

REPORT TO: Audit and Governance Committee

MEETING DATE: 16 February 2021

BY: Chief Executive

SUBJECT: Education and Children's Services Risk Register

1 PURPOSE

- 1.1 To present to the Audit and Governance Committee the Education and Children's Services Risk Register (Appendix 1) for discussion, comment and noting.
- 1.2 The Education and Children's Services Risk Register is 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 and Children's Services Local Risk Working Group (LRWG).

2 RECOMMENDATIONS

- 2.1 It is recommended that the Audit and Governance Committee notes the Education and Children's Services 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 and Children's Services 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 Children's Services 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 and Children's Services LRWG. All risks have been evaluated using the standard (5x5) risk matrix (Appendix 2) producing 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 and Children’s Services Risk Register includes 1 Very High, 14 High risks, 10 Medium risks and 3 Low Risk. As per the Council’s Risk Strategy only the Very High and High risks are being reported to the Committee.

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 and Children’s Services LRWG 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 Register should be met within the proposed budget allocations. Any unplanned and unbudgeted costs that arise in relation to any of the 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 and Children’s Services Risk Register 2021

7.2 Appendix 2 – Risk Matrix 2020

AUTHOR’S NAME	Scott Kennedy	
DESIGNATION	Emergency Planning, Risk and Resilience Officer	
CONTACT INFO	skennedy@eastlothian.gov.uk	01620 827900
DATE	04 February 2021	

Education and Children's Services Risk Register 2021 Date reviewed: 04 February 2021

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	Evidence held of Regular Review
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E&CS 1	<p>Education and Children's Services Activity Pressures</p> <p>Service Activity pressures see demand for services outstrip available budgetary and staffing resources leading to unmet client need and risk to client safety and independence, potentially generating reputational risk for the Council as well as failing to meet statutory responsibilities.</p> <p>There is a current issue in relation to the lack of capacity to meet the needs of those with Additional Support Needs. This is contributing to the need to place children out with East Lothian for care and education resulting in significant financial pressures in the External Residential Care and Education budget.</p> <p>Internal fostering resources are unable to meet the current demand. External foster placements are considerably more expensive. The addition of new foster carers to the fostering pool is being compromised by the attrition rate in existing carers.</p>	<p>Work continues to accurately forecast trajectory of need and our capacity to meet legislative requirements and inform service development and financial planning.</p> <p>Strengthened scrutiny of decision making and access to resources for individual children and young people.</p> <p>Education Service Improvement Plan in place.</p> <p>A new Education management team structure is in place.</p> <p>Education and Children's services are working more collaboratively to support Early Intervention and prevention for our most vulnerable children and young people to mitigate against children and young people requiring to be placed externally at a later date.</p> <p>Introduced comprehensive budget monitoring arrangements.</p> <p>Investment in preventive services aimed at reducing demand.</p> <p>Implementing a performance management and quality assurance framework.</p> <p>Phase One of the review of services to vulnerable children has been completed and actions have been progressed.</p>	5	4	20	<p>Wider collaboration between Council and Partner Services and operational teams to develop new systems and processes and deliver core services within budget.</p> <p>Implementation of the findings from the Council's Additional Support Needs review activity.</p> <p>Children's Services is undergoing a service redesign.</p> <p>Phase Two of the review of services to vulnerable children has now become a Transformation Programme looking at services to all children in East Lothian and aimed at prevention and early intervention.</p> <p>The foster care team is working very closely with the communications team in developing new and innovative ways in encouraging potential foster carers to come forward.</p> <p>Children's services is developing our Kinship care service in partnership with Children 1st in an attempt to find alternatives to children coming in to foster care from within their own families.</p> <p>We will continue evaluate the above two approaches during 2021.</p>	4	3	12	<p>Executive Director for Education and Children's Services</p> <p>Head of Children's Services</p>	<p>December 2022</p> <p>August 2021</p> <p>March 2021</p> <p>March 2022</p> <p>December 2021</p> <p>December 2021</p>	<p>Risk reviewed and refreshed by E&CS Managers December 2020 with no change to assessment of risk scores.</p> <p>Risk updated by Head of Service and Chief Operating Officer and title changed to Education and Children's Services Activity Pressures December 2019.</p>
E&CS 2	<p>Management of Capital Assets</p> <p>Failure to maintain up-to-date information on the Condition of our Capital Assets may result in having insufficient data to inform planned maintenance budgets and essential building works as well as potentially leading to increased insurance claims.</p> <p>Failure to provide adequate financial and staffing resources to maintain the capital assets to the required standard could result in them falling into an unsatisfactory condition and being unsuitable for current use leading to potential closure and re-provision of care/teaching in alternative locations at increased cost to the Council.</p>	<p>There is a rolling programme of condition and suitability surveys, using new government guidance, to identify deterioration in building quality and for Primary schools the findings are reported on annually to Scottish Government through SPI data return.</p> <p>Reports to the Corporate Asset Group will highlight risks which cannot be managed and may impact on the operation or safety of the assets.</p> <p>A Building Surveyor has been commissioned to update Condition Facts although this work has been delayed by COVID19.</p> <p>Ongoing maintenance of the assets.</p>	4	4	16	<p>Review on provision of the residential estate including contingency planning for re-provision of Lothian Villa (Meadowmill).</p> <p>The Infrastructure department of the Council has begun to seek alternative accommodation to Randall House for children's services.</p> <p>A cross-service Learning Estate review team is in place and carrying out a pre-consultation during 2021.</p>	3	4	12	<p>Executive Director for Education and Children's Services</p> <p>Executive Director for Place</p>	<p>March 2021</p> <p>April 2021</p> <p>May 2021</p>	<p>Risk refreshed January 2020 by Service Manager – Strategic Asset & Capital Plan Management, increasing current score to 16 and residual risk to 12 and changing risk responsibility.</p> <p>Risk amalgamated with Standard of our buildings risk to create new risk December 2019.</p>

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	<p>In addition, failure to provide adequate revenue resources will also harm our ability to deliver an appropriate curriculum.</p> <p>There is currently a risk in relation to the lifecycle, maintenance and repair of Council assets.</p> <p>We have a number of 'C' condition schools and there remains a risk that without sufficient funding we will be unable to improve the condition. Inability to resource the design and procurement of lifecycle works presents a risk to the asset condition.</p> <p>Failure to make timeous responses to planning applications and identifying the impact of proposed developments could result in delays to determining applications and potential claims from applicants.</p>	<p>Regular engagement with Care Inspectorate re-quality of care environment.</p> <p>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.).</p> <p>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.</p> <p>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.</p> <p>An enhanced and robust school roll projection and class organisation system is in place in Education which determines the future capacity needs of schools.</p> <p>Regular review meetings are held between Education, Planning, Finance and Strategic Asset and Capital Plan Management to review school development programmes and projects.</p>										
E&CS 3	<p>Impact of Changing Demographic on School Estate</p> <p>There continues to be proposed LDP housing development, population growth and subsequent need to expand the schools' estate.</p> <p>Failure to respond to the changing demographics of the East Lothian population may lead to not having suitable school provision or sufficient capacity available in the short term.</p> <p>Risk to uncertainty with forward planning for new establishments where house development completion rates are slower than expected delaying the start date for new school buildings.</p> <p>An expanded demographic of children and young people will impact on increased service demand and have resource implications for Education and Children's Services.</p>	<p>Strategic Asset and Capital Plan Management (SACPM) is responsible for the managing and planning for the School Estate Management. Education feed into this activity by preparing pupil roll projections and class organisation profiles.</p> <p>As the post of School Estate Planning Officer is seconded to Education from 2020-2022, the planning work for the school estate during this time will be managed by Education, in consultation with SA&CPM.</p> <p>Regular monitoring in place in SACPM to review programme for school requirements. Changes which may impact on capital investment escalated to Education & Finance to consider.</p> <p>Strong communication links with parent councils and wider parent forums. Regular Education Asset Management meetings are held to manage the</p>	3	4	12	<p>The Council is making provision for significant capital expenditure to provide sufficient capacity for the expansion of the schools estate. A capital programme of circa.£150 Million is identified for the period to 2024, substantially funded by S75 contributions from new housing development.</p> <p>Contingency plans being developed to mitigate against risk, including a Service Review of the SA&CPM team.</p> <p>A Learning Estate Investment Management plan will be created to reflect the programme being taken forward identified as a result of the LDP and set out a plan for the future sustainability and management of the whole School Estate.</p> <p>Additional specialist provision capacity is a key part of the learning</p>	3	3	9	<p>Executive Director for Education and Children's Services</p> <p>Executive Director for Place</p> <p>Service Manager - Strategic Asset & Capital Plan Management</p>	<p>April 2024</p> <p>March 2021</p> <p>July 2021</p> <p>March 2022</p>	<p>Risk refreshed by Service Manager – Strategic Asset & Capital Plan Management Jan'20 with current risk reduced from 16 to 12.</p> <p>Risk further reviewed and updated January 2019 with Residual Risk Score reduced from 12 to 9.</p> <p>Risk refreshed by Head of Education and Children's Services January 2018 with Current score increased from 12 to 16 and residual score from 8 to 12.</p>

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	There is an increased risk to the delivery of capital projects due to current market costs, Covid and Brexit costs, which are likely to have financial and programme implications.	<p>impact of potential housing development on the schools' estate.</p> <p>Schools' Estate Planning Officer post filled and now seconded to become the Learning Estate Manager in Education to deal with the Learning Estate Review.</p>				<p>estate review. Significant increase in capacity for severe and complex needs has been included in the new Wallyford Secondary school provision.</p> <p>The Transforming Services for Children Programme will take account of future population growth and service demand within East Lothian's Growth Agenda.</p>					March 2023	
E&CS 4	<p>Statutory Requirements - Education</p> <p>Failure to deliver the duties of Education and Children's Social Work Legislation may put a child at significant risk or result in children and young people not receiving their entitlement to education.</p> <p>This failure could be due to a lack of resources (financial, services or staffing), poor practice, lack of training, a failure to prioritise, non-compliance with procedures/guidance or failing to intervene early enough. This could result in reputational damage and an impact on budgets and staff morale.</p> <p>There are increasing requirements from the Government e.g.</p> <ul style="list-style-type: none"> Pupil/Teacher ratio, 600/1140 hours of childcare and ASL Act <p>If appropriate solutions are not implemented, this could result in children and young people not receiving their entitlement to education and lead to a reduction in opportunities for young people with the consequence of parental dissatisfaction and damage the reputation of the Council. The opportunity is to create new propositions and service offerings.</p>	<p>Annual budget allocation is prioritised and monitored, while the Scheme of Devolved School Management determines allocation at School level.</p> <p>Detailed budget planning measures are in place together with monthly monitoring and validation in collaboration with finance colleagues and Head Teachers.</p> <p>Staffing is continually monitored to ensure the required Pupil to Teacher ratio at September Census point is met.</p> <p>Continue to ensure Head Teachers are mindful of the Pupil/Teacher ratios and monitor staffing levels more rigorously to mitigate against not meeting the required ratio.</p> <p>Continual updating of SEEMIS records to ensure accurate and up to date information is held.</p> <p>Early Years Strategy includes the required capital and revenue investment to deliver the Scottish Government's 1140hrs programme.</p> <p>A new Education management team structure is in place.</p> <p>Additional Support Needs, Inclusion Policy, External Placement and GIRFEC processes are all in place and regularly monitored and reviewed by Education and Children's Services.</p>	3	4	12	<p>.Implementation of phase 2 of the vulnerable children's project is required to meet the longer-term recommendations that will support the service to deliver statutory requirements within budget.</p> <p>A capital investment bid for IT has been submitted for the replacement of Mosaic and IIE.</p> <p>A steering group has been established to take forward the tender specification</p> <p>A project risk register has been developed for the next three years for the transition to a new system</p>	3	3	9	<p>Executive Director for Education and Children's Services</p> <p>Executive Director for Council Resources</p> <p>Head of Finance</p> <p>Head of Children's services</p>	<p>March 2021</p> <p>March 2021</p> <p>March 2021</p> <p>March 2024</p>	<p>Risk reviewed and refreshed at a Risk Session with managers 20 January 2020 with no change to assessment of risk scores.</p> <p>Risk further reviewed and updated November 2018 with current risk score reduced from 16 to 12.</p>
E&CS 5	<p>Statutory Requirements – Children's Services</p> <p>Failure to deliver the duties of Children's Social Work Legislation may put a child at significant risk of harm or result in children and young people not receiving their entitlement to supports and services from the council.</p>	<p>Annual budget allocation is prioritised and monitored.</p> <p>Redesign of children's services is underway with the primary aim of improving how the service delivers better outcomes for children and young people and meets its statutory requirements.</p>	3	4	12	<p>Implementation of phase 2 of the vulnerable children's project is being carried into the Transforming Services to Children programme in order to address the broader strategic recommendations that will support the service to deliver statutory requirements within budget.</p> <p>A capital investment bid for IT has been submitted for the replacement of</p>	3	3	9	<p>Executive Director of Education and Children's Services</p> <p>Executive Director of Council Resources</p> <p>Head of Finance</p>	<p>March 2021</p> <p>March 2024</p>	<p>New Children's Service specific Risk created by CS Managers December 2020.</p>

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	<p>This failure could be due to a lack of resources (financial, services or staffing), poor practice, lack of training, a failure to prioritise, non-compliance with procedures/guidance or failing to intervene early enough. This could result in poor outcomes, for example being unable to provide services that would enable a child to remain within their family) reputational damage and an impact on budgets and staff morale.</p> <p>There are increasing requirements from the Government e.g.</p> <ul style="list-style-type: none"> Continuing Care Implementing the Promise the Scottish Child Abuse Inquiry Carer's Act SDS <p>There is currently a National and Local increase in the spontaneous arrival of unaccompanied asylum seeking children and young people with legislative responsibility to provide care and support.</p> <p>Lack of suitable accommodation for care experienced young people requires the use of B&B. If young people are having to stay in B&B over extended periods, this could be seen as a breach of our statutory duties.</p>	<p>Detailed budget planning measures are in place together with monthly monitoring and validation.</p> <p>Strategy to increase local Fostering capacity is being implemented and Kinship Care policy and approach is being reviewed and strength. Regulated care services are inspected regularly resulting in improvement plans.</p> <p>Phase 1 of the vulnerable children's project has confirmed the full range of statutory obligations for children's social work services to allow managers to benchmark our service offer.</p> <p>Additional Support Needs, Inclusion Policy, External Placement and GIRFEC processes are being reviewed by Education and Children's Services.</p>				Mosaic and IIE. A steering group has been established to take forward the tender specification. A project risk register has been developed for the next three years for the transition to a new system				Head of Children's Services		
E&CS 6	<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 a consequence of parental dissatisfaction and damage to reputation of individual schools and the Education service.</p> <p>A failure to report positive findings in relation to the four national priorities set out within the national improvement framework and in the use of Pupil Equity Funding to close the attainment gap will lead to further scrutiny by external organisations such as Audit Scotland, Education Scotland and Scottish Government.</p> <p>The impact of lockdown due to COVID19 and schools being closed for the period March to June 2020 will have resulted in a detrimental impact on learning for a cohort of pupils.</p>	<p>Each school has a School Improvement Plan, guided by the revised annual Education Service Plan (developed and delivered by Education Steering group in consultation with key stakeholders) with target setting for attainment.</p> <p>More rigorous and robust approaches for quality assuring school performance have been implemented and take into account new national guidance e.g. Pupil Equity Fund and National Improvement Framework.</p> <p>Curriculum frameworks have been developed across all areas to improve continuity and progression in learning with the broad general education.</p> <p>Scottish Government funding allocated for additional teaching and support staff to help address the impact of COVID19 on pupil learning.</p> <p>School strategies in place for increasing expectations of pupils and families (including tackling the barriers to improving achievement and ensure</p>	3	4	12	<p>Raising Attainment Strategy being developed along with Education Scotland Attainment Advisor.</p> <p>New improvement targets to be set for schools to increase attainment and improve performance.</p> <p>Continue to develop an authority wide model for the Senior Phase that incorporates all elements of the curriculum.</p> <p>Continue to develop partnership arrangements with QMU and Edinburgh College to broaden the curriculum as part of the DYW recommendations by August 2021.</p> <p>East Lothian Works to work with Early Learning and Childcare Team to develop a career path for potential future Early Years Practitioners.</p> <p>Collaboration through South East Improvement Collaborative.</p>	3	3	9	Executive Director of Education and Children's Services	<p>August 2021</p> <p>August 2021</p> <p>August 2021</p> <p>August 2021</p> <p>August 2021</p> <p>August 2021</p>	<p>Risk reviewed and refreshed at a Risk Session with managers December 2020 with no change to assessment of risk scores.</p> <p>Risk further reviewed and updated November 2018 with current risk score reduced from 16 to 12.</p>

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	Announcement by SG that there will be no SQA examinations in 2021. Attainment will be based on ongoing assessment and teacher professional judgements.	<p>pupil attendance i.e. reducing the attainment gap).</p> <p>A suite of data continues to be developed and refined to highlight KPIs, share with schools and agree performance improvement. Activities to improve attainment are reported at Education Committee as appropriate. Targets have been set for schools and the authority.</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 and East Lothian Works who are now part of the Education service.</p>										
E&CS 7	<p>Safe Professional Social Work Practice</p> <p>Failure to fulfil our duty of care could result in the death, serious harm or detriment to a person. This could in turn result in prosecution, having to pay compensation and a negative impact on the reputation of the Council.</p> <p>This failure could be due to a lack of resources (financial, services or staffing), poor practice, a failure to prioritise or non-compliance with procedures/guidance and a failure to resource learning and development function within Children's Services and Public Protection Committee.</p> <p>Children's lives and safety put at risk due to a failure by staff to record or access salient information which may be due to a lack of understanding of the functions of Mosaic and E-IRD or the failure to share appropriate chronologies and risk information with partner agencies.</p> <p>Risk to case transfers from other LAs failing to provide the appropriate information on the child/family.</p>	<p>Prioritise maintenance of adequate staffing levels for Child Protection and other work with vulnerable children</p> <p>Briefing sessions, specialist training and support are in place.</p> <p>Regular formal supervision in place for all staff including completion of PRD's focusing on specific and agreed development needs.</p> <p>Services comply with required professional registration standards for all staff e.g. SSSC.</p> <p>"Safer Recruitment" practices and PVG Checks embedded.</p> <p>Monthly monitoring of staffing levels.</p> <p>Public Protection Office and Committee oversee core elements of Child Protection performance, improvement, policy and procedure.</p> <p>Regular monitoring and learning from incidents including through initial and significant case reviews.</p> <p>All Regulated Services inspected, improvement plans produced with regular quality assurance review meetings.</p> <p>A quality assurance framework has been developed and implemented.</p> <p>A three year rolling programme of file audits has been implemented.</p>	3	4	12	<p>Provision of a joint workforce development plan with Education.</p> <p>Children's Services practice guideline standards are being refreshed and rolled out.</p> <p>The Signs of Safety Practice model is being reviewed and implemented further across the service.</p> <p>The Safe and Together domestic violence support model continues to be embedded.</p>	3	3	9	Chief Social Work Officer	<p>March 2021</p> <p>March 2021</p> <p>June 2021</p> <p>July 2021</p>	Risk reviewed and refreshed by managers December 2020 with no change to assessment of risk scores.

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		Leadership training has been rolled out to team leaders and senior practitioners. This includes the promotion of resilience.										
E&CS 8	<p>Impact of Increased Levels of Poverty on Children's Services</p> <p>There is an anticipation that following the lifting of COVID restrictions and the removal of the UC uplift, the ending of the furlough scheme and the projected higher levels of unemployment that more families will require social work support.</p> <p>Our existing at risk families will require remedial action from Children's Services at the Recovery stage due to more families being in poverty, from children not attending school and increased demand from these groups as the situation progresses.</p> <p>The increase in referrals for domestic abuse will see more children suffering trauma and further impacted due to poverty if moving from the family home.</p>	<p>The Council has a Recovery and Renewal Group in place with a range of supporting activities including Poverty Strategy.</p> <p>Head of Children's Services attends the Recovery and Renewal Group and will progress any Children's Services specific issues.</p>	4	3	12	<p>The Transforming Services for Children Programme will be a whole systems (Council Wide) approach and the redesign of Children's Social Work Service is aimed at ensuring all services are preventive and support early intervention to reduce need.</p> <p>Children's Services has received some ring-fenced COVID funds and is bidding for Scottish Government Winter COVID funds where relevant and appropriate.</p>	3	3	9	Head of Children's Services	<p>March 2023</p> <p>March 2021</p>	New risk created December 2020 by Children's Services Management Group
E&CS 9	<p>Workforce Recruitment and Retention</p> <p>Lack of a skilled, sufficiently qualified and experienced staff resource or the unexpected loss of a key employee or employees could result in</p> <ul style="list-style-type: none"> an inability to provide high quality assessment and support and increased pressure on existing staff a reduction in the quality and scope of the service resulting in lives and safety being put at risk. a lack of teaching staff could impact on our statutory duty to provide a quality of education for all learners. statutory duties not being met. <p>There is a nationwide shortage of teachers, including supply teachers.</p> <p>East Lothian is currently expanding the School Estate which will require a significant increase in teacher numbers.</p> <p>East Lothian is competing with the private and independent sector and adjacent Partnerships to recruit staff.</p> <p>There is a national framework requirement for Head Teachers to possess the standards for headship</p>	<p>Competitive salaries and working conditions in place in some areas.</p> <p>Recruitment and selection procedures adhered to and enhanced to attract more external applicants, with regular professional salary benchmarking.</p> <p>New approach to filling current vacancies, including maternity leave, and advertising/recruiting to supply list on an ongoing basis together with the appointment of permanent Primary supply teachers.</p> <p>The Council received Scottish Government Funding for additional teachers and support staff to address the impact of lockdown on pupil learning and progress.</p> <p>Education is currently offering alternative routes into teaching to grow our workforce as well as continuing to engage with the relevant bodies SG, COSLA, Universities etc. to continue to explore possible solutions.</p> <p>Teacher Workforce Group established to review and develop further arrangements for recruiting new staff.</p>	3	4	12	<p>The Service is exploring the use of digital learning and teaching for the Secondary Sector in engagement through partnership with other Local Authorities and the IRES City Deal.</p> <p>Exploring further engagement with Higher Education institutes to promote teaching opportunities within East Lothian Council and to raise the profile of the LA.</p>	2	4	8	<p>Executive Director for Education and Children's Services</p> <p>Head of Children's Services</p>	<p>August 2021</p> <p>August 2021</p>	<p>Risk reviewed and refreshed at a Risk Session with managers 11 December 2020 with Current Score reduced from 16 to 12 and residual score from 12 to 8.</p> <p>Risk reviewed and refreshed at a Risk Session with managers 20 January 2020 with no change to assessment of risk scores.</p> <p>Risks on Recruitment of Head Teachers and Teachers across Primary and Secondary Schools, Lack of Skilled Staff and Workforce Recruitment combined into one risk December 2019.</p>

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			L	I	L x I		L	I	L x I			
	<p>qualification which may impact on recruitment to these posts in the future.</p> <p>East Lothian Council is not currently attracting experienced and high calibre social work candidates to advertised posts in East Lothian. The result is that children's services is carrying a level of vacancies that could impact on the safer and efficient functioning of the service and a high proportion of newly qualified staff who require enhanced supervision, management and oversight which impacts on line management capacity.</p>	<p>Continue to explore leadership opportunities across the service for all memberships of staff, linked to PRD's, focussing on leadership within schools.</p> <p>Continue to develop delivery of the Secondary curriculum through other partnership arrangements.</p> <p>Civil servants (Via COSLA & Scottish Government) continue to inform the national debate around permanent and supply teacher numbers.</p> <p>Continue collaborative working with Higher Education Institutes, neighbouring authorities, Teacher Education Partnerships, GTCS and Scottish College for Educational Leadership to develop and implement masters level learning programmes and build capacity within the authority through leadership programmes.</p> <p>Continue work with Edinburgh University to provide an appropriate course for returners to the profession which is currently being delivered and enhanced through local promotion.</p> <p>Professional Development Programme and commitment to a practice of "Growing our Own" (promoting staff from within) and a Learning Culture while all policy and guidance documents are checked and refreshed regularly.</p> <p>An Education Support Officer (Digital Learning) has been recruited temporarily for the South East Improvement Collaborative to support taking forward new approaches to deliver the curriculum using digital technology.</p> <p>Successfully recruited to the Into Headship Programme.</p>										
E&CS 10	<p>Expansion of Early Learning and Childcare (ELCC) to 1140 hours.</p> <p>Scottish Government is implementing plans to expand ELCC to 1140 hours. Whilst Scottish government have delayed the statutory implementation date of 1140hrs this is now likely to be re-instated as August 2021. Scottish Government have given flexibility in the use of the 1140hrs funding for Education COVID19 expenses and our current rollout of the</p>	<p>The Council continues to develop detailed plans and work with Scottish Government (SG) to take forward the expansion. Project board and associated working groups are in place.</p> <p>Continue to engage with the Scottish Government Early Years team to ensure that risks are flagged and that the service is aware of expectations and demands and to review the planning and preparation for full implementation.</p>	3	4	12	<p>Development of a dual qualification in Care in partnership with Edinburgh College.</p> <p>Working with UNISON to achieve agreement on the revised Early Years Practitioner (Nursery nurse) remit.</p>	2	4	8	<p>Executive Director for Education and Children's Services</p> <p>Executive Director for Council Resources</p> <p>Head of Finance</p>	<p>August 2021</p> <p>April 2021</p>	<p>Risk reviewed and refreshed at a Risk Session with managers 11 December 2020 with Current Score reduced from 16 to 12 and residual score from 12 to 8.</p> <p>Risk reviewed and refreshed at a Risk Session with</p>

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	<p>programme is being managed within the budget available.</p> <p>Potential risk that this cannot be delivered within the timescale due to challenges of expanding within existing resource, available funds and staffing.</p> <p>Risk that there is an impact on the quality in existing early years provision because the focus is on the expansion. The timescale for delivering expansion has been delayed due to COVID19 and may be further delayed by Brexit.</p> <p>Reputational risk to the Council from Scottish Government reporting on progress in relation to the delivery of 1140hrs ELCC. Parents not able to access 1140hrs of ELCC.</p> <p>Risk that Partner Providers are not able to deliver the 1140 hours as they are no longer financially viable or meet the quality standard.</p> <p>Given the very high numbers of staff required there is a risk of not being able to recruit sufficient staff to deliver on this commitment.</p> <p>The impact of this risk would be that the families do not receive their entitlement to Early Learning and Childcare.</p> <p>There is a risk that Capital costs exceed budget availability. The ongoing impact of COVID could risk the completion date of the programme.</p>	<p>Ongoing work with council departments to ensure key priorities are met.</p> <p>A county wide recruitment campaign took place in early 2020 along with a recruitment fair to attract new and returning staff to the profession.</p> <p>Work continues to review current staff contracts and to recruit staff. Continued work on new pathways in to the profession to be developed including our Foundation Apprenticeship and work in Tots and Teens in 5 of our 6 secondary schools.</p> <p>Ongoing work to monitor and enhance quality of Early Learning and Childcare delivery.</p> <p>There is clear governance of the project through the 1140 hours project board to ensure careful planning, communication and monitoring of progress.</p> <p>Baseline established and updated on quality across all provisions and ELCC across all settings will be supported and monitored by the early years' team.</p> <p>Scottish Government National Standard and associated guidance in place and ongoing discussion/collaboration with partners.</p> <p>Progress with the infrastructure programme is regularly reported to the Scottish Government and Scottish Future Trust. Regular meetings are held with officials to provide detail on the cost implications and timelines for capital projects.</p> <p>1140 is now a standing agenda item for CMT at their fortnightly meetings. These meetings are focussed on the targeted areas of work to deliver 1140 by August 2021 and report on key priorities taking place.</p> <p>Relationships are well established with neighbouring authorities as is learning from other approaches and ensuring that progress is on track.</p> <p>Positive engagement with partner nursery providers of early learning and childcare to ensure planning meets the SG brief regarding parental choice, flexibility, quality and accessibility.</p>									managers 20 January 2020 with no change to assessment of risk scores.	

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		<p>Work stream groups established, including cross sector representation and network meetings to feed in to the project board to ensure collective detailed planning across service areas & consider risks associated with delay.</p> <p>Nurseries - Scenario planning work is underway to determine how many places can be offered across EL.</p> <p>Ongoing work to determine the full costs of the current model for Early Learning and Childcare.</p>										
E&CS 11	<p>Additional Support Needs</p> <p>There continues to be an increase in the number of children with Additional Support Needs across the County due to population growth and increased awareness and assessment of Children and Young people's Additional Support Needs resulting in increased demand on the ASN Service Area and specialist provision.</p> <p>Currently there is insufficient specialist provision within the authority to meet the needs of Children with Additional Support Needs which is resulting in financial pressures through the use of external provision and impacts on the learning and progression of young people with ASN.</p> <p>Applications for Exceptional Needs has increased significantly over the past five years in line with national trends whilst the budget available to the service has not increased at the same rate. This has an impact on the learning and progression of young people with ASN.</p>	<p>The Council continues to monitor and track the nature and level of need across all establishments in order to target resources effectively.</p> <p>Regular budget monitoring meetings with Education and Finance managers as well as school reviews to monitor and review compliance with policies and guidance.</p> <p>Key policies in place to reflect national guidance & statutory duties in line with ASL Act 2009 and Equality Act 2010 and training in place to support the implementation of all new policies and guidance.</p> <p>The Educational Psychology Service resource allocation model operates across all educational establishments and is targeted at the children and young people with the greatest need.</p> <p>Increasing capacity within specialist provisions.</p> <p>Additional staffing resource in place to monitor and track ASN transport and review procedures to secure best value.</p> <p>Monthly monitoring of attendance, exclusion and physical restraint data at school level.</p> <p>Senior officer resource group (SORG) has been established.</p>	3	4	12	<p>Joint work between Education and Children's Services to develop new approaches through earlier intervention strategies reducing the number of out-with residential placements.</p> <p>Implement revised multi-agency GIRFEC Pathway to ensure children's needs are identified at an early stage and intervention is effective in reducing risk and need.</p> <p>Additional specialist provision capacity is a key part of the learning estate review. Significant increase in capacity for severe and complex needs has been included in the new Wallyford Secondary school provision.</p>	2	4	8	<p>Executive Director for Education and Children's Services</p> <p>Head of Children's Services</p> <p>Service Manager, Inclusion and Wellbeing</p>	<p>March 2021</p> <p>June 2021</p> <p>August 2024</p>	<p>Risk reviewed December 2020 with current score reduced from 16 to 12 and residual score from 12 to 8.</p> <p>New risk identified by Acting Service Manager - Education (ASN & EPS) and updated by Head of Education and Children's Services January 2019.</p>
E&CS 12	<p>East Lothian Works (ELW) – Impact of Brexit on Grant Funding (European Social Fund - ESF)</p> <p>ELW relies heavily on ESF funding to support delivery of employability programmes for adults. The draft Withdrawal Agreement between UK and EU (March'18) states the UK would</p>	<p>UK government has indicated that it is committed to ensuring there is no gap in funding in the event of a no deal. In July 2018, the UK government extended a guarantee to cover all projects, including European Social Fund Projects funded by EU under the 2014-2020 programme period. The extension means that Scottish</p>	3	4	12	<p>Undertaking an East Lothian Works Service Review to identify staffing levels required to maximise use of ESF funding including consideration given to temporary posts to support the core team.</p>	2	4	8	<p>Executive Director of Education and Children's Services</p>	<p>March 2021</p> <p>March 2021</p>	<p>Risk reviewed and refreshed at a Risk Session with managers 20 January 2020 with no change to assessment of risk scores.</p>

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	continue to participate in the ESF programme until 2023, meaning we would continue to receive the same level of funding as if the UK was a member of the EU until the end of the 2014-2020 programme period. In the event of a no deal scenario, the UK's departure from the EU would mean we would be unable to access EU funding for European Social Fund projects after exit day.	government will continue to sign and fund new projects after EU Exit until programme closure providing additional certainty, guaranteeing investment in skills and employment to the end of the current European Social Fund programme period.				Continue to monitor Brexit scenario and review implications on levels of funding if required.						Risk reviewed and refreshed at a Risk Session with managers 20 January 2020 with no change to assessment of risk scores.
E&CS 13	School Premises Security If our School Premises are not properly safeguarded then unauthorised persons could gain entry and cause damage (fire, vandalism etc.) to property or to persons which could lead to our assets being unavailable for use, facing potential closure and re-provision of care/teaching in alternative locations at increased cost to the Council and/or in need of repair in turn leading to adverse publicity.	Security and safety risk assessments are carried out regularly at all Education premises while each school has its own individual security arrangements such as fencing, building access, CCTV etc. Business Continuity Plans in place. Insurance Renewal Programme. Head Teachers briefed on importance of their role as Head of Establishment to ensure security of buildings and that business continuity plans are up-to-date.	3	4	12	A cross-service project team has been established to progress the Learning Estate Review with school security to be included as part of this review.	2	4	8	Executive Director for Education and Children's Services Executive Director for Place Service Manager - Strategic Asset & Capital Plan Management	August 2021	Risk reviewed by Service Manager – Strategic Asset & Capital Plan Management Jan'21 with not change to risk scores.
E&CS 14	Management of Education Resource Failure to manage a delegated budget in a fair, equitable and transparent way and risk that school's budget is not deployed in accordance with best value principles. As a result financial expenditure is not well planned and resources are not used effectively to meet the needs of learners. Failure to adhere to Local Authority procurement arrangements. Potential risk of short-term funding i.e. Pupil Equity Fund (PEF) brings about additional budgetary pressures in relation to the retention of staff who could be surplus to requirements. This could result in reputational damage to the Council should schools fail to deliver a positive outcome for those children and young people the funding has been awarded to, as well as, no improvement in attainment, no closing of the attainment gap ultimately failing to meet the requirements of the Attainment Challenge Risk of not receiving positive inspections as there is insufficient evidence of impact on closing the attainment gap evaluated under QI 3.1 – Ensuring wellbeing, equality and inclusion. This could lead to increased scrutiny be external scrutiny bodies such as Education Scotland.	DSM guidance in place and support provided to Head Teachers (HTs) and Business Managers through Education and Finance colleagues. Budget spend is monitored by the Education Service and any issues are discussed with HTs with support from the QIT as required. Budget validations carried out by Principal Officer. Guidance and support provided from Council Procurement team and clear guidance is available for HTs. HTs submitted proposals on how they intend to use the funding, indicating expected impacts/outcomes it will have in relation to closing the attainment gap. Central department officers work collaboratively with HTs to support and challenge, to ensure the proposals are robust. Impact will be monitored throughout the school session. Database of staff appointments held and monitored to identify those funded through PEF as well as additional resources being incurred and the impact they are having in relation to the supports/interventions put in place. Close working with HR and Finance colleagues to manage the impact this additional workforce has long term.	3	4	12	Management of resources professional development opportunities being developed for middle leaders to build their capacity for future leadership responsibilities. Undertake a review of the Scheme of Devolved School Management taking account of national guidance.	2	4	8	Executive Director of Education and Children's Services Head Teachers	August 2021 April 2022	Risk reviewed and refreshed at a Risk Session with managers December 2020 with no change to assessment of risk scores. Risk reviewed November 2018 with current risk score reduced from 16 to 12 and residual score reduced from 12 to 8 due to more established working practices being in place.

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		<p>Central management information team undertaking data gathering, recording, analysis to inform and measure progress in raising attainment.</p> <p>Additional resources allocated to central Education, HR, Finance and Procurement services to support and implement the effective use of PEF.</p> <p>Close liaison with HTs and colleagues in Finance, HR and Procurement to support, monitor and record additional staffing and resources put in place.</p> <p>Quality Improvement Team monitor the impact at school level through discussions with HTs and looking at attainment data results.</p> <p>Regular meetings with Education Scotland Attainment Advisor to discuss and monitor progress.</p>										
E&CS 15	<p>IT Infrastructure</p> <p>The IT infrastructure may not be sufficient to support the use of digital technologies moving forward.</p> <p>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.</p> <p>There is also a risk that a lack of investment in digital technologies may impact on our ability to attract staff to teach in our schools and also inequity in provision in relation to access to technology for our pupils.</p>	<p>Collaborative working between IT ICT and Education continues in respect of addressing the needs of schools and the wider services.</p> <p>A Temporary Education Support Officer (Digital Learning) was recruited by the South East Improvement Collaborative with part of this role being to support the implementation of digital learning across the school learning estate.</p> <p>Review undertaken and paper produced on Digital Learning and Teaching Strategy.</p> <p>Continue to work with schools to encourage them to promote the effective use of current and future ICT resources.</p> <p>The Council received a Scottish Government funded grant to support the purchase of digital devices and connectivity solutions to support digital inclusion amongst disadvantaged children and young people.</p> <p>An on-line learning environment for all students to reflect the way young people can now learn is in place and proving successful.</p> <p>The Council has a partnership agreement with Education Scotland Technology Team to assist with the</p>	3	4	12	<p>Finalise and implement the Digital Learning and Teaching Strategy which is dependent upon appropriate finance.</p> <p>A programme of staff development being put in place to upskill the workforce in schools to support the delivery of digital learning.</p> <p>Collaboration through City Deal to support workforce development and delivery of digital data.</p> <p>Further explore collaboration with Education Scotland and SEIC to support the delivery of digital learning across our schools.</p> <p>The rollout of Microsoft Teams during 2021 will overcome the barriers to virtual multi-agency working.</p>	2	4	8	<p>Executive Director of Education and Children's Services</p> <p>Service Manager - IT Infrastructure</p> <p>Service Manager (E Clater)</p>	<p>April 2021</p> <p>April 2021</p> <p>August 2021</p> <p>August 2021</p> <p>April 2021</p>	<p>Risk reviewed and refreshed at a Risk Session with managers December 2020 with no change to assessment of risk scores.</p> <p>Risk further reviewed and updated November 2018 with no change to assessment.</p>

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 fulfill 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	Impact				
Likelihood	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
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