East Lothian Council

REPORT TO: Cabinet

MEETING DATE: 14 June 2022

BY: Chief Executive

SUBJECT: Corporate Risk Register 2022

1   PURPOSE

1.1   To present to Cabinet the Corporate Risk Register as at 6 June 2022 for discussion, comment and approval.

2   RECOMMENDATIONS

2.1   It is recommended that Council approves the Corporate Risk Register and in doing so, the Council is asked to approve that:

- this live document will be reviewed by the CMT, SMT, individual risk owners and the Corporate Risk Management Group on a regular basis and reported back to Council as and when required;

- agree that the current relevant risks have been identified;

- agree that the significance of each risk is appropriate to the current nature of the risk;

- agree that the total profile of corporate risk can be borne by the Council at this time in relation to the Council's appetite for risk but in the context of the planned mitigations; and,

- recognise that, although while corporate risks require close monitoring and scrutiny over the next year, many are long term risks for the Council that are likely to be a feature of the risk register over a number of years.

3   BACKGROUND

3.1   In keeping with the Council's Risk Management Strategy (last approved at Council on 29 March 2022) and reflecting upon the concurrent nature of risks managed by the Council, the Corporate Risk Register has been updated

following a review by the Corporate Risk Management Group on behalf of and in consultation with Council Management Team.

3.2 In presenting the updated Corporate Risk Register as at 6 June 2022 to Cabinet for approval, the Council Management Team would wish to draw to the Committee's attention that all risks have been evaluated using the standard (5x5) risk matrix which involves multiplying the likelihood of occurrence of a risk (scored 1-5) by its potential impact (scored 1-5). This produces an evaluation of risk as either 'low (1-4)', 'medium' (5-9), 'high' (10-19) or 'very high' (20-25).

3.3 The Council's response in relation to adverse risk or its 'risk appetite' is such that:

- Very High risk is unacceptable and measures should be taken to reduce, transfer or treat the risk to a more tolerable position

- High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place

- Medium risk is tolerable with control measures that are cost effective

- Low risk is broadly acceptable without any further action to prevent/mitigate risk.

3.4 The 2022 Corporate Risk Register as updated, currently includes 5 Very High Risks, 8 High Risks, 8 Medium Risks and 1 Low Risk.

3.5 In accordance with the Risk Management Strategy 'Very High' and 'High Risks' identified in the Corporate Risk Register will be subject to closer scrutiny by the Council Management Team, the Cabinet and the Audit and Governance Committee.

3.6 A slightly improving position can be reported in respect of the inter-relationship of *Corporate Risks ELC CR 6 - Duty of Care to Public and Public Protection and ELC CR 13 – COVID 19.* These risks have been updated to reflect the current risk assessment and mitigations in place including generally the levels of vaccination coverage and better treatments that have reduced the direct harms of the virus. The situation remains dynamic however in the context of monitoring infection levels and ongoing impacts on the health and social care system and service delivery capacity. COVID-19 Risks remain "live" and, alongside mitigation action, under constant review.

3.7 Corporate Risk ELC CR 7 - Staffing Issues, as updated, reflects an improving position similarly in relation to COVID-19 related staff absences. However, a worsening position is developing in respect of the general employment market and other staff absences, compounding with the peak annual leave season, resulting in many services struggling to recruit to vacant posts. This risk therefore remains at the same risk score and is being closely and frequently monitored given the developing operational impacts, service by service, consequent to the changing nature of this risk.

3.8 The Council remains in emergency response with business continuity plans invoked Council-wide. The Council is prepared for the move towards a formal

declaration of the COVID-19 Recovery Phase in due course and is stood ready to contribute to collegiate conversations both regionally and nationally in the context of the timing of such a decision. Other concurrent risk components and new risks have emerged during 2022 with the war in Ukraine significantly impacting *ELC CR 1 Supply / Cost of Materials and Labour,* further impacting *ELC CR 2 Rising Energy Costs* and *ELC CR4 Information Security and Data Protection.* New risks *ELC CR 3 National Care Service and ELC CR 5 Refugee/Asylum Schemes* have been added to the Corporate Risk Register and will be kept under close and regular review.

4   POLICY IMPLICATIONS

4.1   In approving 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 –The financial impact of the associated risks and measures remain under regular close monitoring and review. Any unplanned and unbudgeted costs that arise in relation to any of the corporate risks identified will be subject to review by the Council Management Team, and if required will be reported to Council.

6.2   Personnel – There are no immediate implications, however, given the current significant staffing challenges and operational impacts resulting, this area is under constant review.

6.3   Other – Effective implementation of the Corporate Risk 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 2022 as at 6 June 2022

7.2   Corporate Risk Strategy - Document downloads - Resilience and Terrorism | East Lothian Intranet

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DATE	6 June 2022

East Lothian Council Corporate Risk Register 2022 (V55: 06 June 2022)

Risk Ref.	Risk Description	Existing Risk Control Measures	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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ELC CR 1	**Supply/Cost of Materials and Labour** The construction materials market is currently volatile due to a number of factors including Brexit and the Pandemic impact upon the production and supply chain. Scotland Excel have confirmed a 23% increase in framework prices for timber and sheet materials. Current challenges include: • Significant / unexpected upturn in worldwide workload • Covid-19 recovery & logistical constraints • Supply from the European Union • Hedging and bulk ordering • Increase in cost of raw materials – due to Covid-19, post-Brexit trading rules and rising oil prices • Shortage of drivers of Heavy Goods Vehicles These challenges have had significant impacts on construction, including: • Massive increase in demand is resulting in shortages on key products and placing strain on labour availability. • During the pandemic manufacturing facilities were closed and the world's distribution network was impacted and is still recovering. • Although there is now a trade agreement, the borders and customs processes add administration, time and cost. • Materials suppliers, main contractors and major UK projects (e.g. HS2) have stockpiled or bulk secured manufacturing and supply slots. • High percentage increases in the cost of particular materials e.g. copper, steel, timber, concrete. • The lead-in times for delivery of materials have increased. • Shortages in components e.g. for mechanical, electrical and IT The main impacts are live project delays, delays to future projects, cost increases, contractors unable to submit fixed-price Tenders, higher risks for Contractors. The risks apply to capital and revenue-funded works for • Property • Roads • Housebuilding generally • Affordable housing programme • Voids and relets • Maintenance and lifecycle works in the operational / non-operational and learning estate and PPP Project. • Maintenance and repairs • Domestic compliance programmes • Energy efficiency programmes • The majority of all other procurement related purchasing is being impacted	Regular discussions with current suppliers around market conditions, and alternative specifications / materials. Close engagement and monitoring of national frameworks and conditions through Scotland Excel. Prioritisation – deciding which works are essential, balancing time, cost and risk, possibly delaying works until the market settles. Planning – assessing project programmes and possible procurement options Reporting – providing information to funding bodies, Council management and other services Monitoring – Continuing to liaise with industry bodies, working groups, other local authorities, the Scottish Government, suppliers and contractors to keep the Council informed. The Council is aiming to pre-order and provide enhanced stock management on certain materials where appropriate. Regular discussions are taking place on the Capital and Revenue Investment Plans. Continue to apply BCIS increases, monitor acceptance of offers and continue to maintain dialogues with framework contractors. Continue further engagement with Scottish Government, Government Agencies and Professional bodies. The Finance Service are focusing on enhanced financial monitoring during 2022-23 to identify emerging issues that cannot be contained within approved budget levels and consider where necessary any wider financial interventions . The on-going impact will be considered as part of future budget planning. National Suppliers and Partner Providers working group established through COSLA to consider impact of inflationary and market pressures.	5	4	20	Enhanced value engineering and prioritisation of specification and design parameters. Reviewing the opportunity to phase planned works rather than deliver wholesale projects. Consideration to delaying capital and revenue projects where appropriate and possible. Enhanced partnership working with HUB and major suppliers to enable pre ordering and project budget caps to be set - whilst this carries risk of increased front loaded costs used correctly it can cap risk and enable controlled project delivery. Consideration of enhanced contract payments to transfer risk to the private sector – by paying upfront to cap project risks of escalating costs from Covid and material increases project caps can be set to limit overall risk to the Council. Wider review of approved Capital Plan and prioritisation – to ensure programme remains affordable and focussed on critical priorities.	4	4	16	Head of Infrastructure Head of Finance CMT	All planned measures are to be reviewed/progressed over the coming weeks.	Risk further updated by Executive Director Council Resources June 2022. Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. New Corporate Risk created October 2021 and reviewed & refreshed during November and December 2021.

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	Risks have both financial and programme implications. Higher material and labour costs are not necessarily being reflected in the building cost indices (BCIS) used to vary building framework prices in line with Procurement rules. This could result in ranked framework contractors declining offers of work. Note the BCIS All-in Tender Price Index for quarter 3 2021 has an increase of 1.9% from the previous quarter of 0.8% to 2.7% and a continual rise on this is predicted over the next five years. **Heightened Risk Due to War in Ukraine** Due to the current conflict in Ukraine there is a heightened risk of additional supply chain pressures particularly in the context of grain, fuel and chemical related products which could lead to product shortages and/or significant inflationary pressure. Set in the context of existing supply chain pressures prevalent within the delivery of Affordable Housing Supply, Additional Housing pressure through the UK Government resettlement scheme may present to accommodate increased numbers of refugees fleeing the war. This risk will be set out in more detail within the Housing Risk Register.	Continue to follow advice and guidance from COSLA and UK and Scottish Governments and react accordingly. Multi-disciplinary working group established to priorities necessary intervention supports as families and accommodation is identified.										
ELC CR 2	**Rising Energy Costs** Volatility in energy markets will result in significantly higher energy costs for the foreseeable future. Increasing rates will impact on the cost to operate buildings, street lighting provision, third party users of services, electric vehicle charging rates etc. Rising energy costs will indirectly impact the cost of other goods and services e.g. materials, consumables, transportation. There is a risk that electricity, gas, oil and LPG rates could increase further in 2023/24. **Heightened Risk Due to War in Ukraine** Due to the current conflict in Ukraine there is a heightened risk of additional supply chain pressures.	Electricity, gas and oil is procured through Scottish Procurement. The rates for 2022/2023 will rise significantly however Scottish Procurements purchasing strategy provided some protection throughout the volatility. The Council's Energy Transformation Board seeks to improve energy efficiency and energy supply from renewable sources reducing reliance on fossil fuels. Additional budgetary provision was included within the 2022-23 budget based on assumptions at that time. The Finance Service are focusing on enhanced financial monitoring during 2022-23 to identify emerging issues that cannot be contained within approved budget levels and consider where necessary any wider financial interventions including the potential use of reserves. The on-going impact will be considered as part of future budget planning. Engagement through professional networks to support national discussions on wider market conditions and supporting interventions.	5	4	20	Continued review and enhanced monitoring of financial impact of rising energy costs, on both revenue and capital budgets. Consider enhanced mitigation measures though wider asset review project and similar initiatives. Investment in expanding renewable energy and transformational projects and expansion of energy saving initiatives. Continue to engage through professional networks to support national discussions on wider market conditions and supporting interventions. Consider on-going impact through future budget planning and enhanced review of financial and capital strategies.	4	4	16	Energy Officer Service Manager ES & BS Head of Finance	December 2022	Risk further updated by Executive Director Council Resources June 2022. Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores.
ELC CR 3	**National Care Service** The Scottish Government proposal to establish a National Care Service, which would extend to all adults care services, children's services, criminal justice and social work will result in the largest re-organisation of local government since the creation of single tier local authorities in 1995/96. The council's concerns at the risk involved in this proposal were detailed in the Council's response to the Scottish Government's consultation on its	The council provided a detailed and comprehensive response to the Scottish Government's consultation on its proposals, outlining the concerns and risks involved in the creation of a National Care Service (report to Members Library, November 2021). The council is awaiting the publication of the Scottish Government's response to the consultation and publication of its proposal – probably in the form of a White Paper – and will provide a further detailed response highlighting any remaining concerns and risks.	5	4	20	Depending on the detail of the legislation is due to be taken forward into the Scottish Parliament by the Scottish Government and timescale for creation of the proposed National Care Service officers will prepare detailed response and plan to prepare for implementation and mitigate any negative impact, including lobbying for adequate resourcing from the Scottish Government	5	3	15	Chief Executive/ Chief Social Work Officer / Head of Operations (H&SCP)		Risk reviewed May 2022 with no amendments made. New Corporate Risk created March 2022 by Head of Children's Service, also to replace risk on

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	proposals (report to Members Library, November 2021). These include the following: The creation of a new national QUANGO will require significant resourcing and will lead to years of uncertainty and anxiety within the workforce and possibly also amongst service users and carers. It will also risk loss of momentum and progress with existing multi-agency collaborative improvement programmes. The complexity of transferring responsibility for one of Local Government's largest, most complex and important services to a new national agency cannot be over-estimated. Previous structured reforms to deliver a single agency has not been able to be undertaken without significant cost, and significant staff resourcing, and there is no evidence that this singular source has delivered better outcomes for our users of the system. There are significant questions about how the National Care Service and other proposals in the consultation paper will be funded. The scope of the NCS is not yet clear but the reorganisation of such complex services as Adult Social Care and Children's Social Work Services and their integration into a new national service would come at a major cost in both finance and staff resources. There will be major implications for support services such as Finance, HR and IT. There are very significant risks in breaking up the existing 'whole system approach' that is provided through social work being part of local government. The centralisation of responsibility and services under a National Care Service also removes the local approach to service delivery which is critically required to deliver a holistic approach to care services and integrate this wider within a wholescale and local approach to deliver improved outcomes for those who need and use care such as Housing, Education, and community services. Centralisation also puts at risk the effective collaboration and shared leadership that has been developed through Community Planning, Community Justice, Children's Services and Public Protection Partnerships, and local community capacity building achieved through multi-agency locality planning with, and in, targeted communities. The proposals contained in the Scottish Government's consultation significant uncertainty and therefore risk for large parts of the council's workforce, including the future employee status of staff working in social work and whether they would be TUPE transferred to the National Care Service or the proposed Community Health and Social Care Boards (CHSCBs). The Council is progressing a major Transforming Children's Service programme that will have fundamental implications for how we deliver services for vulnerable families and children. This will be impacted by the uncertainty created by the proposal to	CMT will continue to monitor the development of the proposal and report as appropriate to the Council.										Public Sector Reform.

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	include Children's Services within the scope of the National Care Service.											
ELC CR 4	**Information Security and Data Protection** **Heightened Risk Due to War in Ukraine** Due to the current conflict in Ukraine there is a heightened risk of Nation State led cyber-attacks on the West. These could potentially affect National Infrastructure such as data and voice networks which could have an impact on East Lothian Council. **Information Security** 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, 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. During 2020/21 high profile attacks against supply chain and other Scottish public bodies has shown this risk has not decreased. An increase in the use of Cloud facilities means our security risk from external influences has increased and our security posture needs to change to meet these new challenges The Cabinet Office has introduced zero tolerance for all LA's connected to the Public Sector Network (PSN). 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. The PSN network is being redeveloped over the next 2 years In 2017 the Scottish Government introduced the Cyber - Public Sector Action Plan which sets out the minimum security standards for all public bodies New ways of working and shared buildings including the proposed Collaborative Hub between the Council, Police and other parties present new risks and challenges to maintaining IT Security and Data Privacy. Procedures, appropriate design of workspaces and staff training are needed to mitigate risks. Senior management vacancy arose in I.T. Service wef 20 May 2022,	Continue to follow advice and guidance from the National Cyber Security Centre, UK and Scottish Governments and Local Government Digital Office and react accordingly. **Information Security** The Council complies with the international standard ISO 27001:2017 as the framework for its ISM system. As part ISO27001:2017 a number of control areas are set out : IS policy; IS 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); 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); Annual IT health checks on the existing infrastructure. New systems introduced are risk assessed and security checked to ensure they meet the criteria. Council Information Governance and Security (IGS) Forum co-hosted by the IT Team Manager – Infrastructure and Security and the Team Manager – Information Governance / Data Protection Officer. The Team Manger – IT Infrastructure & Security sits on the Scottish Governments Digital Assurance group The DPO/Team Manager-Information Governance & Team Manager – Infrastructure & Security (CISO) are members of the Collaborative Hub Working Group and the JMH User Group and provide advice and support re: compliance & Info Security. A new Information Security/DP Awareness Campaign was launched in Dec 21, which sends scheduled 'hot topic' awareness updates to employees.	5	4	20	**Information Security** Upgrade of external facing systems taking place to increase security of our internet facing gateways. Due to increased use of cloud systems at ELC, we need to review our security posture & systems to ensure we are covering this area. We are reviewing all security systems to ensure protection Acceptable use policy for all ELC employees is to be refreshed during 2021 with an online version introduced to enable easier review and signing by all employees. Further Service Review on-going to support on-going resilience and workforce planning requirements.	3	4	12	Executive Director – for Council Resources Head of Corporate Support Data Protection Officer	Ongoing May 2022 June 2022	Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. Risk updated March 2022 by Team Managers – IT Security and Information Governance with current risk score increased from 16 to 20 due to war in Ukraine. Risk updated November 2021 by Team Managers – IT Security and Information Governance with on change to scores.

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	Data Protection Under the Data Protection Act 2018 and the UK GDPR, the Council is required to ensure that personal data is processed lawfully, fairly and securely. Breaches of the Data Protection Act / GDPR could result in: - harm to individuals; - legal action; - fines of up to £17.5 million or 4% of turnover, whichever is higher; - requirement to pay compensation; - adverse publicity; - damage to reputation The Council has a mandatory 72 hour window in which to report relevant breaches to the Information Commissioner's Office. Limited security, procedural and environmental controls at the Dunbar Road records store mean that records and personal data are at risk of security breach and/or accidental loss or destruction. The shift to home/digital working in response to COVID-19 has also placed additional pressures to digitise paper records management systems and ensure new ways of working remain secure. Requests for personal data (SARs) have increased significantly in both number and complexity (50% increase on Jan-May 2022). Increase is partially attributable to the indirect impact of the Scottish Child Abuse Inquiry and the launch of the Redress Scheme. Combined impact with staffing challenges, increase in FOI requests and disproportionate impact of a number of frequent requesters, the Council is at higher risk of missing statutory timescales for responses. DP compliance is dependent on good records management. The Council's Records Management Plan 2014-2019 needs to be formally updated to account for GDPR/DPA18 as well as changes to recordkeeping practice across the Council. This is also a requirement of the Public Records (Scotland) Act 2011 (PRSA). Current pressures on Registration service and increased demand from Services for review of Data Sharing Agreements / Data Protection Impact Assessments are impacting capacity to address Records Management.	**Data Protection** The Council has a comprehensive suite of measures to ensure compliance, including the retention of a statutory Data Protection Officer (DPO), the Data Protection Policy, Data Breach Procedure and multiple procedures governing the creation, use and disposition of records and personal data. IS, DP and Records Management Awareness training is a mandatory part of induction and must be refreshed every two years. The ELNet pages for Information Governance also include templates, guidance and information to support corporate compliance. The Council's Records Management Plan (RMP) covers how the Council manages its records and includes links to our IS, DP policies and retention schedule. There is an annual assessment of Progress of Records Management Plan by The Keeper's office. The Council is planning formal re-submission of its RMP for the Keeper's approval (date tbc). The Council has a close working relationship with SOLAR (Society of Local Authority Lawyers and Administrators) and attends meetings regularly. These meetings are also attended by the Information Commissioners office. The Council also attends and currently chairs ASLAWG (Archivists of Scottish Local Authorities Working Group) to share best practice with other record keeping professionals.				**Data Protection** Training & awareness: e-learning modules currently being refreshed with an estimated completion in May 2022. The DPO, Team Manager- IT Infrastructure & Security and Communications teams are progressing a Communications Plan including Inform briefings, e-mail updates (Info Security Email Alerts scheduled weekly for March/April, to be followed by DP alerts.) and other training and briefings to reinforce awareness of data protection and information security across the Council. Information Transformation Strategy: the Team Manager–Information Governance and Team Manager-IT Infrastructure & Security are drafting an Information Transformation Strategy and associated Action Plan to underpin the Digital Strategy and Business Transformation agendas and 'to ensure the right information gets to the right person, at the right time, and in the right format'. Records Management Plan: All 14 elements of the Council's RMP will be reviewed and updated, focusing particularly on secure destruction, digital preservation, application of retention schedules and changes to ways of working. Support for SARs/FOI: Work is ongoing to fill vacancies and identify additional staff resource to help cope with demand. DSA/DPIA Process Reviews: The processes for approving Data Sharing Agreements and Data Protection Impact Assessments are being simplified and streamlined. A soft launch for DSA process was completed in Jan 2022 with a formal launch in May 2022 Dunbar Road Options Paper: An options paper is being prepared regarding next steps to upgrade and secure our paper records storage and retrieval arrangements.					June 2022 December 2022 December 2022 June 2022 July 2022 December 2022	
ELC CR 5	**Refugee/Asylum Schemes** Both the UK and Scottish Government have responded to the Ukrainian humanitarian crisis by introducing refugee schemes that are largely required to be administered by local authorities. These schemes are broader in scope and of a significantly greater scale than existing refugee schemes. Consequently, this means greater demands placed on Council services (including service areas not	Cross-Service Oversight Group meetings in place. Cross-Service Working group in place. Additional resources identified within Community Housing & Homelessness (CH&H) secured to deal with administrative tasks and casework	5	4	20	Internal processes and procedures to be reviewed to identify improvements Quantification of Scottish Super Sponsor scheme (SSS) numbers, data integrity work, background checking to be done by CH&H resource	4	3	12	Head of Housing	Monthly Review	Risk created 9th May 2022 by Head of Housing.

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	previously involved) in administering the schemes, supporting hosts and refugees as well as placing additional demand on schools and Health and Social Care services. There is also a potential role for the third sector, which requires careful thought and development. Current challenges include, but are not limited to: • Complexity and variation between three different schemes (Homes for Ukraine (H4U), Scottish Super Sponsor & Family Visa) • Constant changing and revision of national guidance, which continues to evolve through ongoing discussion between SG, COSLA, Home Office and local authorities • Being clear on different funding arrangements, scope and operational deployment • Being clear on extent of safeguarding responsibilities and wraparound support • Being clear on role of third sector • Understanding the scale of and resourcing the challenge in the context of existing commitments to the global refugee scheme and the Afghan schemes, and the future proposed Asylum dispersal scheme. • Being clear on data protection requirements and which information can be shared between internal teams and with external partners • General administration of the scheme in the medium to long-term including, but not limited to: 　○ Disclosure checks 　○ Property and welfare visits 　○ Wraparound support 　○ Refugee payments 　○ Host payments 　○ Interface with Education and HSC • Clarity as to whether funding is adequate to cover all elements of the scheme, including potential remedial work to bring properties up to required standards • Potential increased homeless and housing demand (where hosting arrangements break down or after six months) • Service resource demands on all affected teams but particularly Community Housing & Homelessness • Capacity of children's and adult social work services, Education and HSC to cope with increased demands • Additional demands continue to emerge through extensions to the three schemes – namely the rise in unaccompanied minors and associated responsibilities • Implementation of the mandatory national transfer scheme means East Lothian must accept an allocation of unaccompanied asylum seeking young people set by the Home Office. Notification will be at short notice and the frequency is dependent on their rate of arrival in the UK. • This presents a significant resource challenge in terms of providing accommodation, potentially a care placement, housing and social work support.	Additional development resource identified from CH&H to provide third sector interface, assist with improvement work, address local community issues and maximisation of resources (internal and external) Regular attendance at meetings with SG, Home Office and COSLA. ELC Website page in place. ELC Ukraine enquiries contact email address set up. Initial dedication of two-full time officers from Housing Options team to set up procedures, team interfaces, casework and administration of schemes. Database of hosts and families created comprising all administrative aspects (disclosures, property checks, payments, education requirements etc.). Ongoing case management of all H4U hosts. Resource requirements of other service areas identified and in operation, including the contribution of colleagues in HR, Protective Services, Finance, Education, Customer Services, Communications Team and HSC. Cross-Service agreement of how Disclosure checks will be undertaken, conduct of home visits, and administration of payments have been secured and interim procedures in place. Jira safeguarding system in place. Children's and adult social work undertaking wellbeing assessment visits to all families. Privacy Statement signed off. Unaccompanied Assylum Seeking Children (UASC) are currently being supported by the Aftercare Team in children's services, making use of accommodation within the My Place project. Managers attend regular national meetings to ensure we understand best practice.			🟥	Plans in development of how SSSS outreach work, disclosures, payments etc. will operate Quantification of future resource demands to be identified and articulated through oversight and working group meetings Improvement work to ensure processes and resource deployment are as effective as they can be Working closely with SG & COSLA to inform future iterations of Guidance for clarity and confirming with SG & COSLA colleagues that ELC cannot source social housing properties as housing pressure continues to be extreme Ongoing discussions across SG, COSLA & SOLAR around Privacy Statement Children's services is developing a host families scheme to provide accommodation and support for UASC.			🟧			

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	• The national local crisis in fostering resources is compounding the service risk. • Some UASC are reluctant to settle in East Lothian, preferring to be in bigger cities such as Manchester. There is a likelihood of them leaving on an unplanned basis putting them at risk of exploitation.											
ELC CR 6	**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, local MAPPA arrangements, Violence against Women and Girls (VAWG) 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) The medium to longer term impact of the Covid-19 pandemic, on the mental and emotional wellbeing, and coping mechanisms of children, young people and adults, and their access to supports, where their needs are not reaching the threshold for statutory intervention. Access to and availability of earlier intervention supports and services are likely to continue to impact on vulnerable children and families. (2) Complexity of service delivery, infrastructure, environment and partnership arrangements across the Council services; (3) Increasing population and the number of vulnerable people in East Lothian; (4) Increased population and more complex service demands presented by an increasing number of service users whilst resources have reduced (5) Levels of deprivation in East Lothian; (6) There are risks around worker shortage for care at home providers in East Lothian, with risks to sustainability of the service provision.	Strategic Structure The East and Midlothian Public Protection Committee (EMPPC) is the local strategic partnership responsible for the overview of policy and practice in relation to Adult Protection, Child Protection, Offender Management and Violence Against Women and Girls. The primary aim of the Committee is to provide leadership and strategic oversight of Public Protection activity and performance across East Lothian and Midlothian. It discharges its functions through four sub-groups which meet quarterly: • Performance and Quality Improvement sub-group maintains overview of work through the door and performance in relation to CP and ASP work • Learning and Practice Development sub-group takes forward our 2021-23 strategy for Multi-agency training, and oversees our training programme. Training needs on aspects of Public Protection are considered by this group and are informed by Training Needs Analyses undertaken by the East Lothian Workforce Development Officers in Children's Services and the HSCP. • VAWG delivery group keeps oversight of services for gender based violence • East and Midlothian MAPPA Group (EMMG) oversees MAPPA arrangements. Critical Services Oversight Group (CSOG), Provides governance and leadership of EMPPC on a quarterly basis Marac (Multi-agency risk assessment conferences) continues to operate on a four weekly basis, by Microsoft Teams, with additional meetings scheduled to respond to increase in demand, ensuring that the needs of and supports to highest risk victims of domestic abuse are planned for on a multi-agency basis A Joint Strategic Needs Assessment for Public Protection has being developed and is being reviewed by CSOG. This projects increased demand for services and makes a number of recommendations for the future delivery of Public Protection services. ASP preparation for inspection work: • A self-evaluation of Adult Protection in East Lothian has commenced • Other quality assurance activities and audits are undertaken by the lead officers for Adult Protection and Child Protection, in partnership with HSCP and children's services managers. There is an ASP inspection preparation group in place which	4	4	16	Public Protection Manager will review the 0.5 Learning and Development Co-ordinator post with senior managers across the EMPPC partnership, and will consider the most appropriate way of using this resource. A Joint Strategic Needs Assessment for Public Protection is being taken forward by CSOG. Child Protection Lead Officer will use the evaluation of the pilot of the Safe and Together training to inform discussions with the East Lothian S&T implementation group about how best to support staff to complete the training and embed S&T in practice in East Lothian. Resource requirements to support this work will be further explored. This will also be monitored via EMPPC Learning and Development Sub-group. Work is planned within the learning and development sub-group to establish better oversight of unmet and projected need for training from Level 1 and above. Work has begun to refresh the knowledge and understanding of both CMT and SMT that child protection is everyone's responsibility and to ensure that this key message is communicated and understood by all staff.	3	4	12	Chief Executive Critical Service Oversight Group Executive Directors Director of East Lothian Health and Social Care Partnership Chief Social Work Officer Public Protection Team Manager Health and Safety Team	March 2022 June 2022 June 2022 June 2022 June 2022	Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. Risk reviewed and refreshed by Public Protection Team Manager, March 2022. Risk reduced from 20 and 20 to 16 and 12 due to an improving picture. Risk has been reviewed in December 2021 by CMT and the decision was taken to increase the current risk score from 12 to 20 and the residual risk score from 8 to 20 due to the current nature of the risk and the fact that, even with all measures in place a period of review will be required to measure whether or not the situation has improved and the risk has reduced.

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			L	I	L x I		L	I	L x I			
	March 2022 Update – Evidence gathered since Jan 22 shows only one remaining provider of concern. The provider has given a timeline for 1 month for service improvements. The EMPPC website is not fit for purpose and does not meet the accessibility requirements. There is a risk that staff who require refresher training in Child Protection and Adult Protection do not receive this within a two year timescale – the current focus is on delivering training for staff who have not done any of the core courses. There is a risk that children and families staff do not manage to complete the core Safe and Together training (4 days) which is designed to be completed on a self-learning basis. A review of the council's LearnPro data and management audit highlights gaps in compliance with mandatory public protection training across services and the need to strengthen the knowledge and understanding of roles and responsibilities in relation to child protection.	meets regularly to plan self-evaluation and preparation for inspection activities. • A multi-agency strategic planning group has been established with key personnel from East Lothian HSCP, NHS Lothian, Police and Public Protection Office to prepare for Adult Protection inspection (no date identified/inspections resumed in June 2021) – programme of audit and self-evaluation is underway. This group will plan and oversee preparation activity. ELC H&SCP Management attend NHS Gold meetings where the capacity gap is detailed and set in the context of the wider system risk caused by challenges facing NHS Lothian acute sites ELC H&SCP have monthly Care at Home Oversight Group Meetings to monitor the levels of provision of essential care at home. The councils' CSWO attends this meeting to ensure discharge of assuring the quality of care. This will remain in place until there is assurance of stability. Care at Home service provision continues to be monitored via East Lothian and Midlothian Public Protection Committee (next review March 2022) and Critical Services Oversight Group (next review April 2022) A risk management tool has been developed to provide consistency in how the providers are assessing their capacity to respond and deliver their required level of service. Policies, Protocols, Procedures and Guidance are in place, subject to ongoing review and update 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 continues to work towards delivering the UK Government's Counter Terrorism strategy, known as CONTEST, of which Prevent is a key element. EMPPC has a Prevent referral pathway which has been reviewed. Re-alignment of service areas and responsibilities across the HSCP has resulted in the creation of a dedicated team manager post in statutory services. This post holder has responsibility for supporting the link between strategic and operational activities. The Lead Officer for Adult Protection now leads the Council Officer forum, to support learning and practice and process consistency in Adult Protection. All Regulated Services e.g. Care homes for older people, residential units for young people, Schools are inspected by Care Inspectorate and Education											

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			L	I	L x I		L	I	L x I			
		Scotland. Improvement plans are implemented following all Regulated Services inspections. A weekly Care at Home Oversight Group has been established to oversee and manage risks in relation to staffing Both the Lead Officer for Child Protection and Adult Protection participate in the Inter-agency Referral Discussion Overview Group, which reviews and provides quality assurance of the decisions taken to manage vulnerable children and adults risks.										
ELC CR 7	**Staffing Issues** There continues to be a risk in relation to high numbers of Council employees being absent, both for COVID and for other sickness absence reasons, all exacerbated by Brexit related staff recruitment impacts on key sectors. Staff have also been dealing with the pandemic for over 2 years which is generating fatigue and mental health issues, which are also impacting on staff absences. At the same time the Council are competing with other employers when trying to recruit staff and face challenges in this as the private sector has more flexibility regarding terms, conditions and salaries. This has made it particularly difficult to respond to Scottish Governments short term COVID response funding/staffing initiatives. A lack of staff for the above reasons, now compounded by increasing challenges in the local employment market; has resulted in a reduced ability to provide a full range of services to the public and to provide internal support services, with only critical activities being provided in many areas. In some services this could result in risk to life and severe reputational damage to the Council. Insufficient staff can also lead to an inability to open establishments and maintain the services provided. The impacts are widespread across Council services, these challenges continue to have a cumulative and significant impacts on the following services in particular: • Facilities Management • Health & Social Care Partnership - • HR & Payroll • Registration • Burials Team • Waste Services • Transport Services • Housing • Connected Communities • Community Centres & Libraries • Contact Centre & Community Response Team • Customer Services • Skilled Trades within Property Maintenance • Key Finance and Banking Staff • Legal • I.T.	Regular assessment of staffing capacity within services leading to resource challenges and essential redeployment of available resources to maintain frontline service delivery, reducing service provision when essential in non-statutory services. National easing of self-isolation requirements may mitigate some of the pressure on teams. We continue to undertake high levels of recruitment. Over recent months ELC have had amongst the largest volume of adverts on MJS out of the 32 LA's (which in itself creates resource issues for our HR team in dealing with these volumes) which is significant for an authority of our size. Services Council wide are regularly required to ask staff to work additional hours and overtime to deal with the staffing issues. Making full use of our Agency frameworks. Though agencies are facing similar issue in sourcing key staff, many are now unable to supply. Managers continue to apply the Managing Attendance Policy. The Council has updated its COVID Guidance reflecting national guidance which allows those with COVID to return to work sooner. Some Council services are reducing the delivery of the service they provide to combat the issue e.g. facilities and community centres & libraries. Scottish Government is providing assistance and funding, particularly to the H&SCP although this can have a consequential impact on support services e.g. HR, Payroll. The Council is now fast-tracking Disclosure checks for H&SCP employees and meeting the costs of these checks for all employees on a temporary basis to remove a possible barrier to recruitment. However, the same team are handling significant numbers of Disclosure checks for host families under the Ukrainian refugee schemes, which will have an impact on timescales for normal business and ongoing pre-employment checks.	4	4	16	Contingency planning and identification of non-business critical activities and staff who may be trained to deploy to essential activities when required; including consideration of closing service areas if required. The Council has agreed to utilise the COVID Recovery Fund to recruit to temporary posts to alleviate pressures. These posts are still to be recruited to. H&SCP are in discussion with partner organisations to investigate whether locum staff can be recruited although this hasn't had any significant impact as staff are still required for key tasks in other Councils service areas. The First Minister has agreed that Local Authorities can recruit permanently to temporary posts, where this is possible. This is something ELC will look at for high risk areas. The HR service in conjunction with Corporate Communications are reviewing community based advertising methodologies e.g. poster campaigns, pro-active social media campaigns and recruitment fairs. The Council is investigating the use of the Market Supplement Policy in difficult to recruit areas, where it can be demonstrated that the market rate makes the Council no longer competitive. This does come with a number of other risks to the Council so should only be used in very exceptional circumstances as an allowance and as an absolute last resort. Develop graduate intern opportunities to meet service professional requirements. Consideration of expanding the apprenticeship programme. Service Reviews involving inputs from HR and Finance to ensure appropriate role and grading definitions within the service and broader corporate context.	4	3	12	Head of Corporate Support CMT	All measures are live and monitored on a weekly basis.	Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. Risk score reviewed by Executive Director of Place and Head of Communities March 2022 with current risk score reduced from 20 to 16 and residual score from 20 to 12. Staffing Risk reviewed and refreshed by Head of Corporate Support, March 2022. The Staffing Risk has been reviewed in December 2021 by CMT and the decision was taken to increase the residual risk score from 16 risks to 20 as even with all measures in place a period of review will be required to measure whether or not the situation has improved and the risk has reduced. New Corporate Risk created October 2021.

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			L	I	L x I		L	I	L x I			
	• Education • Roads – At this moment in time have sufficient resources to deliver winter maintenance operations, although monitoring due to national shortage of LGV drivers. Roads require 54 staff to deliver the winter maintenance service (45 LGV drivers, 3 loaders, 2 duty clerks and 4 duty officers). Substantial resilience issues are presenting in the management of concurrent risks e.g. Weather emergency in the format of storms, Ukrainian refugee schemes. Certain services such as FM, Transport and Waste and Customer Services are likely to remain within Business Continuity due to absence and workforce availability being evident in our inability to recruit to fill all vacancies. As an example Garden Waste collections which are non-statutory will remain on a monthly cycle to protect statutory services.	Support is provided by Amenity services to supplement the winter emergency response team. Training up of some staff to gain LGV licence in order to be able to drive gritters is being progressed. A debrief was carried out on Storm Arwen noting lessons learned and promptly implementing subsequent actions. CMT Emergency Planning Training.				Review and broaden-out leadership resilience and service capacity within all ELC Contingency Plans.						
ELC CR 8	**Climate Emergency** East Lothian Council has statutory duties to mitigate its emissions, build resilience to climate change and act sustainably. The Scottish Government's Climate Change Act (2009) requires the Council to support the delivery of the national net zero targets and adaptation programmes. The risks associated with the responsibilities are: • Failure to meet our statutory duty in Scotland's Climate Change Act (2009). • Lack of financial and staff resources to mitigate emissions and deliver the net zero target by 2045. • Unknown costs of the transformational change needed to adapt to climate change impacts. • Risk aversion, particularly in relation to new technologies that could support mitigation and adaptation. • Reputational damage and failure in corporate social responsibility if climate action is not mainstreamed across the Council. • Lack of/unclear funding and unbudgeted costs to reduce carbon emissions, e.g. for the transformational changes needed in Fleet[1] and Asset[2] Management. The latest IPCC sixth assessment reports show that we have reached a tipping point where we will face extreme weather and climate change impacts despite efforts to mitigate greenhouse gas emissions. To cope with these risks we need to ensure that our adaptation efforts are as ambitious as our mitigation actions. The Council are making progress on the Climate Emergency risks. However, there is an urgent need to secure the funding, resources, tools and powers to enable us to deliver net zero. Until then, our capability of transformational change to reduce these risks is uncertain.	Annual reporting to the Scottish Government to track CO_2e reductions and delivery of adaptation programmes. Annual reporting to the Council Cabinet to track actions and delivery towards ELC's Climate Change Strategy (2020-2025) to achieve net zero by 2045. Regular Council Climate Change Planning and Monitoring Group meetings to ensure Council-wide commitment to the Climate Change Strategy and Action Plan. Regular Council Energy Transformation Board meetings, to improve energy efficiency and energy supply from renewable sources while generating income from installing low carbon technologies across the Council's estate. The Council's COVID Recovery and Renewable Framework, in which a Green Recovery from COVID is a key principle. Partnership between the Council and the Resilient Communities initiative, to prepare East Lothian residents for emergencies and severe weather events. To address the climate change risks, the Council collaborates with: • Sustainable Scotland Network (SSN) and the Scottish Government, guiding public authorities to implement the National Climate Change Plan Update (Dec 2020). • Adaptation Scotland and SSN, ensuring consistency and collaboration between public bodies in the response to the climate emergency. • Transport Scotland, funding ELC's ULEV public sector fleet objective (2025). NB, funding options are limited to be either lease of part funded purchases. Thus, the opportunities to fully utilise ULEVs are limited.	4	4	16	Identify budget and funding streams to continue delivering transformational change to Fleet and Asset Management (e.g. staff resources to chase funding opportunities and support services to access them). Secure the tools, powers and resources to enable the delivery of a 'Net Zero Council'. Identify interim emission reduction targets across Council Services and implement a monitoring & evaluation framework in response to this. Deliver carbon literacy to Service Managers in the Council and prepare online module on climate emergency for all staff. Engage with local partners to set carbon emissions reduction targets and take climate action Engage East Lothian Partnerships to include carbon emissions reduction targets in review and update of the East Lothian Plan. Developing a Public Engagement Plan following the Scottish Government's recommendations Sep 2021.	3	4	12	Chief Executive Head of Development Sustainability and Climate Change Officer	Ongoing with annual review 2025 - annual review Ongoing with annual review Ongoing with annual review December 2022 December 2022 December 2022	Risk refreshed May 2022 by Sustainability and Climate Change Officer noting changes to risk description and mitigation measures whilst no change to risk scores.

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			L	I	L x I		L	I	L x I			
	[1]Fleet Management: We need to replace public sector fleet vehicles with ULEV by 2025. However, funding from the Scottish Government is limited and focused on smaller vehicles. Shifting ELC's heavy commercial fleet to a UNLEV platform will require additional unbudgeted funding. Currently, the cost of an EV refuse collection vehicle is 2.5 times more expensive than a fossil-fuelled equivalent. Another cost implication is the charging infrastructure needed to support these vehicles. [2]Asset management: We anticipate the costs of transformational change for our built assets to reach net zero to be substantial. To achieve net zero, we need to ensure that capital is available (e.g. capital for asset reconfiguration, energy efficiency measures, energy generation, etc.). It is key to manage Council assets in line with the climate change agenda.	• The Sustainable Transport Officers Group, which coordinates a multi-departmental response to increase active and sustainable travel. East Lothian Climate Action Hub and Community groups, which supports public engagement to reach net zero.										
ELC CR 9	**Brexit** The Trade Co-operation Agreement (TCA) was agreed on Christmas Eve 2020 and ratified by UK Parliament on 30th December 2020 via the European Union (future relationship) Act 2020. The TCA is wider in scope than most free trade agreements and also covers the most urgent matters, however, remaining provisions such as rules on state aid are in preparation. The agreement has reduced a number of trade barriers in relation to cross-border services. The UK Subsidy Control Bill 2021 is currently at Committee Stage in the House of Commons, this will establish an ongoing framework for the giving of subsidies out of public resources. This agreement will have an impact on the local economy, local funding and the delivery and funding of council services. With a fast-changing political environment, the wider ramifications of the decision to leave the European Union are yet to be fully identified. Whilst there may be some opportunities, there is also considerable uncertainty that affects areas of the economy, financial markets, interest and exchange rates, construction, grants from the EU, Investment and other non-financial aspects. UK Government announced on 28th April that import checks expected to be implemented in July 2022 will now be delayed. Target Operating Model expected to be published in September with an implementation date of end of 2023. Still to understand longer term regulatory risks associated with minimal border checks. While we remain in a period of uncertainty we continue to see and anticipate a gradual slow down and potential council impact (+/-) on: • Inward investment and positive awareness of the UK; • EU funding for council-led business and training projects is known with the timescale permitted for delivery, however the university, farm	The wider ramifications of the decision to leave the European Union are yet to be fully realised and felt in national and local economy. Whilst there will be some opportunities there is also uncertainty that may affect areas of the economy, financial markets, interest and exchange rates, construction, grants from the EU, Investment and other non-financial aspects. The CMT appointed a strategic and tactical level Lead Officer to keep an oversight on ongoing EU Exit developments and "EU-exit" has been acknowledged and remains a Corporate Risk. ELC remains aware of the subsidy control situation and continues to monitor the progress of the Bill and any potential impacts on LA Grants. Measures are currently in place to ensure Special Drawing Rights / De minimis levels are not exceed by east Lothian Council. "EU-exit" contingency planning is a standing item on the CMT agendas. COSLA published a paper in January 2021 on "UK EU Post Transition" providing Council leaders with an update on the TCA and potential issues for local government. COSLA then published an "EU Exit Local Impacts Review" in August 2021 which was circulated to Council leaders. CMT established an appropriately represented corporate level "D20 EU-Exit Working Group" chaired by the appointed Strategic Lead Officer. This group has been stood down as there are no immediate issues for it to deal with. Any service level risks are being monitored at that level. The Council has also established a Connected Economies Group (CEG) which has a multi-agency membership, providing the Council with a forum to communicate and link with Elected Members, Local	4	4	16	We continue to seek clarity over how the Government plans to address the potential EU funding gap, retain highly skilled migrants and support trade. The Connected Economy Group (CEG) continues to take a partnership approach to assessment of Brexit related impacts providing connected support and advice to business and ensuring as far as possible aligned collegiate understanding in a continually challenging and dynamic environment. UK Government have announced the shared Prosperity Fund prospectus to replace previous EU funding arrangements. Council Officers are working to develop a Local Implementation Plan for submission to UK Government in July and a report will be presented to Council in June. This work is being undertaken locally including with the Third Sector alongside further work that is being undertaken regionally through the Edinburgh & South East City Region Deal.	3	4	12	Council Management Team	All actions ongoing and dependant on decisions taken by UK Government	Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. Following the TCA being in place the current risk was reduced from 25 to 16 and the residual risk from 25 to 12 in February 2021. The risk score was increased from 16 to 25 during December 2020. New risk created and evolved by CMT and Brexit Working Group during 2019/20.

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			L	I	L x I		L	I	L x I			
	businesses and other players will be accessing funding from EU sources which will be stopped at some point. There has been an announcement on a replacement funding model on which the detail of this is being assessed. • It has been announced that UK Government will be leading on the UK Prosperity Fund and have confirmed that this will not be within the jurisdiction of the UK Devolved Administrations. • Management of State Aid – COVID Business Support Grants currently administered by ELC constitute State Aid (now known as Subsidy Control under UK legislation). The UK Government held a consultation on Subsidy Control, the results of which were published in June 2021 at the same time as the Subsidy Control Bill 2021 was introduced. There remains an uncertainty regarding risk ownership between Local Authorities and Scottish Government until this bill is passed. • Increased import and export costs for local businesses due to increased administration overhead and introduction of tariffs in accordance with the UK Governments border operating model. Trade and Co-operation Agreement makes most trade tariff free, however, there are still administration costs. • The requirement for POAO (Products of Animal Origin) made in the EU to enter Great Britain through a BCP (Border Control Post) has been delayed. Target Operating Model expected to be published in September with an implementation date of end of 2023. Still to understand longer term regulatory risks associated with minimal border checks. • Council and local business workforce pressures • Procurement • Supply Issues remain for IT Hardware and are unlikely to change until 2023. • Inflationary pressures which could reduce and in turn impact on the council, the university, housing market, capital costs resulting from increased cost of labour which could slow business rates growth (Inflation risk based on latest OBR predictions), workforce pressures e.g. regulatory services, social care providers, procurement costs, inflationary pressures caused by fluctuations in sterling value and potentially a loss of EU grants funding. • Price increases related to Services, Materials and in particular fresh food supplies. Key potential causes are: • Gradual slow down during period of uncertainty. • Border disruption • Workforce pressures e.g. regulatory (food imports/export), social care providers. • Inflationary pressures caused by fluctuations in sterling value. • Loss of EU grant funding From 1st January 2021 UK introduced a points-based immigration system treating EU and Non-EU citizens	Trade Agencies and Organisations, Tourism representatives, the DWP and Scottish Enterprise. Council Officer representatives have attended EU-Exit related meetings, national Brexit preparedness sessions and training run by COSLA, RRP, LARGS and Scottish Government and have contributed to Resilience Partnership Planning for Reasonable Worst-Case outcomes and the layering of multiple scenarios and outcomes. Specific HR Actions for EU National Employees: • Project plan created to capture major milestones and actions from November 2018 to June 2021 • Reviewed and amended job adverts to signpost EU nationals to sponsorship arrangements and thresholds. • Communications issued to managers to advise of new requirements necessary to employ an EU national. • The Council has renewed and increased its Certificate of Sponsorship allocation. • Created additional capacity within HR Payroll System to easily capture and report on nationality and right to work. The settlement scheme application date has now passed. There are some very few exceptions to this and the details are available here: Apply to the EU Settlement Scheme (settled and pre-settled status) - GOV.UK (www.gov.uk). A Lothian & Borders Local Resilience Forum is in place, including the ELC EP, Risk & Resilience Manager, engaging and liaising with partner agencies through the East Regional Resilience Partnership (RRP) and Lothian & Borders Local Resilience Partnership (LRP). This ensures partnership working processes are in place and understood, should such processes be invoked. Economic Development are continually reviewing and updating website business pages and its' Business Gateway (webinar offerings). The Council has engaged in business continuity collaboration arrangements with local partners and neighbouring Local Authorities: via LRP/RRP. The Council has assessed internal essential services business continuity arrangements. The Council has employed horizon-scanning activities to identify and communicate emerging risks. Seeking guidance at early stage from COSLA, SG and other sources around emerging thinking on Shared Prosperity Fund and Rural Development Fund as replacement support for ESF/ERDF and LEADER/Fisheries.										

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			L	**I**	**L x I**		**L**	**I**	**L x I**			
	equally. Priority is given to skilled workers with a job offer from an approved sponsor. Applicants also need to be able to speak, read and write English and meet a salary threshold of £25,600 or have an offer for a job in shortage occupation. In the medium to long term, a national skill/ recruitment gap is evident, particularly for occupations that are not highly skilled e.g. care work, agricultural labouring, food manufacturing etc. National and local economic impact in relation to: · RPI, cost of goods, services, supplies · Overall employment · Cost of borrowing · Availability of goods on import and cost if available Data Protection –It is possible that future changes to UK Data Protection laws could diverge from the EU regulatory regime, affecting the EU's 'adequacy agreement' for the UK and risking impediments to data sharing with EU countries. We are currently awaiting the outcome of a UK Government public consultation via DCMS on a new Date Protection regime, with no immediate action indicated.	There are 3 new funding schemes taking us beyond EU funding including one which serves as the Shared Prosperity Fund (SPF) pilot: • Shared Prosperity Fund • Levelling Up Fund – 21/22 – 24/25 • Community Ownership Fund The council is considering project(s) for submission to the Levelling Up Fund and will provide advice and support for community organisations considering submitting applications to the Community Ownership Fund.										
ELC CR 10	**Managing the Financial Environment** The external operating environment remains significantly challenging with a wide range of growing inflationary and cost pressures, 0rising demand on council services through pressure on the cost of living as well as general growth and wider pressures on public finances. This presents a risk that the Council may not be able to manage its obligations within the resources available. The Council is operating in an increasingly complex financial environment. Reducing levels of core national funding relative to rising demand, increased ring fenced and short term funding settlements, non-recurring funding streams and rising demand for services creates significant challenges to ensure that the Council remains financially resilient and services can be delivered sustainably. The Council is managing a multitude of pressures, including the financial impacts of recovery from COVID 19 which are yet to be seen. If these pressures are not successfully planned for and managed effectively over the short, medium and longer term 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 necessary investment in the Council's infrastructure and asset base. This includes the requirement to successfully plan and deliver recurrently identified savings proposals. The recently published resource spending review presents a significant risk to on-going financial sustainability. Whilst individual financial settlements for the Council have not yet been published, it remains clear that the Council will be required to operate within	The Council has well developed medium term financial planning arrangements. These include: • Five year financial strategy; • Three year General Services revenue budgets; • Five year General Services capital plan budgets; • Five year Housing Revenue Account revenue and capital budgets. The Council refreshes the Financial Strategy, Capital Strategy and Treasury Management Strategy annually which governs the financial planning for the organisation. The Financial Strategy contains an enhanced reserves strategy which sets out the current level of reserves and associated commitments, including a requirement to maintain a minimum level of uncommitted reserves to support any unforeseen event. The Council has an enhanced range of cost control and financial management arrangements to manage in year budget performance and delivery of planned efficiencies. This includes monthly management information to CMT and wider Council management, and quarterly financial information to Council. This provides mitigating controls in terms of the immediate financial risk and pressures the Council is faced with. A Financial Monitoring Risk Assessment is in place where services are assessed and provided within a risk rating. Any service areas which are classified as High Risk are asked to prepare financial recovery plans, and enhanced financial controls are in place.	4	4	16	Enhanced in year monitoring and review of expenditure commitments against approved budgets. Continued development of longer term scenario based financial planning to inform future decisions and longer term financial strategies and financial plans. Continued scrutiny and challenge of planned efficiency measures to ensure they can be delivered and achieved within agreed timescales. Development of a refreshed Transformational Programme to support the transformation of services and deliver enhanced efficiencies. Development of a refreshed Capital and Treasury Strategy supporting the future capital programme and treasury management and investment requirements. Ensure the financial strategy sets a clear financial framework for the Council to operate within and that it is appropriately implemented and monitored. Enhanced financial update and reviews provided as part of quarterly financial reports.	3	4	12	Chief Executive Executive Director of Council Resources Council Management Team Head of Finance	Actions ongoing and under continuous review while monitoring arrangements will continue to be applied.	Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. Risk reviewed by Head of Finance, March 2022 with no change to assessment of scores. Risk reviewed by Executive Director of Council Resources December 2021 with no change to assessment of scores.

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			L	I	L x I		L	I	L x I			
	a challenging national funding settlement in the years ahead, and funding is unlikely to be able to meet on-on-going expenditure commitments. In addition the Scottish Government have indicated that they will commission an independent Capital Accounting Review, which may change the way in which capital costs are charged. The potential impact of this significantly enhances the on-going financial sustainability of the Council.

At the same time the Council continues to face significant cost and demand pressures. These pressures include:

(1) Supporting the resource requirements associated with the delivery of the growth agenda resulting from the Local Development Plan;

(2) Associated demographic change and social-economic pressures;

(3) Growing inflationary pressures causing increases to the cost of goods and services, contractual commitments (for index linked contracts in particular), and commissioned contract services, pay and pensions.

(4) Potential financial costs associated with a wide range of new obligations or legislative changes.
(5) Enhanced risks relating to receipt of S75 contributions which will impact on capital and revenue financial planning.

(6) Rising interest rates resulting in increased capital financing costs which will present a risk to the sustainability of the capital programme.

External market pressures are also impacting on investments managed on behalf of the Common Good and Trust Funds. These investments are currently managed by an external investment firm.

Given that the scale of the financial pressures and challenges, there remains a risk that the Council will not be able to support and meet these collective pressures alongside current obligations, and deliver the enhanced level of savings plans that will be necessary to ensure statutory obligations can be delivered within deliver available resources. | 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 credible professional commentators.

Quarterly financial reviews are reported formally to Council for wider scrutiny setting out the in-year financial performance against approved budgets.

Payment processes have been amended to accommodate remote working, ensuring creditors obligations can continue to be paid and allow use of direct banking faster payments.

Monitoring and clear reconciliation arrangements are in place to track all funding announcements and allocations made by UK and Scottish Government and regular returns on financial pressures are now being made to COSLA.

Ongoing engagement with COSLA, to monitor national financial implications and support political lobbying.

Detailed monitoring of S75 obligations to support financial planning and cash flow monitoring.

Regular engagement with the external investment firm in relation to the financial stewardship of the Common Good and Trust Funds, to identify any significant decrease in the value of investments.

Annual treasury indicators approved as part of Treasury Strategy and mid-year review against indicators reported through political governance structures of A&G Committee.

Supporting the delivery of a Council budget, and medium term spending plans aligned to Council priorities and medium term financial planning assumptions.

Enhanced financial scrutiny and monitoring in place, which assess financial impacts of COVID against all approved council budgets and the Financial Strategy.

Commitment to review the budget development framework. | | | | Review impacts of spending review following the announcement on 31 May 2022.

Delivery of a refreshed budget development approach, including the establishment of a cross party budget working group and a combined approach to reducing net expenditure. Revised framework to be considered by Council on 28 June 2022.

Updated charging policy to be considered by Council on 28 June 2022. | | | | | | |
| ELC CR 11 | **Limitation (Childhood Abuse) (Scotland) Act 2017**

Introduced on 4 October 2017 removing 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. The Act covers the period prior to 2004.

In conjunction with the Scottish Child Abuse Inquiry there is an increased likelihood of survivors coming forward which will potentially result in financial | It is a requirement under the act that the abuse occurred at a time when the individual was a child which is defined as being under 18.

Child Abuse Claims Group and SCAI Overview 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. Scotland-wide | 4 | 4 | 16 | Discussions planned to consider how to ensure sufficient staffing resource available to deal with claims, court actions, and submission of S21 requests and recovery of documentation and to preserve the Council's position.

Regular discussions with Council's Insurance providers and brokers to ensure risk continues to be covered and/or | 4 | 3 | 12 | Head of Corporate Support

Service Manager – Governance

Insurance Team | Continue to progress all and report quarterly to CMT. | Risk reviewed May 2022 by Chief Social Work Officer with planned score increased from 9 to 12. |

Risk Ref.	Risk Description	Existing Risk Control Measures	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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			L	I	L x I		L	I	L x I			
	pressures if historic claims of child abuse (see definition above) are made and upheld against East Lothian Council as the statutory successor. There is no way of knowing how many claims may be made (i.e. all 'living' potential claimants). It therefore is now not anticipated that this number will rise significantly, although claims may still be received. The Council's insurers have indicated that they will cover appropriate external legal costs and compensation payments However, the requirements to comply with SCAI S21 requests are placing significant strain on internal resources within the legal, social work and records management teams for which there is no additional budget. The Child Abuse Inquiry continues to extend its investigations into other areas which may affect the Council. The Inquiry is currently considering foster care. There are currently two claims against the council. The CSWO will be called to give evidence to the public Inquiry about the experiences of children in foster care in East Lothian. This may result in claims being made against the council and reputational risk through adverse press attention. The next phase of the Inquiry is in relation to residential schools and includes the previous St Joseph's, Tranent. Redress Scotland established to provide survivors with an avenue to compensation where they do not wish to submit a claim directly to a successor organisation. Where the Redress Scheme is not used, any legitimate claimant may still raise action against ELC. Note that there remains a period from 2004 to present which is not covered by Scottish Government proposals/legislation for compensation schemes and as such any legitimate claim arising would need to be taken forward through ELC and/or Insurers.	networking and information sharing on SCAI between authorities. Council has appointed external solicitors to provide legal support for the public fostering inquiry. Records Management expertise allows us to respond effectively to SAR requests and information requests / provide evidence. However, increase in volume of SAR requests received, not just in this area, are placing more pressure on the Information Governance team to be able to coordinate further work as required throughout the Council, to improve our records management systems to make them more efficient. 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. Council Financial Reserve – may reduce the impact to service provision if claims extend beyond budget. Scottish Government redress schemes available for potential claimants to pursue. Where a survivor submits a claim to the redress scheme and accepts the compensation offered, a waiver is signed so that they may not submit an insurance claim. The maximum amount of compensation through Redress Scotland is £100,000.				mitigated to allow regular review for sufficient budgetary provision for any additional costs/claims that may not be covered by insurance. Fully engage with the SCAI to anticipate and forecast future claims and ensure ELC is represented well in the public hearings. Continue current working practices with care experienced young people in accord with national legislation and care standards, reducing likelihood of any 'new' claims arising. Full review of the overall Council Records Management systems and behaviours required to be undertaken to streamline obtaining the relevant information requested.				Chief Social Work Officer		
ELC CR 12	**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. A National Flood Risk Management Strategy has been produced and a Local Flood Risk Management Plan for the Forth Area has also been published to meet the requirements of the Flood Risk Management (Scotland) Act 2009 which includes specific actions to be discharged by the Council.	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. Further studies are proposed (subject to funding allocation) for Dunbar & West Barns to include North Berwick Coastal; and Cockenzie & Port Seton, Longniddry and Prestonpans. Flood Protection Schemes for Musselburgh and Haddington have been included in the List of Prioritised Actions in the Local Flood Risk Management Plan for the Forth Estuary Local Plan District. Implementation of Flood Protection Works is reliant on available funding. These two schemes are being funded 80% by	3	3	9	Executive Director for Place	2024 2016-2022 2016-2022	Risk further reviewed and March 2022 with no change to assessment of current scores.

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			L	I	L x I		L	I	L x I			
		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.				Scottish Government and 20% by East Lothian Council. The Musselburgh Flood Protection Scheme is a fully established project. It has completed three of its nine stages, and is currently processing Stage 4 (Outline Design) of the Scheme Design in accordance with the project's PRINCE2 Project Management System. It is currently proposed that the scheme will start construction and have scheme in place by October 2024 (Subject to change as we move to next stage). The Council's Severe Weather Response will be tested in an Emergency Planning exercise during 2022 which will incorporate Flooding.					2024 August 2022	
ELC CR 13	**COVID 19** East Lothian Council continue to have the appropriate business continuity plans/contingency in place to ensure continued delivery of business critical services during the COVID 19 outbreak. Without these there is a risk to our ability to provide an effective critical and emergency service to East Lothian's residents, communities and businesses. Whilst the COVID-19 outbreak has and continues to present a significant challenge. The UK government and the devolved administrations and East Lothian Council have and continues to respond in a way that offers substantial protection to the public. Whilst pressures continue to be faced, there is an improving overall picture thanks to vaccines and the relaxation of guidance in the updated SG Strategic Framework. The Council will continue to carry out close ongoing monitoring of COVID and continues to be prepared for any future waves of the virus. While as the situation continues to improve the Council will make itself ready to come out of Response and Business Continuity mode and to move towards Recovery.	Proactively communicating, and encouraging compliance with all government and public health authorities' advice and reducing the impact/spread of misinformation by relying on information from trusted sources. Scottish Government Coronavirus Strategy, Legislation and Guidance is followed in responding to the impacts of COVID-19 within East Lothian. Scottish Government refreshed and published the COVID19 Strategic Framework for Scotland on 22 February 2022. Council Management Team (Critical Incident Response Team) meets fortnightly to oversee and direct the Council's COVID-19 response. Services produce a fortnightly Commonly Recognised Information Picture (CRIP) of local issues. A 3-weekly COVID and Concurrent Risks Oversight Group oversees the cross service COVID-19 and concurrent risks response planning and operational service delivery, considering implications of the relaxation of measures on ongoing service response, responding to Scotland's Strategic Framework and overseeing a number of sub-groups. COVID19 Recovery and Renewal Coordination Group is deployed overseeing planning for recovery and renewal across East Lothian. Resilience Direct is being used to share information on a multi-agency basis. Business Continuity Plans deployed in all services leading to staff continuing to work from home unless it is essential for them to be in their place of work. Protective Services are working in partnership with NHS Lothian in relation to investigation of local Covid cases/clusters and will, if required, attend PAG/IMT's,	3	4	12	Continued planning and implementation action across Services re-ongoing COVID19 response to national circumstances and Scottish Government guidance. Ongoing deployment of JCVI vaccine and booster programme and monitoring of COVID case prevalence across East Lothian to inform service interventions and timely community information and updates re service delivery and ongoing safety measures. The Council will follow the updated SG Framework to ensure that sick pay and staffing practices are aligned with public health aims, adapting premises to make them safer for customers and staff, and enabling hybrid working where that makes sense and supports businesses and individuals. Services review Service Delivery and prioritise essential critical and emergency service provision, and sustain essential corporate service provision e.g. IT systems, Payroll, Contact Centre et al. Impacts on operational frontline service delivery vary quickly, public notification will follow as soon as possible and ideally in advance of operational service changes. Management of planned return to workspaces in accord with national guidance and local review of Assets and New Ways of Working.	3	3	9	Council Management Team (Crisis Response Team) Council COVID 19 Oversight Group	All measures are live and monitored on a weekly basis.	Risk fully reviewed and refreshed by Executive Director of Place, CMT and Risk Owners May 2022 with current risk score reduced from 16 to 12 and residual score from 12 to 9. Risk fully reviewed and refreshed by Executive Director of Place, CMT and Risk Owners March 2022 with current risk score reduced from 20 to 16 and residual score from 20 to 12. Risk fully reviewed and refreshed by Executive Director of Place, CMT and Risk Owners December 2021. Corporate Risk created 18th March 2020 in response to COVID 19 by Risk Officer in collaboration with Head of

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			L	I	L x I		L	I	L x I			
		in support of Track and Trace national procedures to constrain the spread of the virus across communities.

Ongoing joint multi-agency collaboration and reporting to ensure that we are all informed and ready to respond to any further waves of the virus and to support local residents, business and visitors' community safety.

Extensive Elected Member Briefings, Staff Briefings and Manager Guidance issued.

Resilient Communities Groups exist in each Community Council area and Groups are ready to stand-up when required.

Volunteer Centre East Lothian collaboration over support for local Third and Voluntary sector organisations responding to COVID-19 consequences across communities.

The Council provides a prime source of local EL public information, constantly updated, in the Council Website as well as regular updates on Social Media platforms.

Mass community testing (both LFD and PCR) ceased on 30th April with the exception of high risk settings such as hospitals and care homes. Scotland now moves to a new phase of Test and Protect which is a steady state monitoring and surveillance programme to identify outbreaks and variants of concern.

Wellbeing implications for our workforce have been addressed re-mental health risks, H&S risks, home working risks via employee and line manager briefings and guidance on wellbeing, health & safety, homeworking checklists. Guidance for managers and the employee wellbeing programme are available online. | | | | | | | | Heads of Service and Service Managers | Ongoing | Communities & Partnerships.

Refreshed on a regular basis and reviewed at CMT meetings. |
| | **Increased Financial Hardship**

The financial implications from COVID have continued to impact on the financial position of local business, local households and the Council Some welfare benefits have changed in response to this in order to help alleviate financial hardship, and some additional national funding has been made available to support those in need.

Some mitigations to relax planning control to support businesses and services to diversify and continue to operate through the pandemic. This relaxation finishes at the end of September 2022, by which time businesses will have to either get planning permission or remove their temporary developments.

As targeted interventions come to an end, there remains a risk that businesses and households will continue to face substantial financial hardship and there will be an increased risk that the Council and key support services e.g. Social Work, Revenues etc., may face greater demands for financial support from local residents and business. | **Re-Commencement of Statutory Debt Recovery Work**
Statutory debt recovery work is back on track across Revenues Service which is tackling debt recovery for Business Rates with sensitivity and in conjunction with the Economic Development team, recognising the fragility of the business sector at this time.

Support for Local Business
The new Retail, Hospitality & Leisure relief has been extended into 2021/22, all eligible business owners must re-apply while the Service contacted all potentially eligible businesses yet to apply. Properties in the retail, hospitality and leisure sectors are eligible for 50% rates relief for the first quarter of 2022/23, capped at £27,500 per ratepayer. It has been confirmed that businesses will have to apply again.

COVID19 grant support for businesses.

The Council's COVID Business Recovery funding continues to support local businesses through addition expert help provision as well as via direct grant aid. | | | | **Local Economy COVID Economic Recovery Fund**
Scottish Government has announced additional funding of £1.517m to support business recovery and low income households. This funding was identified in the Council's budget for 2022/23 and will be split equally between the two objectives. Proposed interventions to support business recovery were reported to and approved by, the March Council. Support for businesses includes start-up grants, expert help consultancy, support for employment, and direct grants to support sustainability and growth.

Scottish Welfare Fund
Scottish Government currently have IPSOS reviewing SWF scheme, with report due to be published later in 2022. Internal discussions taking place at SM level to address perceived shortfall in funding. | | | | Exec Director of Council Resources

Head of Finance

Service Manager - Revenues | Monthly reviews in place. | Service performance monitoring. |

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			L	**I**	**L x I**		**L**	**I**	**L x I**			
	Council income streams could also be more severely impacted. Higher levels of unemployment or debt could result in more personal insolvency which would have a detrimental effect on the Council's ability to collect money owed.

The cost of living has been rising since early 2021, with inflation now reaching its highest recorded level in decades, affecting the ability of households to afford goods and services.

A key driver of inflation is energy prices, with household energy tariffs increasing and petrol costs going up. Ofgem, the energy regulator, announced its cap on household gas and electricity bills will rise by 54% from April 2022 to reflect surging wholesale market costs

Food and non-alcoholic drink prices were up by 4.2% in the year to December 2021. They may rise further in the coming months.

Low income households spend a larger proportion than average on energy and food, and will therefore be relatively more affected by increases in prices.

Businesses are impacted by cost base rises, including energy and materials, putting pressure on margins and viability, as well as pushing up the prices charged to consumers and the availability of some goods. | **Support for Residents**
All teams are continuing to provide support and advice for EL residents and businesses struggling financially at this time and are continuing to encourage those who can continue to pay to do so.

Self-Isolation Support Grants via Scottish Welfare Fund framework.

Low Income Pandemic Payments have been made to those meeting certain criteria, linked to Council Tax Reduction eligibility and certain Council Tax exemptions. Work is ongoing to manage the consequential issues which have been created as a result of crediting 5,168 Council Tax accounts.

The Service has refreshed the Coronavirus help/support leaflet and this is being promoted by a number of services and shared via the Comms team.

Financial Insecurity Funding
During 2021/22 the Service spent its allocation of carried forward Scottish Government Financial Insecurity Funding:
• £100k for SWF/Fuel Poverty
• £150k for Discretionary Housing Payments

Winter Fund
The Scottish Government set aside £25 million flexible funding to support households experiencing financial insecurity over the Winter of 2021/22. The allocation received by ELC was disbursed as follows:
• £350k via SWF/Fuel Poverty
• £65k to Food Insecurity to support food initiatives

Tenant Grant Fund
The Revenues Service had a key role in identifying those who were eligible for a payment towards their rent arrears via the Scottish Government's Tenant Grant Fund – this project was led by the Housing Service.

Scottish Government Funding to help tackle cost of living crisis
The Revenues Service has made £150 cost of living payments, in the form of a current year Council Tax reduction, to every household in receipt of Council Tax reduction in any Council Tax band and to all other occupied households in bands A to D. Those who received a payment have been re-billed with their re-calculated instalments.

Council Tax and Financial Inclusion Service – resource capacity increased by 1 FTE Temp Council Tax Officer post and recruitment to 1 FTE vacant Financial Inclusion Adviser post. | | | | The council's 2022/23 budget includes £758,500 from the Local Authority Economic Recovery Fund to provide support to low income households. Options for how best to allocate this funding are being considered by senior officers and will be presented to Council in June 2022. | | | | | | |
| | **Education**
COVID related absences in general have reduced in schools although there are still some challenges covering Early Years workforce staff absences. | Regular meetings with Trade Unions and Professional Associations continue to provide a forum to monitor impacts across schools. | | | | Monitoring of the situation for the start of the new school session in August 2022 and review requirements at that time with | | | | Education Management Team | | Risk reviewed by Education |

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			L	I	L x I		L	I	L x I			
		Recruitment to supply teaching, Early years and Support Staff posts continues and the management of cover for school posts is supported centrally. Risk Assessments continue to be in place and in agreement with Trade Unions they will continue to be for the start of the new school session in August.				a view to ensuring schools are supported appropriately. Review awaited further Scottish Government guidance impacting on schools and take appropriate action.						Management Team May 2022
	IT and Digital Resilience We face an increased Information Security risk as spam and hacking attempts continue to rise. Some ELC staff working from home may find their IT use slower due to the speed of their own broadband connection which can be variable and is dependent on factors such as other devices are being used in the home and the number of other connections at the telephone exchange. Network usage has increased significantly due to the reliance on digital technologies. The rapid increase of remote working increases the likelihood and impact of cyber-attack against organisations as attackers exploit the situation. Also cyber security good practice for the office does not necessarily transfer to the home working environment – for example, staff may be working in an area shared with family meaning confidentiality of data on screens/during voice and video calls may be compromised. IT Supply Chain Issues have come to the fore in March 2021. The lead time for laptops, Chromebooks and iPads have now stretched to 6 months. This is causing problems for services, especially those with new starts requiring equipment. Scottish Procurement have indicated that this is a World Wide problem due to the shortage of semiconductors and is unlikely to change until 2023. The number of Service Desk calls have risen sharply during the COVID response. This is resulting in longer times to resolve staff problems which can result in staff being unproductive until their issue is fixed.	Maximising ELC staff mobile working technology e.g. introducing 5 video and voice conferencing platforms – Skype for Business, MS Teams, Connect Remote, Near Me and Google classroom (for schools use) and allowing controlled access to others used by other organisations via browsers. Ensure security systems are improved as and when required in line with advice from NCSC & other UK government security agencies. IT have increased the capacity of key parts of the infrastructure including Wide Area network and Internet capacity and continue to monitor performance to identify potential bottlenecks. Email alerts have been used to remind staff of our security policies and good security practice whilst working from home. IT staff provide guidance on security issues as and when they arise while increased security monitoring is now in place on the infrastructure. Call management system introduced to provide a better customer experience for those requiring support.				Information Security Officer working with Data Protection Officer and Corporate Comms to campaign for all staff with updated advice on safe working practice during current crisis. This will continue to be issued in various formats every 2 months. Have secured funding to replace the existing Wi-Fi networks in the main Council premises with a higher capacity system in preparation for staff returning to the workplace. Continue to implement parts of the M365 suite. Replacement of Squirrel, the Councils main adhoc file store is underway.				Head of Corporate Support Service Manager – I.T.		
	Recovery and Renewal The Council has had to adapt is delivery of services through the course of the pandemic and has continued to prepare for recovery in the context of the Civil Contingencies Act 2004. ELC will continue to lead recovery supported by our partner agencies. Many Council services are now operating in a near normal way, however, mindful of the COVID threats.	The Multi Agency Recovery & Renewal Co-ordinating Group was stood up in June 2020 and has met monthly but was stood down in November 2021. Continue to ensure the preparedness for formal recovery and renewal. East Lothian Recovery & Renewal Plan (approved by Council 16 November'21) sets out 8 priority key priority areas, direct supporting actions and an articulation of when recovery will have occurred and the plan worked. The plan will remain dynamic and flexible and will be kept under constant review. The recovery and Renewal Plan is being overseen by the East Lothian Partnership and a reporting				Ongoing monitoring of the EL Ecovery and Renewal Plan/Action Plan, with production of ongoing performance and progress reports.				Executive Director - Place		

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			L	I	L x I		L	I	L x I			
		framework through the Strategic Partnerships and the ELP Governance Group has been developed.										
ELC CR 14	**Failure to maintain a Highly Skilled Workforce** The Council's salary and grading structure may not be competitive compared to other employers making it more difficult to recruit qualified 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 Council recognises that 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. Significant recruitment market challenges have developed post-Brexit and through COVID-19, leading to service pressures and risks with remaining resources and operational capacity challenged.	The Council has an approved Workforce Plan 2018-2022 which addresses the issues relating to this risk. The Plan contains 38 actions which were brought together into a detailed Implementation Plan with seven workstreams which were taken forward by lead officers. The most recent update on the Action Plan (February 2022) shows that almost all actions were either completed or ongoing. A small number will be carried forward into the next Workforce Plan. The Workforce Plan 2018-2022 is being reviewed and updated to take account of the impact of COVID 19 on the council and its workforce, including the development of new Homeworking and Worksmart policies and actions being taken to support staff who have been working differently as a result of the pandemic. Healthy Working Lives and OD have been issuing regular briefings to staff on techniques etc. to support staff to maintain mental health and wellbeing. Managers have been issued with advice on inducting and supporting new members of staff.	3	3	9	The Workforce Plan is to be reviewed and a new Workforce Plan will be adopted in Autumn 2022.	3	3	9	Service Manager Police, Improvement & Partnerships Service Manager – People and Council Support	Autumn 2022	Risk reviewed May 2022 with no amendments made. Risk reviewed November 2021 and updated to reflect review of Workforce Plan and implications of COVID. No change to assessment of current scores.
ELC CR 15	**Severe Weather** There is a risk that severe winter weather will lead to an increase in 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. Communities may become isolated, particularly in rural areas, due to heavy and prolonged snow. In such cases communication with residents within these isolated areas may become difficult as they become cut off, possibly aligned to power failure caused by strong winds and/or the weight of snow on the lines. There are limitations to the service the council can offer. The Council Roads team focus on treatment and snow clearing of the main priority road network, made up of the major routes where the majority of vehicle movements take place and also includes accesses to hospitals, ambulance stations, fire stations, other emergency service establishments, railway stations and schools. Primary Routes are treated and cleared of ice and snow first and then the Roads team move onto Secondary Routes and finally tertiary and minor	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 Council has a Severe Weather and Adverse Events Policy in place for all staff while the Council has its own mitigating measures for its own estates/property during severe weather. During Severe Weather events our Contact Centre becomes the first point of contact for any issues to be raised and responded to whilst our Communications team shares warnings and other relevant information with the public as this becomes available. The ELC Severe Weather Response Plan has been developed over many years and ensures a co-ordinated and consistent multi-agency response across the county. This plan is reviewed annually in conjunction with support from partner agencies. The ELC Severe Weather Response plan includes reference to and improvements learned from the 'Beast from the East' incident in 2018 when many parts of East Lothian become isolated because of the heavy and prolonged snow falls.	3	3	9		3	3	9	Executive Director of Place		Risk reviewed May 2022 with no amendments made.

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			L	I	L x I		L	I	L x I			
	routes which include residential areas, cul-de-sacs. During periods of extreme weather and heavy snowfall when roads and footways are affected by significant levels of lying snow, priority will be given to primary carriageway routes and primary footpath routes with resources deployed on these specified routes continuously until satisfactory snow clearance has been achieved before resources are deployed to any secondary routes and tertiary routes, so it maybe some time before we can attend to these areas.	The 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. Community Councils through Resilient Communities are able to request winter response equipment from the Council. These requests are considered as per their need. A number of grit bins are provided to enable self-help gritting of adopted roads and footways. Resilient Communities are encouraged to survey the grit bins in their area and report back to the Council if new bins or grit is required. 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. The majority of Community Councils have Resilient Community Groups who have created their own emergency response plans or asset registers of volunteers/skills available at a time of crises. Each Resilient Community has its own Single Point of Contact (SPOC) and deputy for resilient matters including severe weather. Communication and good working relationships have been created and maintained with these SPoCs/deputies throughout the year by ELC Emergency Planning staff. Work continues with the Resilient Communities and also involves other voluntary groups such as Tenants and Residents Groups. ELC organises an annual workshop for Resilient Communities which allows lessons learned and best practice to be discussed and progressed. It also allows for the public to meet responder agency staff such as the 'blue lights', SEPA and the utility companies. ELC finances all 20 Community Councils' annual insurance premiums ensuring that Insurance is not perceived as a barrier to invoking such plans. Training and awareness sessions, related to the activation of the ELC Severe Weather response plan, are completed on a regular basis. Partner agencies are often involved.										
ELC CR 16	**Contest** Deliver the UK Government's Counter Terrorism (CT) strategy, known as CONTEST (comprised of four components - Prevent, Protect, Prepare and Pursue). 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 that relates to Prevent. Failure to discharge this duty could mean sufficient steps are not taken to prevent an incident taking place, under Prevent, and 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 Head of Communities with members consisting of CMT, key senior managers, Police Scotland and a QMU representative. ELC has appointed senior members of staff as SPoC (Head of Children's Services) and Deputy SPoC (Executive Director Education and Children's Services) for Prevent as per statutory guidelines. A SPoC for Prepare and Protect although not a statutory requirement, has also been appointed (Emergency Planning, Risk and Resilience Manager).	3	3	9	Awareness-raising sessions are being arranged with Police colleagues with independent service providers operating in East Lothian. CT police are offering bespoke Prevent training across other council services and supporting managers to update paper-based training materials for manual staff. Further service-specific Prevent training is being arranged for children's and justice social work services.	2	3	6	Chief Executive Executive Directors Council Management Team EL Contest Chair (Head of Communities) Contest SPoC (Emergency Planning, Risk &	July 2022 July 2022 July 2022	Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. Risk refreshed and reviewed November 2021 by Contest SPoC with no change to assessment of scores.

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			Likelihood	Impact	Total		Likelihood	Impact	Total			
			L	I	L x I		L	I	L x I			
	Our capacity to monitor and respond if we are concerned about children with these lines of thinking is severely compromised as schools are closed and older teenagers are less likely to engage.	Under Protect the CMT are prepared should the Government raise the Security Level to Critical. Service Business Continuity plans take this into account. This includes staff working from home as a result of council facilities being closed during any emergency response. ELC follows and contributes towards the 'J' Division Contest group implementation plan. The SPOC Prevent Group in the East of Scotland is attended by the ELC SPoC. Prevent Multi–Agency Panels Chair (SPoC) and Depute (Iain Gorman) identified to chair multi-agency meetings established to discuss any referrals. Regular internal and external communication of any national counter-terrorism updates. Information regarding Protect and Prepare is received from the National Counter Terrorism Security Office. This information is then circulated to appropriate key ELC staff and local businesses. A Prevent working group, chaired by the Head of Children's Services, meets regularly and a Prevent reporting process has been established. A refreshed Prevent Delivery Plan has been completed and has been approved by the ELC Contest group. Progress of the Prevent delivery plan will be monitored through quarterly Prevent working group meetings and reporting to EL Contest group. Elected Members were briefed in January 2022. Joint training (with Midlothian) for PMAP members was undertaken. Home Office PMAP training was provided for managers in justice, children's and adult social work services. ELC have submitted an annual assurance statement of compliance with Prevent to Scottish Government in relation to the new statutory guidance for Prevent and PMAP (Feb 2021). Education personnel are fully engaged with Prevent and appropriate filters have been installed on the Education infrastructure. Updated Prevent referral pathway has been agreed with EMPPC and communicated on the intranet, including the new national Prevent referral form. Whilst ELC Managers have received Prevent training through LearnPro previously, since November 2020 interim arrangements have been in place for all staff via Home Office resources pending the roll-out of new Scottish Government training materials. Ongoing exploration of other arrangements including toolbox sessions.								Resilience Manager) Prevent SPoC (Head of Children's Services)		Risk reviewed August 2018 by Board of Directors with Current Score reduced from 12 to 9.

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			L	I	L x I		L	I	L x I			
		The ELC Prepare and Protect SPoC liaises with Police Scotland and in particular the CT team to ensure current information on these areas is circulated to appropriate ELC key staff and staff in general if required. The SPoC also ensures important information is uploaded onto the ELC Intranet.										
ELC CR 17	**Duty of Care to Council Staff and Public (Health & Safety)** East Lothian Council has a duty of care and has existing Health and Safety Polices to look after the care of staff 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 or enforcement action by the Health & Safety Executive. The Council also has a duty of care to our staff delivering services in an environment where the COVID pandemic is a huge risk. Areas which have been identified as posing a particularly high level of risk are • COVID19 (or any other pandemic infection control) • Manual Handling • Stress / Mental wellbeing • Lone Working • Unacceptable Behaviour • Risks from Public Monuments • Safe Driving at work • School Trips	Health, Safety and Wellbeing Strategy 2018 – 2021 in place. All employees receive an induction including Health & Safety information, have job outlines and follow the PRD process ensuring all are capable and trained to perform safely in their roles. Consultation with employees and Unions in place with Joint Health & Safety Committee and Joint Consultative Committee Management Arrangements in place for a range of topics outlining the responsibilities of each level of management and employees. A rolling programme of review of topic specific management arrangements is being undertaken. Risk assessments carried out to identify significant workplace hazards and to establish suitable workplace controls e.g. safe systems of work. Services carry out a rolling programme of reviewing risk assessments to ensure they are suitable and sufficient and reflect current practice and organisational structures. As part of this training and health surveillance requirements are identified. Health Surveillance is carried out on employees where they are exposed to specific hazards. Safety Management System supported by audit and inspection programme across the Council. Health and Safety Training needs are identified from project plans and Risk Assessment findings. An annual programme of training is developed including a number of Institute of Occupational Health accredited courses. For all of the risks identified as high risk • Management Arrangement or guidance is in place • Training is available • Risk Assessments are undertaken **COVID19** The Council has a duty of care to staff delivering a service in a COVID world and have refreshed and heightened risk assessments and ensure that all services regularly update their risk assessments for work settings and external visits. A programme of workplace inspections focusing on COVID takes place. **Manual Handling** Manual Handling is avoided where possible. Where this is not possible mechanical aid's and staff training	2	4	8	Protective Services Service Review underway, taking account of H&S duties and capacity, intent on supporting refreshed programme of inspections and audits. The Council's overarching Health & Safety Policy and Arrangements are under review. As part of this the role of the Head of Establishment is being reviewed, alongside refresh of the H&S team's Audit approach and programme. Priority topics for updated Management Arrangements are: • Legionella Management • Fire Safety • First Aid Procedure for ensuring safe management of monuments/public art works on ELC land is being developed.	2	4	8	Executive Director for Place SDAW Group Health and Safety Team	June 2022 September 2022 June 2022 June 2022	Risk refreshed by Head of Communities May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores. Risk reviewed and updated March 2020 with Current score reduced from 12 to 8.

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			L	I	L x I		L	I	L x I			
		is provided in accordance with the Management Arrangements. Physiotherapy is available to staff through the Occupational Health Contract. **Stress** As part of the sickness absence policy employees off work with Stress are referred to Occupational Health. Initiatives are in place to help employees manage their own stress, including Employee Assistance Programme, Listening Ears, Healthy Working Lives **Lone Working** Specific procedures are in place in services with a high level of lone working where required lone workers have access to lone worker devices A 'Potentially Violent Client' Register is in place to ensure information is shared between services. **Safe Driving at Work** 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". The E Davis system used by East Lothian Council records and monitors grey fleet users driver details including insurance, RFL and driving licence. This ensures that the registered drivers have the correct credentials to drive on behalf on the Council. **Fire Safety** Fire Safety Risk Assessments are carried out on our operational buildings where employees work with a process in place to ensure prioritisation of any remedial actions. **School Trips** All trips must be approved by HT or Delegate and Residential Trips and Adventurous Activities must also be approved by LA. Residential School Trips are on hold until at least Session 2022/23. Cross Service Risk Management Meetings instituted in 2021, between Health & Safety Service, Insurance Service, Information Governance Services and Internal Audit Service to ensure cohesive oversight of risks associated to staff and public duty of care – reporting to the Corporate Risk management Group, Chaired by Head of Communities.										

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			L	I	L x I		L	I	L x I			
ELC CR 18	**Business Continuity** Failure to ensure currency of Business Continuity Plans could lead to services not having a robust response to an incident affecting their service area or critical services may not be maintained, while critical services for the public could be affected and statutory requirements not completed. Non availability of: • premises, through fire, flood or other unexpected incident; • key staff or significant numbers of front-line staff for any reason e.g. 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. The Council carried out a Council Wide Business Continuity Exercise in November 2019 which successfully tested the BC capabilities of the Council. ELC staff have access to an e-learning package on Business Continuity which was reviewed and refreshed during March 2021. 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. Specific disaster recovery arrangements are in place for the critical systems of telephony, e-mail and social care. 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. ELC services are encouraged to take all risks that may impact on East Lothian into account when completing their Business Continuity (BC) plans as an example, severe weather or electricity failure or extreme staff shortages. BC plans are key to ensure ELC services continue to provide their critical activities.	2	4	**8**	Progress Business Continuity Plans with Education and H&SCP in order that each School and Care Home has a plan. Whilst we would need to react to the specific circumstances of any particular attack or series of cyber-attacks, Business Continuity Plans should be reviewed to consider outages for a longer period up to 2 weeks. Noting that we are unlikely to lose everything by way of access to systems concurrently. Review of all Council Business Continuity plans will be linked to all new (and updates to) Corporate Risks whilst also looking ahead to 2022/23 and any move from Response to Recovery in terms of COVID-19, and future consideration of any BC Plans being invoked due to current risks they are encountering.	2	3	**6**	Emergency Planning, Risk and Resilience Manager Emergency Planning, Risk and Resilience Officer	March 2023 June 2022 June 2022	Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores.

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			L	**I**	**L x I**		**L**	**I**	**L x I**			
ELC CR 19	**Corporate Events Management** Effective preparation and co-ordination across a number of services, for events held in East Lothian, is essential. Failure to achieve this could result in event safety being compromised followed by a risk of adverse reputational damage for the Council on a local/national/international level as well as possible legal ramifications at fatal accident enquiries accounting for 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 (strategic) officer, who will meet to discuss all events taking place within their area over a pre-determined period of time. This group includes category 1 responders 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 East Lothian Safety Advisory Group (ELSAG): • 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 • Event site – proximity to residential area, remote, inaccessible • Whether alcohol is available or any other license is required • Impact upon local community • Type of Activity - hazardous • The profile of the event – National following increasing footfall/interest. • The requirement for a TTRO • At the request of one of the partner agencies • At the request of an event organiser ELC is involved in events as they tend to take place in Council parks or on Council roads. 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, through TTRO's. If the event organisers fail to have the correct licences or safety processes in place it is the organisers who face the risk of possible criminal prosecution. East Lothian Council is itself responsible for organising several events on an annual basis. For each event an event organiser will be identified from within the Council. All event organisers should attend a SAG meeting if required to do so.	East Lothian Council has a revised SAG policy in place which came into effect May 2022 (reported into Members' Library Service). The East Lothian Safety Advisory Group (ELSAG) strategy comprises two main elements: · Strategic Event Safety Oversight Group (SESOG) · Safety Advisory Group (SAG) The SESOG will hold SAG process overview meetings (at least twice annually) to prescribe criteria for which event organisers are invited to participate in the Safety Advisory Group process and to confirm which events require to attend SAG, based on the risk profile. The SESOG will be Chaired by an East Lothian Council Head of Service. The Emergency Planning, Risk and Resilience Manager, will Chair ELSAG meetings for Major and Large scale events and the ELC Emergency Planning, Resilient Communities and Events Officer will chair the ELSAG for small and medium scale events, except for any specific events where the SESOG determines otherwise. Events that require to be put through the SAG are managed through a risk profile process which grades each event as having a Red, Amber or Yellow (RAG) risk. Events graded as Yellow are not required to attend a SAG meeting. Those graded Red and Amber are required to attend a SAG meeting. The SAG process co-ordinates preparation for various events as per the risk profile, with representation from relevant Services areas and Multi-Agency Partners. Event guidance for organisers of events is published on the Council website. Where the SAG group is set up, for a specific event, it has no statutory power to stop it taking place. However, the SAG group can withdraw its support and co-operation, for any event, which may mean that the event cannot proceed. In these circumstances the event organiser will be advised to notify their insurance provider. That said other agencies or partners of the Group may act independently of the ELSAG and use their own statutory powers to unilaterally prevent the event from taking place. Police Scotland will always provide the final advice on public safety. Events information and documentation accessed through the ELC website reviewed by the ELC Event Safety & Resilience Officer, maintaining oversight of the processes linked with the ELSAG, through his/her line manager, to continually improve the overall system.	2	3	6		2	3	6	Executive Director for Place Heads of Development, Communities and Infrastructure Service Manager – Protective Services Team Manager, Economic Development		Risk refreshed May 2022 noting changes to risk description and mitigation measures whilst no change to risk scores.

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			L	I	L x I		L	I	L x I			
ELC CR 20	**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. The Scottish Government has introduced the Fairer Scotland (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 2021-2025 was adopted in November 2021. 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. As per our statutory obligation, HR is annually capturing the Employment Monitoring information required under the Act. This is reported publically alongside the requirement to publish an annual Equal Pay Report. 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.	2	3	6	The Poverty Plan 2021-2023 (49 actions) will be implemented. Delivery will be monitored by the Poverty Working Group and a new East Lothian Poverty Partnership. The new Equality Plan 2021-2025 (28 actions) will be implemented. Embed the use of the Scottish Government's Sustainable Procurement Tools into procurement procedures.	2	3	6	Executive Director for Place	November 2022 November 2022 November 2022	Risk reviewed and updated March 2022 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.
ELC CR 21	**Development Plan** Failure to maintain an up-to-date Development Plan could result in an out of date planning strategy and policy context for planning decisions in East Lothian; it could: • contribute towards the Council not being able to achieve Council Plan objectives – Growing our Economy and Growing our Communities	Maintenance of the Local Development Plan Scheme with timescales (last reviewed June 2021). Interim Regional Spatial Strategy has been prepared, informing draft NPF4. The Regional Prosperity Framework has been ratified by the SE Scotland authorities.	3	2	6	Work on LDP2 will increase as NPF4 is finalised by the Scottish Government.	1	2	2	Head of Development	October 2022	Risk reviewed by Planning Service Manager May 2022 with no amendments made.

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			L	I	L x I		L	I	L x I			
	– and related Single Outcome Agreement objectives; • lead to failure to accord with more recent higher level plans and legislation; • undermine our ability to defend local planning decisions leading to 'planning by appeal'. This could result in unplanned development at odds with the planning strategy for East Lothian, and consequent reputational damage; • undermine our ability to secure S75 contributions towards essential infrastructure with consequent impact on corporate capital and revenue planning.	The Council has responded to a recent consultation on NPF4, which when approved will form part of the Development Plan. SG and SPG all approved/adopted, including Developer Contributions Framework. Impact of SDP2 rejection by Scottish Government is mitigated by having an approved housing land audit, up to date LDP and a greater than 5 years effective housing land supply. Preliminary work for LDP2 being prepared at present. Public engagement being planned.										Risk Refreshed by Service Manager March 2021 with Current Score reduced from 8 to 6. Risk Refreshed by Service Manager August 2019 with Current and risk score increased from 2 to 8.
ELC CR 22	**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.	Standing Orders (the Schemes of Administration and Scheme of Delegation) were extensively revised, approved by Council in October 2019 and published on the ELC website and are revised on a regular basis, with the Scheme of Delegation being updated in August 2021. Councillors, officials and employees conduct 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 Council adopted a Code of Conduct for its employees in February 2020 giving all employees greater clarity around the standards of behaviour expected of them. The Code incorporated some other existing policies such as the one governing Gifts and Hospitality. Breach of the Code may amount to a disciplinary offence. Training on the Code of Conduct will be offered to Members periodically with regular updates from the Standards Commission circulated to Members. The Council's Monitoring Officer and Depute Monitoring Officers provide advice as required. Training of Councillors continues to take place as required to ensure understanding of the importance of standards in public life. Councillors have been provided with a copy of the Code and the accompanying guidance and are provided with copies of any updates, guidance and advice notes as those are issued. A new revised Councillors' Code of Conduct was introduced in December 2021 and a training workshop was held with Members. Further, more detailed training was provided to both new and returning Members as part of the Member Induction Programme in May 2022. A survey of all Councillors was carried out in May 2019 establishing their views as to the training and development provided and to identify future needs. Councillors have an ongoing opportunity to participate in a CPD programme, which has been developed in conjunction with the Council's Organisational	2	2	4	The Council's Standing Orders will be reviewed in advance of the implementation of Hybrid Committee meetings to ensure they are suitable for this format. The Scheme of Administration is likely to be reviewed following the Local Government Elections in May 2022 to reflect any changes required by the incoming Administration. An induction programme for new Councillors approved by Council and will be delivered to both new and returning Members. This includes training on standards in public life and, specifically, on compliance with the requirements of the Councillors' Code of Conduct.	2	2	4	Service Manager – Governance Service Manager Police, Improvement & Partnerships	June 2022 June 2022	Risk Reviewed by Monitoring Officer May 2022 with no change in risk scores. Risk reviewed April 2020 by Service Manager – People and Governance with both scores reduced from 6 to 4 due to Cllrs familiarity with the Code and the new Code of Conduct from Employees.

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			L	I	L x I		L	I	L x I			
		Development Team. This is based on the offering available from the Improvement Service and the IS have offered to input into the final product. Councillors have an ongoing opportunity to attend Master classes run by the Improvement Service. A 100-day review took place with our Elected Members between August and November 2017. This was carried out by way of face-to-face meetings with Elected Members and covered 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.				A 100 day review will be held with new Elected Members following the Local Government Election in May 2022 to ensure the principles set out in the Code of Conduct are fully understood.					May 2022	

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

Version	Date	Author(s)	Notes on Revisions
32	April 2020	S Kennedy	Register updated to include risk on COVID 19 and Climate Emergency Risk Renamed, Updated and Scored
33	May 2020	S Kennedy	All other risks refreshed.
34	June 2020	S Kennedy	Flooding and Coastal Erosion Risk updated
35	July 2020	S Kennedy	COVID19 Risk on Finance incorporated into Financial Environment Risk
36	August 2020	S Kennedy	COVID 19 Risk brought into this document.
37	December 2020	S Kennedy	COVID and Brexit Risks Updated alongside Failure to maintain a Highly Skilled Workforce
38	January 2021	S Kennedy	COVID, Brexit, Contest, Public Protection, Severe Weather, and Business Continuity Risks updated.
39	February 2021	S Kennedy	COVID, Brexit, Highly Skilled Workforce, Corporate Events Management, Duty of Care to Council Staff (H&S) and 1140hrs risks updated
40	March 2021	S Kennedy	IT & DP, Climate Emergency, Public Sector Reform, Equality Development Plan, Flooding & Coastal Erosion and Finance risks updated.
41	April 2021	S Kennedy	Welfare Reform risk removed.
42	May 2021	S Kennedy	Full Risk Register reviewed and updated by Risk Owners with COVID Risk reduced to a summary and separate COVID Risk Register created.
43	July 2021	S Kennedy	New risk on Ash Dieback added to the Register
44	October 2021	S Kennedy	Brexit Risk Updated
45	October 2021	S Kennedy	New risks on Staffing AND Supply/Cost of Materials and Labour added to Register.
46	November 2021	S Kennedy	Full Review carried out by all risk owners and CMT.
47	December 2021	S Kennedy	Further review and updated carried out by CMT to capture the current challenges the Council is facing.
48	December 2021	S Kennedy	Ash Dieback risk moved to Infrastructure Risk Register at the request of CMT.
49	January 2022	S Kennedy	Register reviewed by all Risk Owners.
50	February 2022	S Kennedy	Limitation (Childhood Abuse) and Standards in Public Life risks updated.
51	March 2022	S Kennedy	All Risks reviewed and refreshed. New risk on Rising Energy Costs added. Public Sector Reform risk replaced by National Care Service Risk. 1140 Hours risk moved to Education Service Risk Register.

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			L	I	L x I		L	I	L x I			
52		March 2022	S Kennedy			Duty of Care to Public and Public Protection Risk updated.						
53		April 2022	S Kennedy			All Risks Reviewed and Refreshed where required.						
54		May 2022	S Kennedy			All Risks Reviewed and Refreshed by Risk Owners.						
55		May 2022	S Kennedy			Risk Register reviewed and refreshed by Executive Director for Place and Head of Communities.						