 Very High Risk, 9 High risks, 7 Medium risks and 1 Low Risks.

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 Corporate RWG 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 – Corporate Risk Register

7.2 Appendix 2 – Risk Matrix

AUTHOR'S NAME	Scott Kennedy
DESIGNATION	Emergency Planning and Risk Officer
CONTACT INFO	skennedy@eastlothian.gov.uk 01620 827900
DATE	14 September 2017

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
			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	I	L x I		L	I	L x I			
ELC CR 1	**Welfare Reform** The rollout of Universal Credit, (UC) in East Lothian started in April 2015. Whilst initially involving only a small number of cases the subsequent rollout by JCP/DWP of the Universal Credit Full (Digital) Service in East Lothian on 23rd March 2016 has seen a significant number of households migrate from legacy benefits to UC. This phase is called "Natural Migration". It will be followed by a "Managed Migration" phase during which all remaining working age HB cases will migrate to UC Housing. In spite of a reducing HB caseload, there has been a significant increase in workload as a result. The main risks/issues associated with the UC rollout include: • A wider range of people in scope for claiming UC & higher volume of cases as a consequence • Additional demand for (SWF) Crisis Grants. (Risk of overspend) • % increase in current tenant rent arrears • An increased risk of lowered take up of Council Tax Reduction and increased arrears • Increased risk of DWP Admin Subsidy reduction • Temporary Accommodation management charges not being covered by UC Housing Costs. • Increased demand for Discretionary Housing Payments, (DHP) risk of funding gap. A reduction in DWP (UC related) funding which has been supporting, the Welfare Development Officer and additional Benefit Officer posts along with Personal Budgeting Support and Digital Assistance for UC claimants could jeopardise these elements of service delivery.	The Council has established a Welfare Reform Task Group to plan for the changes to the welfare system. The Benefit Service is continuing to make full use of additional Discretionary Housing Payment, (DHP). Council has actively lobbied in various relevant arenas – UK and Scottish Governments both directly and via COSLA which has included the Council Leader writing to both the DWP Secretary of State and Scottish Government ministers highlighting the impacts of the UCFS rollout of EL residents and Council Services. The Benefit Service continues to liaise with the DWP Housing Delivery Performance Team The Benefit Service continues to monitor its SWF & DHP expenditure. Revenues & Benefits Services engage with colleagues in other LAs/RSLs, CoSLA and DWP UC/Job Centre Plus officers to ensure a managed transition to Universal Credit is achieved. Castle Rock HA providing personal budgeting support for East Lothian UC claimants. Additional resource facilitated the purchase of software deployed to assist the Rent Income team to help manage the impact of UC on rent collection. Promotion of ELC 'Right Benefit Campaign'. DWP funding has been utilised to appoint a Welfare Development Officer and an additional Benefit Officer to assist in responding to UC pressures. Both posts are temporary for 1 year. Council Officers continue to engage with Scottish Government, MSPs/Members of the Scottish Parliament's Social Security Committee in relation to development of devolved welfare administration. Additional £100k was allocated in the Administration budget 2017/18 to help mitigate the impact of UC on rent arrears.	5	4	20	Council officers to deliver Welfare Reform briefing to newly elected Members. Council services will continue to work with the UC Project Team and continue lobbying of UC. The Benefits Service and Homelessness Team have agreed a methodology to disburse additional Scottish Government funding provided for DHP mitigation of Temp' Accommodation management fees and for the prevention of homelessness. Council services will continue to take an active role in discussions with the Scottish Government in the development of the Scottish Social Security Agency. ELC Management & staff will continue to engage with other LAs, JCP/DWP, CoSLA and Scottish Government at a range of levels.	4	4	16	Depute Chief Executive – Resources and People Services Depute Chief Executive – Partnerships and Community Services Welfare Reform Task Group	October 2017 Scottish Social Security Bill approval date May 2018. DHP & Homelessness Prevention budget review 4 October 2017 All other measures involve meetings over the next 9 months with Scottish Government and other groups as mentioned within the measures.	Risk refreshed by Service Managers – Benefits & Financial Assessments and Revenues & Welfare Support July 2017 with no change to assessment of current scores. Risk refreshed by Service Manager – Benefits, November 2016 with Current Risk Score increased from 16 to 20 due to the introduction of the Universal Credit "Full Service" since March 2016 with its inherent, underdeveloped processes etc along with other reforms coming on line, (such as Benefit Cap etc) all bringing a greater likelihood of detriment occurring, (should mitigating actions not be possible or fail to mitigate). Risk refreshed by Service Managers – Revenues & Benefits March 2016 with both current and planned scored increased to 16 due to current uncertainty.
ELC CR 2	**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. Over the medium term it is highly likely that the Council's income will, at best, remain static and may	The Council has well developed short to medium term financial planning arrangements. These include: • Three year General Services revenue budgets; • Six year General Services capital plan budgets; • Ten year Housing Revenue Account revenue and capital budgets. In addition, it has cost control and financial management arrangements for managing in year budget performance. Both of which provide mitigating	4	4	16	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. Through the Corporate Asset Group and the newly formed Corporate Investment and Asset Management Group the Council will implement the approved Asset Management	3	4	12	Chief Executive Depute Chief Executive – Resources and People Services Depute Chief Executive – Partnerships and	Action ongoing and continuous review. Monitoring arrangements will continue to be applied.	Risk reviewed by Head of Council Resources and Service Managers - Finance May 2017 with Current Score reduced from 20 to 16. Risk reviewed by Head of Council Resources and Service Manager

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	even reduce. At the same time it will have specific cost and demand pressures to deal with. These include: (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 School Meals for all P1-P3 school children.	controls in terms of the immediate financial risk and pressures the Council is faced with. 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. 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 put in place prior to 1 April 2016 and the statutory Integration Scheme is finalised. 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.				Strategy and related action plan. CMT will continue to monitor the impact of council restructuring and service re-design that flows from Efficient Workforce Management Planning. Further consideration will be given to increasing income where possible. 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. 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.				Community Services Head of Council Resources Council Management Team		Business Finance May 2016 with no change to assessment of current scores. Risk reviewed by CMT in May 2014 and current score increased from 15 to 20.

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ELC CR 3	**Information Security and Data Protection** Failure to have comprehensive council wide Information Security Management (ISM) 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. 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. 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 - harm to individuals; - legal action; - fines of up to £500,000. - requirement to pay compensation; - adverse publicity; - damage to reputation.	The Council uses the international standard ISO 27001:2014 as the framework for its ISM 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. As part of the security controls required by the standard to mitigate risks, several control areas are set out : IS 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); Compliance - ELC takes measures to avoid breaches of law, statutory, regulatory or contractual obligations (incl. DP Act and Public Records Act). 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 IS awareness training is mandatory for all employees and must be renewed every two years. 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. The Information Compliance Officer carries out a series of "health checks"/audits in various Council departments to ensure compliance and to improve practice. Compulsory Online Data Protection Training rolled out to all employees and repeated every 2 years. The Council's Records Management Plan covers how the Council manages its records and includes links to our information security and data protection policies.	4	4	16	Annual approval of Progress of Records Management Plan by The Keeper is sought. Upgrade of external facing systems taking place in 2017/18 to increase security of our internet facing gateways. Acceptable use policy for all ELC employees is to be refreshed during 2016 and all employees will be expected to sign.	3	4	12	Depute Chief Executive – Resources and People Services Head of Council Resources Depute Chief Executive – Partnerships and Community Services	August 2017 March 2018 December 2017	Risk further reviewed and updated March 2017 with no change to assessment of current scores. Risk further reviewed and updated May 2016 with no change to assessment of current scores. 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.

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ELC CR 4	**Public Sector Reform** Major elements of public sector reform have been or are being implemented including: • Integration of Health and Social Care and creation of a new H&SC Partnership; • Implementation of the Community Empowerment (Scotland) Act 2015; • New legislative duties in relation to procurement, regulation, and children and young people. 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. 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. The Scottish Government's legislative programme includes further proposals that, if implemented, could further centralise control over, 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. 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. The local authority is responsible for the implementation and delivery of the Scottish Government's commitment to expand the provision of funded early learning and childcare from 600 hours to 1140 hours by 2020. The expansion and implementation of the 1140 hours early learning and childcare provision will require a transformational change in how early learning and childcare is delivered and has implications for the future funding arrangements for ELC. The expansion to 1140 hours ELC will create additional workload, a requirement to invest in infrastructure to create new and expand existing early learning and childcare settings, develop new service delivery models, develop new accountability and quality assurance arrangements in line with the Scottish Government's Quality Action Plan, and create and plan for a more flexible and diverse workforce to meet the Scottish Government's principles of flexibility, quality, affordability and accessibility.	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. 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. 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. The Integration Joint Board has been established along with appropriate governance and scrutiny arrangements. The Community Planning Partnership structure provides a more strategic focus for the East Lothian Partnership including early intervention, tackling inequalities, joint resourcing, and joint asset management. This was tested by a Self-Assessment carried out with the support of the Improvement Service which resulted in an Improvement Plan. East Lothian Partnership is developing a new East Lothian Plan that will meet the requirements set out in the Community Empowerment (Scotland) Act 2015 to have a Local Outcome Improvement Plan. CMT and elected members 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. Area Partnerships now established and will be supported to enhance local service delivery. The Council is developing processes to deal with its new duties and responsibilities arising from the Community Empowerment (Scotland) Act 2015 such as responding to Participation Requests. The Council's Transformation Programme will provide resilience to assist to respond to public sector reform. East Lothian Council has established an ELC 1140 hours Project Board to oversee the delivery of the expansion to 1140 hours by 2020. The Early Years Service, assisted by the Transformation Team is working collaboratively with a range of relevant partners to take forward key aspects of the implementation and expansion plan. The Early Years Service are members of the South East Inter Authority Alliance Early Learning and Childcare Group working collaboratively to support the delivery of the 1140 hours implementation and expansion programme.	4	4	16	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. Maintain regular communication with employees to manage any uncertainty in times of change.	4	3	12	Chief Executive	March 2018 March 2018	Risk further reviewed and updated April and August 2017 with no change to assessment of current scores. Risk reviewed and refreshed May 2016 with Current Risk Score increased from 9 to 16.

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	Existing public sector reforms and new reforms expected in the lifetime of the next term of SG create uncertainty, additional workload, a requirement to restructure services and create new accountability, governance, scrutiny and partnership arrangements. The Scottish Government's proposal to hold a second Independence referendum causes further uncertainty in the public sector landscape.	Senior leaders from across Council Services are represented on key National groups to inform and shape aspects such as revised national guidance and funding arrangements.										
ELC CR 5	**Limitation (Childhood Abuse) (Scotland) Bill** On 16 November 2016 Scottish Government introduced the Limitation (Childhood Abuse) (Scotland) Bill to remove the three year limitation period for civil actions arising out of childhood abuse (defined to include sexual abuse, physical abuse, and emotional abuse) relating to children who have been in the care system. This means that survivors will no longer have to persuade a court to exercise its power to allow an action to proceed notwithstanding the three year limitation period. In conjunction with the Scottish Child Abuse Inquiry which started on 1 October 2015 there is an increased likelihood of claimants coming forward. This could potentially result in severe financial implications if historic allegations of child abuse are made and upheld against East Lothian Council. There is no way of knowing how many claims may be made nation-wide (i.e. all 'living' potential claimants), however, if there are any local claims to East Lothian it has been established that it is unlikely the Council will have an insurance policy to cover any claims**.** Any compensation payments would therefore normally be met by the Council unless other national funding is made available through the Scottish Government.	SCAI Oversight Group – East Lothian co-ordination of responses, reported strategically, managed flow and collaboration. Close monitoring of the work of the Scottish CAI itself and review of any published materials. Records Management Expertise allows us to respond effectively to information requests / provide evidence. Cross Lothian collaboration on Lothian Region period 1975 to 1996 (and predecessor authorities) re records management etc. Accurate records post 1996 relating to East Lothian Council clients. Scotland-wide networking and information sharing on SCAI between authorities. Council Financial Reserve – may reduce the impact to service provision if claims extend beyond budget. Continue current working practices with care experienced young people in accord with national legislation and care standards, reducing likelihood of any 'new' claims arising.	4	4	16	SCAIOG report to CMT – to sustain level of awareness of risk. Establish ELC as 'Risk Owner' to reflect the organisation risk faced by ELC. Lobby COSLA and Scottish Government re provision of a Financial support/national settlement fund. Angela - Legal challenge through COSLA?? Explore and lobby Scottish Government to consider the powers of the Apology Act to provide a 'non-financial' outcome to the accusation process – if handled appropriately. Establish ELC liability insurance cover arrangements, including historic Municipal Mutual funds availability. Review case law nationally to establish 'who' is liable i.e. the Placing Authority or Placement Operator.	3	3	9	East Lothian Council	Quarterly Report to CMT	New risk created March 2017.
ELC CR 6	**Flooding and Coastal Erosion** 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.	Flooding and drainage issues are considered when processing planning applications. Inspection regimes and good housekeeping measures in place. The Severe Weather Response Plan has been developed 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. Shoreline Management Plan has been produced and Flood Risk Management Strategy and Plans have been published to meet the requirements of the Flood Risk Management (Scotland) Act 2009. Flooding advice is on the Council website and directs people to the relevant pages on the SEPA website. The Council is working with various organisations to promote and progress "Resilient Communities" as per the Scottish Government initiative "Ready Scotland". Communication with vulnerable groups regarding access and assistance during severe weather events.	4	4	16	ELC have commissioned Flood Studies for Haddington and Musselburgh and are progressing a Flood Protection Scheme on the River Esk through Musselburgh. Flood Protection Schemes for Musselburgh and Haddington have been included in the List of Prioritised Actions in SEPA's Flood Risk Management Strategy and the Local Flood Risk Management Plan for the Forth Estuary Local Plan District. The implementation of Flood Protection Works is reliant on funding availability. Currently, these two schemes will be funded in the 2016-2022 planning cycle.	3	3	9	Depute Chief Executive – Partnerships and Community Services Depute Chief Executive – Resources and People Services	2024 2016-2022	Risk further reviewed and updated March 2017 with no change to assessment of current scores.

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			L	I	L x I		L	I	L x I			
ELC CR 7	**Failure to maintain a Highly Skilled Workforce** 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. The high number of specialist roles/skills within the Council means that service reviews, budget restrictions, long-term absence, cessation of contract etc. could compromise service delivery. Reduction in skilled, qualified and experienced workforce would result in an inability to provide good quality services, increased pressure on existing staff and increased likelihood of poor operational performance. 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. There is a risk that the Council will not be able to provide the significant investment in time and resources required to ensure staff maintain their professional and continuing personal development requirements 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.	The Council's People Strategy and Workforce Development Plan provide the basis for addressing workforce capacity; these are informed by the Employee Engagement Survey, Investors in People Assessment, Age Profiling and Labour Turnover Data. Service Reviews take account of requirement for skilled workforce to deliver services. Key employment policies are monitored to ensure maximum effectiveness to meet operational needs: Recruitment & Selection, Pay & Grading, Managing Attendance and Performance Review & Development. Development programmes to ensure effective management and development of the workforce e.g. Management training (Chartered Management Institute level 3 and 5), Graduate Programme, Internship Programme, Modern Apprenticeship Programme, School/Work Placements Programme, Skills Academies. 'Specialist' work and contingency measures such as cross-training, shadowing, alternative 'backup' provision and support arrangements made available to 'grow' capacity. Staff encouraged and supported to work collaboratively where appropriate to share skills, experience and knowledge. Employee Wellbeing Programmes in place to support staff and provide a range of employment opportunities including New Ways of Working, Worksmart Policy, Flexible Working Policy, Healthy Working Lives and Employee Benefits such as car leasing scheme, bike buying scheme, and childcare vouchers. Employees have access to the relevant pension scheme, either Lothian Pension Fund or Scottish Teaching Pension Scheme. Investors in People and Investors in Young People aide workforce retention and attraction, and positively influence the workforce age profile. Extensive workforce development and e-learning opportunities are available; with greater use of social media as the prime means of employee communications outwith team briefing and individual supervision opportunities available to all staff. EL Works working in partnership with schools and Edinburgh College to ensure skills supply keeps pace with demand and there are improved opportunities to support people into employment. EL Works supporting increasing numbers of paid work experience, Modern Apprenticeships, Foundation Apprenticeships, Graduate Apprenticeships and work placements. Investors in Young People accolade ensures the council is recognised as a great place for young people to work. EL Works supporting young people in the council to champion the process.	4	3	12	Review the Council People Strategy and develop a Workforce Plan, which will incorporate the Workforce Development Plan, and employee benefits. Provide series of recruitment selection policy training and practical skills workshops sessions for managers to maintain rigour and robustness of the recruitment process. Promote better use of the Exit Questionnaire across Services and develop the process further to allow the Council to capture departure trends more efficiently. This will enable the Council to put measures/actions in place where practical which will introduce alternative career paths which may negate the need for our people to seek alternative careers outwith the Council. Currently Reviewing Pay and Grading model to take account of the implications of the living wage on the erosion of differentials between skill sets. To ensure existing performance levels are at least maintained performance management issues are addressed at the early stages with appropriate training and support to address identified skills gaps. Where there is insufficient improvement the formal performance management process should be initiated with support from the HR Team as required. Creation of a Professional Development framework which can be applied where appropriate across Services where future skill gaps have been identified e.g. pending retirements/ lack of suitably qualified and experienced professionals in the market place etc. This helps ensure the necessary skill set is available to meet future service needs through the creation of professional trainee route. Whilst the policy to appoint to the first point of the scale will remain the default position, this will be relaxed in hard to fill posts on receipt of business case. Exceptionally, posts could be advertised without notification of appointment to first point of the scale as the norm.	3	3	9	Service Manager HR & Payroll Service Manager Corporate Policy & Improvement	October 2017 March 2018 March 2018 March 2018 Ongoing March 2018 Ongoing	New risk created May 2016 and further revised July 2017 with no change to assessment of current scores.

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ELC CR 8	**Duty of Care to Public and Public Protection** 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. 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. A failure to secure efficient and effective Public Protection arrangements, covering Child Protection, Adult Support and 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. The duty of care is at the heart of the Council's approach to risk management. The likelihood of this risk occurring is influenced by a range of factors including: (1) Complexity of service delivery, infrastructure, environment and partnership arrangements across the Council services; (2) Increasing population and the number of vulnerable people in East Lothian; (3)Increased population and more complex service demands presented by an increasing number of service users whilst resources have reduced (4) Levels of deprivation in East Lothian; (5) Capacity in partnership and purchased services.	The East and Midlothian Public Protection Committee (EMPPC) was 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). Review of Violence Against Women and Girls Services concluded and recommendations were agreed in July 2017. 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. East Lothian and Midlothian Public Protection Strategic Business Plan 2014-18 approved by CSOG 03/12/15. The business plan 2015-2018 is a working document and exceptions are reported to EMPPC / CSOG on a quarterly basis. Policies, Protocols, Procedures and Guidance are in place and available on Public Protection website www.emppc.org.uk. Chief Social Work Officer (CSWO) fulfils statutory role and responsibilities, overseeing and reporting on Public Protection issues to Chief Executive and Elected Members, reporting annually to Council giving oversight of Public Protection performance including assessment of risks and pressures. The Council delivers services within a comprehensive framework of business control arrangements i.e. Single Outcome Agreement, Council Plan, Service 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. The Council employs staff through robust recruitment policies including pre-employment vetting through Disclosure Scotland and the Protecting Vulnerable Groups scheme. The Council continues to work towards delivering the UK Governments Counter Terrorism strategy, known as Prevent, Contest. 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. 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.	3	4	12	Ongoing review of the Public Protection Performance Framework through the EMPPC Performance & Quality Improvement Sub Group. New obligations of the Children & Young People Bill introducing the 'Named Person' role will be further developed and implemented during 2016/17. Assess implementation of Adult Support and Protection procedures across partnership services to fully embed procedures in practice meeting legislative duties. Suite of Health and Safety Management Arrangements being introduced. The East Lothian and Midlothian Public Protection Strategic Business Plan will be refreshed and a new one signed off in 2018.	2	4	8	Chief Executive Critical Service Oversight Group Depute Chief Executives Director of East Lothian Health and Social Care Partnership Heads of Service Chief Social Work Officer Public Protection Office Health and Safety Team Emergency Planning and Risk Management Team	May 2017 March 2018 March 2018 March 2018 March 2019	Risk further reviewed and updated August 2017 with no change to assessment of current scores. 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. Risk reviewed and updated April 2015 by CMT with further review planned throughout 2015/16.

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
			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	I	L x I		L	I	L x I			
ELC CR 9	**Duty of Care to Council Staff (Health & Safety)** 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. 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. <u>Lone Working</u> 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. <u>Safe Driving at Work</u> "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.	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. 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. 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. Revised Managing Attendance Policy in place since January 2017. Workshops (by HR Team) for Managers undertaken prior to and after release to ensure all are familiar with the revisions. More robust scheme which will help to identify any employee health and wellbeing issues earlier to enable managers to put appropriate support mechanisms in place. Managers' guidance notes issued and HR Team available to support Managers as required. Risk assessments carried out to identify significant workplace hazards and to establish suitable workplace controls e.g. safe systems of work. Safety Management System in place and supported by audit and inspection programme across the Council. Health and Safety Training needs are identified from project plans and Risk Assessment Findings. Managing attendance and Managing sickness Absence Policies in place. Training for managers in managing attendance and sickness absence in place. An ongoing programme of HWL initiatives rolled out across all Services promoting health and well being in the workplace. 24/7 Employee Assistant Programme in place available to all employees. Physiotherapy available and OH service in place. <u>Lone Working</u> 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. Revenues & Welfare Support lone workers are allocated a Reliance personal alarm that provides 24/7 monitoring using GPS. Lone workers can be tracked via a dedicated website and are able to raise	3	4	12	Explore implementation of Vehicle Tracking system into Fleet Vehicles used by lone staff working directly with clients. Imminent re-specification and re-tender of the Contact Centre Client Management System, hosting the staff lone working component, in progress to sustain lone working system and process. Review and redraft of Gender Based Violence policy nearing completion. Review SDAW Policy and Guidance through the SDAW Group.	2	4	8	Depute Chief Executive – Partnerships and Community Services Head of Children and Adult Services Service Manager – Revenues SDAW Group Health and Safety Team Human Resources Public Protection Office	September 2017 September 2017 September 2017 November 2017	Risk reviewed and updated April 2017 with no change to assessment of current scores. Risk refreshed December 2015 by CMT with current residual score reduced from 15 to 12 and planned score reduced from 10 to 8. 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.

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
			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	I	L x I		L	I	L x I			
		an alarm by activating their device. This service is also being utilised elsewhere within the organisation. http://www.relianceprotect.co.uk/our-service/devices/ 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 harm. <u>Safe Driving at Work</u> 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. This policy is now available online for all Managers to utilise. Arrangements are 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. 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".										
ELC CR 10	**Contest** Deliver the UK Governments Counter Terrorism (CT) strategy, known as CONTEST. 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. 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.	Multi agency 'J' Division CONTEST Meeting attended by East Lothian Council representatives. ELC has established a CT WG chaired by the Deputy Chief Executive with members consisting of the CMT and Police Scotland. ELC has appointed a senior members of staff as SPoC and Deputy for Prevent as per guidelines and has also appointed a SPoC for Prepare and Protect. Under Protect the CMT are prepared for the Government to raise the Security Level to Critical. This includes ensuring BC plans are fit for purpose. ELC follows and contributes towards the 'J' Division Contest group implementation plan. Training gap analysis completed in respect of Prevent. Education personnel are fully engaged with Prevent and appropriate filters have been installed on the Education infrastructure. ELC Managers have received Prevent training. E Learning (level 1) training package available to all staff.	4	3	12	Programme of awareness training and delivery of packages such as WRAP/ACT Now training to be followed in ELC. A good level of engagement to be sustained with Community Planning Partners. Head of Education to progress Prevent training for staff and pupils. Prevent reporting process will be established.	2	3	6	Chief Executive Depute Chief Executives Council Management Team	March 2018 December 2017 September 2017 December 2017	New risk created May 2016 and further reviewed April 2017 with no change to assessment of current scores.

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			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	I	L x I		L	I	L x I			
ELC CR 11	**Severe Weather** 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. 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.	East Lothian Councils Winter Maintenance Plan has been in place for some time and ensures that the main transport routes are treated as priority. 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. Claims protocol in place within the Insurance section. Council's Salt Barn has a capacity of 8,000 tonnes to meet demand arising from severe cold weather. Snow clearing equipment has been supplied to Primary Schools. Snow clearing equipment has been offered to Community Councils with some taking up this offer. A number of grit bins are provided to enable self-help gritting of adopted roads and footways. 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. Guidance and information on ELC website. Several Community Councils have started to create or have created their own emergency response plans or asset registers of volunteers and skills available at a time of crises. ELC now finance all 20 Community Councils annual insurance premiums ensuring that Insurance is not perceived as a barrier to invoking such plans. 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". Training and awareness sessions for staff. Training and exercising with partner agencies.	3	3	9	A workshop, hosted by East Lothian Council, to further progress Resilient Communities, for the benefit of Community Councils and other voluntary organisations, is planned to take place in 2018.	3	3	9	Depute Chief Executive – Partnerships and Community Services	September 2018	Risk refreshed March 2017 with no change to assessment of current scores.

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			L	I	L x I		L	I	L x I			
ELC CR 12	**Carbon Management** 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. 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.	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. The Group will be responsible for developing and monitoring a Climate Change Strategy to replace the Environment Strategy and the Carbon Management Team will update the Carbon Management Plan (2009-14, extended to 2015). 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. An Energy Transformation Board has been formed, which has been tasked to look at generating income from installing low carbon technologies across the Council's estate. One of the key commitments of this group is to produce a Sustainable Energy and Climate Action Plan. 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.	3	3	9	Develop a Climate Change Strategy, update the Carbon Management Plan and produce a Sustainable Energy and Climate Action Plan. 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.	2	3	6	Depute Chief Executive – Partnerships and Community Services	March 2018 March 2018	Risk refreshed February 2017 by Sustainable Development Officer with no change to assessment of current scores.
ELC CR 13	**Development Plan** 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. 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.	Additional planner recruited during 2016, however, in fulfilling peak workload tasks staffing levels and other resources are stretched. 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 2017). Detailed timeline drawn up for LDP examination. ELC and SESplan Development Plan Schemes commit to a programme of Development Plan Scheme review (reviewed annually). SESplan Joint Committee, Project Board and Steering Group guide joint authority preparation of Strategic Development Plan for Edinburgh and SE Scotland. Community Planning Partnership liaison and involvement through East Lothian Strategic Land Use Planning Group. Proposed LDP approved September 2016, Schedule 4 responses to representations approved March 2017. This gives a basis to consider the principle of	4	2	8	Schedule 4 submissions agreed by Council without modification. Close liaison with DPEA to ensure timescale for submission for examination is minimised.	3	2	6	Head of Development	September 2017	Risk Refreshed by Head of Development and Service Manager – Planning March 2017. Current risk score reduced from 12 to 8 and Predictive risk reduced from 8 to 6 due to implemented measures over past 12 months. Risk Refreshed by Head of Development and Service Manager – Planning February 2016. Current risk score reduced from 15 to 12.

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			L	I	L x I		L	I	L x I			
		housing development on sites that may contribute to a 5 year housing land supply, subject to technical assessment including cumulative impacts. A fully collaborative and corporate approach prioritises the Council's case for Examination of the proposed plan. Work on schools consultation(s) and transport modelling completed. Infrastructure constraints identified collaboratively in accordance with proposed plan development work and integrated in terms of future financial planning. Housing Land Supply: Interim Planning Guidance as updated approved by East Lothian Council 23 February 2016.										

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			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	I	L x I		L	I	L x I			
ELC CR 14	**Business Continuity** Non availability of: • premises, through fire, flood or other unexpected incident; • key staff or significant numbers of front-line staff for any reason including a Pandemic; • systems (IT, telephony, power failure etc); • any form of transportation due to a fuel shortage. 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.	Business Continuity Framework Plan in place and regularly reviewed. 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. 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. 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 Continuity² Software. ELC staff have access to an e-learning package on Business Continuity. IT –specific disaster recovery arrangements in place for the critical systems – telephony, e-mail and social care. These have duplicate servers in place off site which can be brought into action if ELC lost its main data centre at JMH. An IT Disaster Recovery Plan is in place and will be regularly updated when any changes take place in the main data centres. 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. 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. The Council has a Fuel Plan in place and is able to call a Fuel Group at anytime. Fuel supply is 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.	2	4	8	Progress Business Continuity 'alternative accommodation' plan and a 'site specific' plan. Organise and plan a full real time exercise, involving a facility (possibly JMH) to test the ELC BC plans.	2	3	6	Depute Chief Executive – Partnerships and Community Services Depute Chief Executive – Resources and People Services	March 2018 November 2017	Risk refreshed April 2017 with no change to assessment of current scores.

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			L	I	L x I		L	I	L x I			
ELC CR 15	**Corporate Events Management** 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. 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. The following criteria would be considered by the 'over arching' SAG: • 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 The council is involved in events as they tend to take place in Council parks or on our roads and the Council issues licenses and permits for events. The Council also has a statutory role in enforcement /inspection (building control, food hygiene etc.) and will help the organisers with traffic management. If the event organisers fail to have the correct licences in place then it is them that face the risk of criminal prosecution.	The Council now has a SAG policy and a Senior Officer – Events Co-ordination in place who is now the Single Point of Contact (SPOC) to overview 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. Corporate Events Management Group in place and hold regular overarching SAG meetings (monthly) to decide which events require specific SAG. Strategic SAG Group meetings co-ordinate preparation for various events as per event schedule, with representation from all relevant Services areas and Multi-Agency Partners. Council staff involved in events have considerable experience and proven track records in organising and managing events. Event guidance for organisers of events is published on the Council website. 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.	2	3	6	Senior Officer – Events Co-ordination and Line Manager to attend SAG training and liaise with other Local Authorities and COSLA to determine and introduce 'best practice'. Events Guidance Manual to be completed and put online with information on Insurance, Communications, Travel Plans (bus routes) and Council and External Contact information.	2	3	6	Depute Chief Executive - Partnerships & Community Services Head of Service (Development) Service Manager – Protective Services Team Manager, Economic Development	September 2017 September 2017	New risk created May 2016 and updated April 2017 with current score reduced from 12 to 6 and residual score from 8 to 6 due to implemented measures, chiefly new Senior Officer – Events Co-ordination and SAG process in place.

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			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	**I**	**L x I**		**L**	**I**	**L x I**			
ELC CR 16	**Equality** Failure to meet duties and legislative requirements of the Single Equality Act 2010. 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 • report on mainstreaming the equality duty; • publish equality outcomes and report progress; • assess and review policies and practices; • gather and use employee information; • publish gender pay gap information; • publish statements on equal pay; • consider award criteria and conditions in relation to public procurement; • publish in a manner that is accessible. In late 2017 or early 2018, the Scottish Government are expected to introduce a 'socio- economic duty'. This will require the Council to consider the impact of our work on those living in poverty. The Council will need to respond to the full requirements of this new duty and raise awareness of the requirements on the Council. There is a risk that the Council may not be able to meet its general or specific duties and in particular at a time when difficult budget decisions are having to be made that there will be cuts in services or increases in charges that have a disproportionate impact on people who may need those services most because of their equality background. The Council would be open to legal challenge of not meeting its duties and in particular of not carrying out adequate assessment of impact of policies and budget decisions.	ELC Equality Plan in place and available online. A revised Equality Plan will be produced in 2017. This includes the commitments made by East Lothian Council as a Licensing Board and as an Education Authority. The plan outlines our commitments: • Continue to lead a culture where respect, choice and understanding is fostered and diversity positively valued; • Maintain a working environment where unlawful discrimination, harassment, victimisation or bullying is not tolerated; • Continue to develop our understanding of the needs of different individuals and communities in a time of rapid change; • Continue to embed the equality agenda in all our work, and contribute to the early intervention and prevention approach adopted by the Council and its Partners; • Improve understanding of the impact of poverty and inequality on people's lives; and • Ensure that we plan and deliver services which meet modern standards of delivery and that are inclusive of a wide range of different needs from digital services to face to face interactions The Integrated Impact Assessment Process is embedded and is now widely used. This includes consideration of poverty which should allow us to meet the requirements of the new socio economic duty. A programme of support, including training on the new IIA process is ongoing. The Health & Social Care IJBs (East & Midlothian and City of Edinburgh) along with NHS Lothian will use the 'checklist and IIA form' package, with East and Midlothian Councils using the IIA form only package. HR is annually capturing the employment monitoring information required under the Act, reporting it appropriately and carrying an Equal Pay Audit. ELearning equalities modules are available on Learn Pro and 'Get in on the Act' guides to the Council's legal responsibilities are available for all employees and Elected members. A new e learning package 'Understanding Poverty' has been added to support employees to understand about taking poverty into account when designing services and will be updated once details of the Socio Economic duty are known. Equality indicators have been included as part of the Performance Framework and SOA indicator set. These will be reviewed to ensure that these align with the revised Local Outcome Improvement Plan (LOIP). The Council has established a Poverty Commission to report on and make recommendations for actions to further the Council Plan and LOIP to reduce inequalities. We will be working with Police Scotland to refresh the East Lothian Hate Crime Action plan.	2	3	6		2	3	6	Depute Chief Executive – Partnerships and Community Services		Risk register updated August 2017 to include the new Equality Plan and to flag the introduction of the Socio Economic duty. No change to assessment of current scores. Risk further reviewed and updated April 2017 with no change to assessment of current scores. Risk reviewed and refreshed May 2016 with both current and predictive scores reduced from 8 to 6 due to implementation of additional measures.

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			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	**I**	**L x I**		**L**	**I**	**L x I**			
ELC CR 17	**Standards in Public Life** Failure of corporate governance or to meet standards in public life. Failure of the Council's corporate governance or of officials or members to meet standards in public life could result in reputational damage.	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. 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, legal advisers and the Team Manager, Democratic and Licensing 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 best practice. 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 2017/18 session will be communicated to Members once these are confirmed. The Council is developing its links with the Local Area Network of audit and inspection agencies and its Auditors. A comprehensive induction programme for Elected Members was approved by Council in February 2017, and commenced immediately following the local government election in May 2017 and will continue to take place as required to ensure understanding of the importance of standards in public life. There was a specific session on the Code of Conduct, and it was also referred to in several other sessions. Elected Members have an ongoing opportunity to participate in a CPD programme, which is currently being developed in conjunction with the Council's Organisational Development Team. This will be based on the offering available from the Improvement Service and the IS have offered to input into the final product. Elected Members have an ongoing opportunity to attend Master classes run by the Improvement Service and dates and topics for the first sessions in 2017 have already been offered out. Since May 2015, a six monthly reminder is issued to Elected Members regarding updating their Register of Interests and Declarations of Gifts and Hospitality.	3	2	6	A 100-day review will take place with all Elected Members during August 2017. This will be carried out by way of face-to-face meetings with Elected Members and will cover: the Elected Member Induction Programme, the Councillors' Code of Conduct, PA support, office accommodation, Access to Council officers, committee papers, surgeries, and further training and development.	3	2	6	Depute Chief Executive – Resources and People Services Depute Chief Executive – Partnerships and Community Services	August 2017	Risk further reviewed and updated July 2017 with both current and predicitive risk scores increased to 6 due to the number of newly elected Councillors.

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			L	I	L x I		L	I	L x I			
ELC CR 18	**Stability of the Council Plan** The 2017-2022 Council Plan (adopted by Council in June 2017) 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.	The Plan is regularly monitored and reviewed by CMT and reported to Audit and Governance on an Annual basis. The following are all currently in place: 2017-2022 Council Plan Council Vision / Key priorities / Strategic Goals Long term budget planning Service Plans based around the Council Plan. The implementation of the Council Plan is being monitored by the Council Management Team and through Annual Report to Council.	2	2	4		2	2	4	**Council Management Team**	August 2018	Risk Refreshed August 2017. Current risk score reduced from 9 to 4 and Predictive risk reduced from 6 to 4 due to adoption of new Council Plan. Risk created May 2016 and further refreshed April 2017 with no change to assessment of current scores.

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	2nd 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.

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

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
			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	I	L x I		L	I	L x I			
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.						
22		March – May 2017	S Kennedy			New risk created on Limitation and all other risks reviewed.						
23		August 2017	S Kennedy			All risks reviewed by Owners and CMT						

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	Legal
Catastrophic	5	Unable to function, inability to fulfil obligations.	Severe impacts on budgets (emergency Corporate measures to be taken to stabilise Council Finances)	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.	Significant disruption to building, facilities or equipment (Loss of building, rebuilding required, temporary accommodation required).	Complete inability to provide service/system, prolonged downtime with no back-up in place.	Catastrophic legal, regulatory, or contractual breach likely to result in substantial fines or other sanctions.
Major	4	Significant impact on service provision.	Major impact on budgets (need for Corporate solution to be identified to resolve funding difficulty)	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.	Major disruption to building, facilities or equipment (Significant part of building unusable for prolonged period of time, alternative accommodation required).	Significant impact on service provision or loss of service.	Legal, regulatory, or contractual breach, severe impact to Council.
Moderate	3	Service objectives partially achievable.	Significant impact on budgets (can be contained within overall directorate 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.	Moderate disruption to building, facilities or equipment (loss of use of building for medium period).	Security support and performance of service/system borderline.	Legal, regulatory, or contractual breach, moderate impact to Council.
Minor	2	Minor impact on service objectives.	Moderate impact on budgets (can be contained within service head's 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.	Minor disruption to building, facilities or equipment (alternative arrangements in place and covered by insurance).	Reasonable back-up arrangements, minor downtime of service/system.	Legal, regulatory, or contractual breach, minor impact to Council.
Minimal	1	Minimal impact, no service disruption.	Minimal impact on budgets (can be contained within unit's 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 media (Internal).	Minimal disruption to building, facilities or equipment (alternative arrangements in place).	No operational difficulties, back-up support in place and security level acceptable.	Legal, regulatory, or contractual breach, negligible impact to Council

Risk

Likelihood	Impact				
	Minimal (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