

REPORT TO: Audit and Governance Committee

MEETING DATE: 29 November 2022

BY: Chief Executive

SUBJECT: Infrastructure Risk Register

1 PURPOSE

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

2 RECOMMENDATIONS

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

3 BACKGROUND

- 3.1 The Risk Register has been compiled by the Infrastructure LRWG. All risks have been evaluated using the standard (5x5) risk matrix (Appendix 2) producing an evaluation of risk as either 'low (1-4)', 'medium' (5-9), 'high' (10-19) or 'very high' (20-25).
- 3.2 The Council's response in relation to adverse risk or its risk appetite is such that:

- Very High risk is unacceptable and measures should be taken to reduce, transfer or treat the risk to a more tolerable position;
- High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place;
- Medium risk is tolerable with control measures that are cost effective;
- Low risk is broadly acceptable without any further action to prevent or mitigate risk.

3.3 The current Infrastructure Risk Register includes 2 Very High, 17 High, 36 Medium and 14 Low risks. As per the Council’s Risk Strategy, only the Very High and High risks are being reported to the Committee.

4 POLICY IMPLICATIONS

4.1 In noting this report the Council will be ensuring that risk management principles, as detailed in the Corporate Risk Management Strategy are embedded across the Council.

5 INTEGRATED IMPACT ASSESSMENT

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

6 RESOURCE IMPLICATIONS

6.1 Financial - It is the consideration of the Infrastructure LRWG that the recurring costs associated with the measures in place for each risk are proportionate to the level of risk. The financial requirements to support the Risk Register should be met within the proposed budget allocations. Any unplanned and unbudgeted costs that arise in relation to any of the corporate risks identified will be subject to review by the Corporate Management Team.

6.2 Personnel - There are no immediate implications.

6.3 Other - Effective implementation of this register will require the support and commitment of the Risk Owners identified within the register.

7 BACKGROUND PAPERS

7.1 None.

Appendix 1 – Infrastructure Risk Register 2022-23

Appendix 2 – Risk Matrix

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DATE	17 November 2022	

Infrastructure Risk Register 2022-23

Date reviewed: 17 November 2022

Risk ID	Risk Category	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Planned Control Target Date	Evidence held of Regular Review
				Likelihood	Impact	Risk Rating		Likelihood	Impact	Residual Risk Rating		
				L	I	L x I		L	I	L x I		
INF 1	Service Objectives	<p>Reduced Taxi Provision Council Wide</p> <p>Taxis are becoming hard to source/procure due to the after effects of COVID19 and the current economic status. All taxi operators are facing recruitment issues with drivers wanting a certain wage and working pattern/hours.</p> <p>There is a potential risk of enhanced contracts being offered from other user areas out with ELC as there is a financial benefit to taxi provider moving to cancellation / handback of ELC contract.</p> <p>Alongside this taxi escort provision is scarce due to the limited hours and wages.</p> <p>The last series of tenders completed by Transport Services resulted in a nil return or a 40% - 100% price increase depending on operator if we get a response.</p> <p>Operators are leaning to Home to School as their primary work and everything else has to fit around that. The main reason for this is the stability of the routes versus the constant changes involved with other taxi hires.</p> <p>Taxi operators are struggling with supply chain for supply of vehicles and spare parts for maintenance.</p> <p>The main Council Services affected by this reduced availability are Education, Children & Families, Adult Services and Homelessness.</p> <p>The potential impacts are:</p> <ul style="list-style-type: none"> • Routes cannot be fulfilled due to unavailability. • Services hire their own taxis which are not legal and the drivers/escorts not PVG checked leaving ELC & clients exposed. • The cost of finding taxis will see an increase in cost of tenders up to 75-100% <p>All of the above is a reputational risk to the Council.</p> <p>Taxi provision throughout East Lothian has declined by an estimated 45% since 2019.</p> <p>Reduced options presents a risk operations may be tempted to go of contract and use a non-authorized taxi. Risk of reputational and legal failure.</p>	<p>Taxi framework in place</p> <p>Transport Services Framework covers adhoc taxi hire within the Council. The companies on this list have been pre-checked as part of tender process and meet the T&C's required by the Council.</p> <p>PVG checks in place for all operators</p> <p>Home to School Framework in place for School Transport</p> <p>ASN Framework</p> <p>Model shift to carry out more ASN work on our ELC buses</p> <p>Any request for Taxi transport will require a minimum of one week notice to run a tender, with an operational estimate of three weeks if we have a response.</p>	5	4	20	<p>Procurement/Transport Services process to promote taxi industry to potential employees.</p> <p>Market intelligence, monitor and engage regularly with providers and work with them pro-actively.</p>	4	4	16	<p>November 2022 – ongoing</p> <p>November 2022 – ongoing</p>	<p>New risk created by Service Manager – Transport August 2022 and reviewed September 2022</p>

INF 2	Assets	<p>Reduction in Purchase of Council vehicles</p> <p>A reduction in future purchase of Council vehicles would result in revenue / maintenance expenditure costs rising.</p> <p>Requirement for the fleet to move to Ultra Low Emission Vehicles (ULEV) cost impact to meet climate change objectives and government legislation – Public Fleet sector target of 2025 for all cars/small vans to be ULEV, no purely fossil fuelled vehicles available to purchase from 2030.</p>	<p>Regular discussion with user departments on their individual requirements and within the capital budget set for replacement vehicles.</p> <p>Continued evaluation of existing fleet.</p> <p>Regular contact with vehicle suppliers to demonstrate new items available.</p> <p>Transport and Waste have worked proactively with Finance to draw up a planned capital budget for 5 years to enable to replace to Euro6 standard and some EV replacement vehicles. This will minimise cost increase impact and secure vehicle orders in line with the fleet replacement strategy. There will additional cost pressures to meet the 2030 SG objectives.</p> <p>Utilisation of Transport Scotland funding to support public sector 2025 objective.</p>	5	4	20	<p>Fleet strategy being undertaken combining ULEV objectives and demonstrating financial challenges associated with transition to clean vehicles – expected to be completed April 2022. Fleet Strategy going to Council for approval.</p> <p>To allow the Council to migrate to an alternative fuel solution SG investment will be required as the cost is currently beyond the capital fund available.</p>	4	4	16	<p>January 2023</p> <p>2024/25</p>	<p>Risk refreshed August 2022 with current score increased from 16 to 20 and residual from 9 to 16.</p> <p>Risk refreshed June 2021 with risk scores increased from 4 and 4 to 16 and 9 due to the government legislation</p>
INF 3	Financial	<p>Education Estate – Changes to Projects</p> <p>Risk of unanticipated changes within Projects resulting in project cost overruns and potential delays to the project with financial consequences for the Council as well as a reputational risk.</p> <p>Recent projects have seen increases in scope due to suitability, condition, upgrades to catering kitchens, safer routes to school and other factors. Mitigation has not been possible resulting in costs increasing.</p> <p>A full survey of all catering kitchens throughout Council properties is required which is not included in the current condition survey work and needs to be resourced.</p> <p>Scottish Government have announced the intention to introduce free school meals for all primary aged children by 2022 as part of the 100 day commitment. Work has been initiated by SG to consider the cost and logistical implications of implementing this policy intent.</p>	<p>Cost planning and financial monitoring processes are in place. Change control process manages the approvals process for additional budget arising from client changes.</p> <p>Review project risk contingency and identify a risk value in future projects.</p> <p>Ensure Project briefing, budgets and cost plans are robust and include realistic allowance for further development of scope meaning few unanticipated changes during projects.</p> <p>Close liaison with clients throughout project process.</p> <p>Data updated regularly throughout the year and Annual Report submitted re-School Core Facts.</p> <p>Regular monitoring of information for reporting to auditors.</p> <p>Meetings have taken place with Scottish Futures Trust (SFT) and Scottish Government officials to ensure there is a clear understanding of the degree of logistical challenge and impact along with providing costed returns.</p>	4	4	16	<p>Ensure Condition and other data is maintained up to date to inform the planned delivery of works required to ensure buildings comply with statutory and legal requirements and are maintained in a good condition.</p> <p>Learning Estate Review work by Education ongoing and report to be presented to Council in December 2022.</p> <p>Comprehensive Learning Estate Review programme underway with pre-consultation about to commence. Delivery and implementation programme to be directly linked to school condition and suitability.</p> <p>Budgeted, programmed plan of work for all existing property assets to confirm how these will be improved from Condition C/D to B or maintained as Condition A/B for their lifetime.</p> <p>Assess property estate against Scottish Government targets to address Climate Change. Plan programme of works to improve performance of buildings.</p> <p>Ongoing engagement with Head Of Infrastructure, Executive Director for Place, Executive Director for Education & Children's Services and Executive Director for Council Resources regarding project changes and mitigating against potential financial/reputational risks.</p> <p>Service Manager – SA&CPM to engage with Head Of Infrastructure, Executive Director for Education & Children's Services (PPP Project Sponsor) regarding resources and mitigating against risks.</p>	3	4	12	<p>December 2022</p> <p>Learning Estate Review – to report December 2022</p> <p>Learning Estate Review – to report December 2022</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>Risk refreshed September 2022 by Service Manager – Strategic Asset & Capital Plan Management with no changes to risk scores.</p> <p>Risk amalgamated with School Core Facts September 2021 to create this updated risk.</p> <p>Risk refreshed June 2021 with current scores increased from 9 to 16 and residual score from 8 to 12.</p>
INF 4	Financial	Maintenance of Assets	Annual update of programme of works based on Condition, Suitability and Statutory Compliance assessments to inform budget requirement.	4	4	16	Ensure Condition and other data is maintained up to date to inform the planned delivery of works required to	3	4	12	June 2023	Risk refreshed September 2022 by Service Manager –

	<p>Risk of insufficient staffing and financial resource to carry out repairs and maintenance programmes to ensure buildings are maintained in a good condition. Core Facts returns to The Scottish Government confirm that this is a risk which requires to be addressed.</p> <p>A budgeted, programmed plan of work is required for all existing property assets to confirm how these will be improved from Condition C/D to B or maintained as Condition A/B for their lifetime. Significant additional financial and staff resource is required to achieve this.</p> <p>Failure to carry out repairs and maintenance programmes could result in unavailability of buildings e.g. school closure and reputational damage to the Council.</p> <p>Repairs and maintenance cost pressures and adoption of new facilities e.g. school extensions mean a real term reduction in resource and availability. This could ultimately result in a failure of building elements with the risk of closure or enforcement by Statutory or Regulatory authorities.</p> <p>Failure to carry our repairs and maintenance programmes could result in injury/loss of life of public building users and legal action against the Council. There is also a high risk to health and safety and of reputational damage.</p> <p>COVID19 has impacted upon the ability to carry out works to our assets.</p> <p>Currently there is an uncertainty in relation to material availability and delivery times to carry out the major summer works programme.</p> <p>Assess property estate against Scottish Government targets and imminent changes to energy performance requirements to address Climate Change. Plan programme of works to improve performance of buildings. Significant additional finance commitment and staff resource is required to achieve this and assess the current status and plan works to bring buildings up to the required standard.</p> <p>There is currently a risk in relation to the lifecycle, maintenance and repair of Council assets which are</p>	<p>Building Surveyor now in post who will be working on accuracy of Asset Condition information.</p> <p>Assets Project Manager now in place whose main function will be to look for opportunities to repurpose, dispose of, or rationalise assets. The Manager will also continue to look for opportunities to co-locate and share facilities to reduce the number of assets held by the Council. This is now eighteen months into a temporary two-year contract and is focused on the office rationalisation. In order to progress review of the whole property estate, a permanent asset review team will be required – This is being progressed. Recruitment to the new permanent Team Manager – Property Asset Review in the SACPM service has been progressed and there is a Preferred Candidate. Recruitment to two other posts in this team will proceed, as soon as possible.</p> <p>Reports to the Corporate Asset Group will highlight risks which identify impact on the operation or safety of the assets to enable planned action to be considered and implemented.</p> <p>SFT SG revenue funding on new build schools.</p> <p>Ongoing review and update of programme of works based on Condition, Suitability and Statutory Compliance assessments to inform budget requirement.</p> <p>Transformational work progressing to move to a Corporate Landlord Model and a fully functional, comprehensive property asset management system, possibly by expanding the capability of the existing CIPFA modules held by Engineering Services and Finance.</p> <p>A cross-service Learning Estate review team is in place and carrying out a pre-consultation during 2021/22. Hub South East have been appointed by the Council to analyse the data and progress a Learning Estate Improvement Plan.</p> <p>Education and Strategic Asset Management teams work closely to analyse the data provided by Education and identify requirements arising as a direct result of proposed development.</p> <p>An enhanced and robust school roll projection and class organisation system is in place in Education which determines the future capacity needs of schools.</p> <p>Regular review meetings are held between Education, Planning, Finance and Strategic Asset and Capital Plan Management.</p> <p>Regular engagement with Care Inspectorate re-quality of care environment. Property Inspectors and the Asset Team within Engineering Services identify priorities on a 3 year rolling programme and implement within available budgets. Work is prioritised on a risk management basis, addressing statutory compliance matters first (fire safety, electrical, safety DDA etc.).</p>				<p>ensure buildings comply with statutory and legal requirements and are maintained in a good condition.</p> <p>Looking at Lifecycle Costing as part of project/business plan and review on a project basis for future capital bids and budget setting.</p> <p>The service continues to regularly evaluate the current situation as regards material availability and works to mitigate any adverse effects of cancelled or delayed orders for this year's major summer works programme.</p> <p>Review and identify staffing resource required within SACPM, Education and Engineering Services. Service review ongoing.</p> <p>Comprehensive Learning Estate Review programme underway with pre-consultation about to commence. Delivery and implementation programme to be directly linked to school condition and suitability. This will be supplemented by a report to PPRC in relation to this risk for other assets.</p> <p>Budgeted, programmed plan of work for all existing property assets to confirm how these will be improved from Condition C/D to B or maintained as Condition A/B for their lifetime.</p> <p>Assess property estate against Scottish Government targets to address Climate Change. Plan programme of works to improve performance of buildings.</p> <p>Review on provision of the residential estate including contingency planning for re-provision of Lothian Villa (Meadowmill).</p>				<p>June 2023</p> <p>May 2023</p> <p>Ongoing – Learning Estate Review / PPRC report</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>Strategic Asset & Capital Plan Management with no changes to risk scores.</p> <p>Risks on New and Existing Assets amalgamated to create new risk September 2021 with further amendments during December to add Children's Services elements.</p> <p>Risk refreshed April 2019 with current score increased from 12 to 16 and residual score from 8 to 12.</p>
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		operated by children's services (i.e. Lothian Villa Meadowmill and Olivebank)					New residential provision has been briefed and is included in the design proposals. The Infrastructure department of the Council has begun to seek alternative accommodation to Lothian Villa Meadowmill for Children's Services.				March 2024	
INF 5	Financial	<p>Maintenance of Non-Operational Properties, Non-Operational Property Portfolio and Voids</p> <p>Failure to maintain non-operational properties in compliance with statutory legislation, particularly in relation to Public Buildings Statutory Electrical Testing and inspections due to insufficient resources may expose the Council to legal proceedings, financial loss, service reduction, damage to its reputation and potential Health and Safety incidents in properties.</p> <p>Failure to maintain rental income of non-housing property portfolio due to disrepair of properties, poor financial checks on tenants, poor debt retrieval, poor implementation of rent reviews and recession. This would result in deteriorating properties, loss on rental income and increase in the number of void properties.</p> <p>This could result in injury/loss of life of public building users and legal action against the Council. Failure to make sufficient finance available to carry out testing and implement recommendations may result in all of the above.</p> <p>Scottish Government targets to address Climate Change and imminent changes to energy performance requirements for properties will require significant work to assess the current status and plan works to bring buildings up to the required standard.</p> <p>If voids are not kept to a minimum due to disrepair of property, delay in safety checks, and the undertaking of repairs and improvements it could lead to loss of income.</p> <p>There is the potential for additional voids due to COVID19 and businesses struggling financially while COVID19 restrictions have placed a significant burden on commercial businesses, resulting in financial pressures.</p>	<p>Funding required from limited Property Renewals budget to address identified remedial works in public buildings.</p> <p>Condition surveys carried out on all Common Good properties during 2021 as part of review of Common Good review.</p> <p>Programme of Fixed Electrical Installation in place in accordance with statutory requirements.</p> <p>Contractors' reports reviewed on an ongoing basis.</p> <p>Close liaison with and monitoring performance of framework electrical contractor to ensure inspections, reports, cost estimates, works and certification are completed timeously.</p> <p>Close liaison with Property Maintenance, in-house financial checks, regular debt meetings, rent review programme and early warning system in Badger asset management system.</p> <p>Liaise with Property Maintenance and Engineering Services to ensure prompt undertaking of safety checks, necessary repairs and refurbishment works as required.</p> <p>Providing support to local businesses, administering government grants and rent holidays, as required.</p> <p>Planned maintenance and liaison with Projects to programme resources and works.</p> <p>Processing rent holidays for any businesses struggling financially due to COVID19.</p> <p>Estates team continue to communicate with and provide support to tenants, endeavouring to manage situations and maintain high level of occupancy in commercial portfolio.</p>	4	4	16	<p>Plan a programme of condition surveys and an audit of statutory compliance including dealing with remedial works identified during EICR testing in place.</p> <p>Review and identify inspection and management resource required within SACPM (including Estates) and Engineering Services. Service review ongoing.</p> <p>Consider wider strategic review of commercial portfolio post COVID-19, including the potential reinvestment of income generated from commercial properties into an improvement programme.</p> <p>Continue asset rationalisation work to reduce surplus assets, non-efficient assets and reduce our carbon footprint. Aim for a focus of staffing resource and maintenance budgets on a reducing number of more efficient buildings. This will be an ongoing workstream over a number of years.</p>	3	4	12	<p>December 2022</p> <p>December 2022</p> <p>April 2023</p> <p>December 2022</p>	<p>Risk reviewed by Service Manager SA&CPM September 2022 with no change to risk scores.</p> <p>Risk updated June 2021 to combine previous risks on Non-Operational Properties, the Portfolio and Voids with new overall scores of 16 and 12.</p>
INF 6	Financial	<p>Capital Programme</p> <p>Risk of adverse financial implications for the Councils capital programme in the light of unpredictable tender price indices including the impact of Brexit and COVID19. This could result in tender returns being higher than cost plans.</p> <p>Tender and construction costs continue to rise nationally and there are significant delays in availability of materials, due to Brexit, COVID, Suez Canal etc.</p>	<p>Monitoring Tender prices and benchmarking with other authorities and contracting partners e.g. Hub South East.</p> <p>Risk allowance incorporated within cost planning but not sufficient to deal with real cost rises experienced.</p> <p>Continue to monitor and adjust allowance to reflect market activity.</p> <p>Keep Council Management teams informed regarding costs and availability of materials.</p> <p>'Lessons Learned' summary prepared by SACPM for</p>	4	4	16	<p>Continue to monitor national situation with ELC Procurement, other local authorities and contractors.</p> <p>Prioritise capital projects according to need.</p> <p>Prioritise and programme Capital Plan according to need and prioritise need and timescales.</p> <p>All census and revised roll projections prepared by Education in November 2021. Revisions for some sites are ongoing due</p>	3	4	12	<p>May 2023</p> <p>May 2023</p> <p>May 2023</p>	<p>Risks on Capital Programme and School Estate Expansion combined by Head of Service, November 2022.</p> <p>Risk refreshed September 2022 by Service Manager – Strategic Asset & Capital Plan Management with no</p>

		<p>East Lothian Council have received a number of national reports, information from other local authorities and notifications from contractors regarding e.g. steel, timber, plasterboard, and cement shortages/increase in costs. Furniture and IT component shortages/lead-in times are also a significant challenge.</p> <p>This is particularly relevant in respect of the School Estate Expansion where growth and school capacities may be breached earlier than anticipated.</p> <p>This could result in insufficient accommodation for pupils within schools, with consequent appeals from parents and reputational damage.</p>	<p>infrastructure projects arising from current Local Development Plan, circulated to key services and discussed at meetings to identify and possible mitigations for future planning.</p> <p>Prioritise essential works and agree to re-programme other planned works.</p> <p>Updated school roll projections are reviewed against school capacities.</p> <p>School expansion programme prepared and costed to inform Capital Plan. Changes in established roll projections are highlighted to Education if school capacities are projected to be breached.</p> <p>Strategy for managing risk agreed if no provision/budget in place for expansion.</p> <p>Regular cross service School Estate management meetings held where the baseline demographic information and the impact of development on school rolls and capacities are reviewed.</p> <p>Current staff resourcing issues in Education and SA&CPM present challenges for this work.</p>				<p>to changes in phasing of new housing by developers. Revised projections to be prepared and issued by November 2022.</p> <p>Housing Land Audit is being progressed by Planning.</p> <p>Sufficient staffing and financial resource to be allocated to projects generated by unforeseen breach of school capacities.</p> <p>Capital Plan interventions and S75 alongside the opportunity to refresh the capital plan and phase to match pupil product and expansion requirements.</p>			<p>December 2023</p> <p>May 2023</p> <p>May 2023</p> <p>May 2023</p>	changes to risk scores.
INF 7	Financial	<p>Failure to meet Waste and recycling targets and legislation.</p> <p>The Waste (Scotland) Regulations 2012 set out a number of provisions which help Scotland move toward the objectives and targets set out in the Scotland's Zero Waste Plan and help transition toward a circular economy. These provisions include a ban on biodegradable municipal waste going to landfill from the 1 January 2021 – ban has been delayed until 2024. Meeting the ban will have a negative impact on the revenue budget due to increases in gate fees.</p> <p>The Scottish Government will introduce in August 23 Scotland's deposit return scheme for glass, steel, aluminium and PET drinks containers.</p> <p>The scheme is likely to result in a significant loss of high value materials to the Waste Service therefore impacting on the cost effectiveness of delivering kerbside recycling services.</p> <p>DRS scheme planned to be implemented July 2023 by Scottish Government. Uncertainty over DRS and material volumes and value mean we are unable to proceed with planned procurement of kerbside collection services.</p> <p>The Scottish Government within the context of the circular economy bill is proposing a move away from the current voluntary approach to Scotland's Household Recycling Charter towards a more mandated approach, whereby implementation of the Charter and its supporting Code of Practice becomes a statutory obligation, placing aspects of</p>	<p>Waste Strategy was implemented April 2015 with a view to achieving a minimum 50% recycling & composting target.</p> <p>Recycling and residual collections to all domestic and commercial properties covering mixed waste, DMR, food and garden.</p> <p>A new kerbside collection Contract was completed and implemented November 2021 to a new weekly service.</p> <p>Bring site provision including 4 Community Recycling Centres. Monitoring of national and local indicators.</p> <p>Waste Data Flow reporting to Waste Regulatory body.</p> <p>The scope of the Deposit Return Scheme announced in May 2019 is all PET, metal and glass drinks containers, effectively removing these higher value commodities from our kerbside collection, and reducing the income generated from the commodity sales, which is at present used to offset the current cost of providing the collection services. This scheme has been delayed until June 2022 implementation by Scottish Government.</p> <p>Additional modelling work has been carried out to take account of the changes the Deposit Return Scheme will make to both the composition and the volume of the packaging materials that will remain within our kerbside collection system.</p> <p>Monitoring of kerbside collection systems and targeted intervention to offer support to residents using these services.</p>	4	4	16	<p>Review of bulky uplift recharging provision. Proposed to be implemented April 23, dependant on system configuration and functionality for recharging.</p>	3	4	12	<p>April 2023</p> <p>Risk refreshed August 2022 by Service Manager – Transport & Waste with no change to assessment of scores.</p> <p>Risk refreshed October 2019 with residual risk score reduced from 16 to 12.</p> <p>Risk refreshed by Senior Waste Services Officer - Strategy May 2019 with current and residual scores increased from 6 to 16 due to new legislation.</p> <p>Risk refreshed November 2015 – Current score reduced from 12 to 6 and residual score reduced from 8 to 6 due to implemented measures.</p> <p>Risk reviewed May 2014 and Residual</p>

		<p>the Scottish Household Recycling Charter and its supporting Code of Practice on a statutory footing, specifying materials to be targeted for collection or mandating how they are collected, to accelerate improvements to both the quality and quantity of recycling that local authorities are collecting in Scotland and the provision of more consistent collections.</p> <p>Changes to global commodities markets have drastically altered following China's National Sword Policy which instigated strict quality controls on the materials it would accept through import. This has led to huge quantities of poorer quality material without end destinations being retained within the national county of origin. In the UK this has led to an oversupply of material and has reduced the rebate values paid, while East Lothian has in the most part been protected from the worst of the market decline as the box collection system allow us to monitor the material we collect for recycling and ensure it is of sufficiently high quality to attract a value from reproprocessors, this continued market uncertainty is likely to increase the cost of procuring kerbside collections going forward.</p>	<p>Continue reviewing supply chain for procurement of bins, boxes and bags to source best lead times and cost.</p> <p>Long term treatment contract started November 2019 which will allow for additional recovery and enables East Lothian to be compliant with the ban on biodegradable municipal waste going to landfill in Scotland and will not have to seek alternative arrangements out with the region.</p> <p>New kerbside recycling service procured, awarded 1st May 2021 with weekly service being implemented November 2021. Council will retain ownership of all materials and any associated cost related to receipt, haulage and processing. Placing all risk on the Council for the sale of the materials.</p> <p>Service procuring larger volumes of stock to ensure supply level is maintained and sourced at most competitive price. Recycling service change requires additional supply of containers and new weighted bag.</p> <p>Commodity document rolled out to all merchants to ensure auditable trail of pricing/selling of material recorded.</p>								Risk Rating reduced from 12 to 8.	
INF 8	Reputation	<p>Maintenance of Burial Grounds</p> <p>Failing to maintain the Council's burial grounds could result in a serious injury/death to the public or ELC employees from falling headstones/memorials and a resulting financial loss due to insurance claims. There is also the risk of losing part of East Lothian's cultural heritage through the loss of family history records on headstones and memorials and failure to comply with the Equalities Act if access paths aren't maintained.</p> <p>Annual programme of consolidation continues however number of memorials considered as presenting significant risk remains at around 20% of stock. Scottish Government have now published guidance on inspecting and making safe memorial stones which places a clear burden on the Council to demonstrate a duty of care in this regard.</p>	<p>Responsibility for maintenance of facilities shared with Property Maintenance.</p> <p>Inspection of all headstones now complete North Berwick Cemetery extension has concrete foundation provided for headstones.</p> <p>ELC staff now responsible for installation of foundations for all new memorial stones.</p> <p>Additional equipment purchased to assist with roll out of headstone safety works and improve output. Priority for safety works now moved over to Amenity Services Staff from Criminal Justice Team</p> <p>Four years in to an ongoing programme to Dig and Deepen unstable headstones. Programme will be ongoing as further dangerous memorials become known through subsequent inspections. Labels and posts are now being put on all high risk stones asking relatives to contact SC&L.</p> <p>Programme of Consolidation works ongoing on a yearly basis.</p> <p>Toolbox talks for staff completed to cover safety aspects of working in and around headstones and to ensure consistent approach towards consolidation works.</p> <p>New burial sites being developed will include Pre-formed reinforced strip foundations that should prevent this risk from presenting with headstones installed thereafter.</p>	4	4	16	<p>Further programme of consolidation works programmed for completion September 2023 based on revised risk assessment.</p> <p>Round 3 of Headstone Inspection Programme to be completed by September 2023 according to agreed 3 year rolling programme (no inspections were carried out in 2020 due to COVID restrictions).</p>	3	4	12	<p>September 2023</p> <p>September 2023</p>	Risk refreshed by Team Manager – Strategy, Policy & Development (Amenity Services) September 2022 with no change to risk scores.

INF 9		<p>Burial Service</p> <p>Inability to provide an efficient burial service and sufficient land for burial purposes would mean that the Council is unable to undertake its statutory duties, and create distress to family and mourners.</p> <p>An audit highlighted there is less available burial space than indicated previously.</p> <p>The service experiences increased demand for burial services in certain clusters while the remaining clusters activity continues. This can produce waiting times of up to 20 working days during winter as opposed to our acceptable target of 4-5 working days. Staff efficiencies and long-term medical absence place further risk on our ability to maintain an acceptable standard of service delivery.</p>	<p>Burial Administration now centralised and revised procedures from service review now operating. Risk Assessments and SOPs are in place, regularly updated and employees are aware of them.</p> <p>Training programme in place to ensure employees are qualified and induction session delivered for all burial staff on current procedures and updated regularly by programme of Toolbox Talks.</p> <p>Burial Strategy now adopted by ELC. Communication procedure with the Registration Service in place. New procedures for management of burials are now operational. Continuing to work under current Covid restrictions until government guidance changes.</p> <p>Working towards local provision where suitable land is available.</p>	4	4	16	<p>In Prestonpans there was a delay due to neighbouring housebuilding completions. Commencement of cemetery construction is anticipated Autumn 2022.</p> <p>Potential site identified for Tranent Cluster, initial desktop study identified land possibly suitable for development. Estates instructed to commence negotiation to purchase. Final land purchase is subject to suitable site investigations and all SEPA and Planning approvals.</p>	3	4	12	<p>December 2022</p> <p>Winter 2022</p>	<p>Risk refreshed by Service Manager – S, C & L September 2022 with no change to risk scores.</p> <p>Risk refreshed by Principal Amenity Officer January 2018 and residual score increased from 9 to 12 to reflect reducing burial capacity at existing sites and no confirmed alternatives at time of review.</p>
INF 10	Financial Impact and impact on Assets	<p>Failure to inspect Road infrastructure including (road structures and street lighting)</p> <p>These are all major issues for the council given its responsibility for key routes. Any failure in provision/maintenance may lead to closures, disruptions, adverse public reaction in terms of expectation. A healthy road network aids in enabling a vibrant economy and future economic development.</p> <p>The level of investment in street lighting replacement and maintenance is linked into the holistic road service budget.</p>	<p>Appropriate inspection & assessment regimes in place.</p> <p>Continuous review of Procurement and cost escalation.</p> <p>Register of road bridges, underpasses, footbridges and culverts completed. Partnering in the Scottish National Road Condition Survey.</p> <p>Consultation with Councillors and constituents in place on annual maintenance plan and Roads Asset Management Plan in place.</p> <p>Annual programme of roads maintenance works in place aimed at reducing the percentage of the roads network in amber/red condition.</p> <p>Regular monitoring of the condition of street lighting units.</p> <p>An electronic system to log all complaints and reports of road defects/lighting faults is in place in conjunction with the call centre system (LAGAN) at Macmerry. This ensures all reports are recorded, actioned and monitored under the Road Network Management ISO:9001 Quality System.</p>	4	4	16	<p>Review capital programme, prioritise repairs based on needs assessment.</p> <p>Consider delaying non-essential capital works to allow backlog of works to be reduced.</p> <p>Develop as COVID19 restrictions are lifted and Brexit impact becomes known.</p> <p>Pay close attention to announcements from Government to ensure we continue to comply with all relevant guidance and requirements.</p>	3	3	9	<p>Nov-Dec 2022</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>Risk refreshed by Service Manager for Roads September 2022 with no change to assessment of current score.</p> <p>Risk refreshed June 2020 with current score increased from 4 to 16 and residual from 4 to 9.</p>
INF 11	Financial	<p>PPP Project</p> <p>Failure to adequately resource contract management arrangements will have subsequent issues related to contract compliance, financial risks and deterioration in asset base.</p> <p>Compliance issues include, but are not limited to: asbestos, fire, water quality, building fabric and building services (significant safety and reputational risks). Contract management issues at risk include, but are not limited to: contract guidance for users, benchmarking, Education PPP Specification and curriculum development (modernisation).</p> <p>Asbestos treatment at pre/post of PPP Contract and changes to legislation again form significant risks for ELC including statutory/legislative/management and financial risks. The agreed process is in place however appropriate resources require review. This is also a reputational risk.</p> <p>Fire – Full review of Fire Plans etc. required due to changes in ELC PPP Estate. The agreed process is in place however appropriate resources require review.</p>	<p>Formation of Senior Learning Estate Management Board and WHS Board to be replicated to deliver on significant capital projects</p> <p>Service Manager has engaged with Service Review Team and Finance to update job descriptions for PPP Project Officer (Grade 10) and PPP Project Assistant (Grade 7-including a review of resources available. Recruitment to PPP Project Assistant post complete and officer to start October 2022. Recruitment to PPP Project Officer post ongoing and Preferred Candidate to be confirmed September 2022.</p> <p>Application of Lessons Learned from experience of preparing documentation for Dunbar Grammar School extension.</p> <p>Allocation of sufficient time for process and ensure Council approval for procurement route for extensions.</p> <p>Although in place in principle, this measure is not wholly within the control of the Council and requires input from IML legal and technical advisors at the appropriate time.</p>	4	4	16	<p>Service review to refresh the establishment and match work demands with capacity and resource and recruit to positions identified.</p> <p>Planned return of Schools Estate Planning Officer post to Strategic Asset & Capital Plan Management team to increase capacity for Team Manager – Schools Estate & PPP Project. Recruitment to post ongoing and Preferred Candidate to be confirmed September 2022.</p> <p>Governance around separate contracts for installation, maintenance and lifecycle replacement of equipment or approve instruction through the PPP contract.</p> <p>Financial approval required to address compliance risks highlighted. An updated procurement report is required, revising key programme dates and incorporating what has been carried out to date, as well as recommending</p>	2	4	8	<p>September 2022</p> <p>November 2022</p> <p>Ongoing</p> <p>Ongoing</p>	<p>Risk reviewed by Service Manager SA&CPM September 2022 with no change to risk scores.</p> <p>Expansion of Secondary Schools Risk amalgamated with this risk September 2021 with risk score reduced to 16 and 8 from 20 and 12.</p> <p>Risk added June 2021 by Service Manager – Strategic Asset & Capital Plan Management</p>

	<p>PPP Future Risk items including Handback preparations.</p> <p>Treasury guidance for the management of PPP Contracts state a minimum of 2% of Contract Value to be spent on Contract management (and this is the basis on which ELC received Government support). Currently the PPP Contract Monthly Unitary Charge is £1,042,021.54 per month or £12,504,258.43 per annum.</p> <p>Expansion of Secondary Schools leased to Innovate under PPP Project Agreement.</p> <p>Failure to conclude Supplemental Agreements in sufficient time to meet timescales for the completion of the extensions resulting in insufficient capacity for pupils.</p> <p>This could result in future reputational risk to the Council.</p> <p>COVID19 and the subsequent new guidance for schools has resulted in more space required at schools and could potentially lengthen contracts.</p> <p>Risk of PPP Provider falling into financial difficulty or insolvency.</p> <p>PPP Provider IML employ FM service staff, apart from Catering, for the 6 secondary schools, the Mercat Gait Centre and the Musselburgh Community Centre and are contracted to carry out maintenance and lifecycle works on the buildings until 2035.</p> <p>If IML were to fail there is a risk that schools and other buildings would not operate and the Council would need to step in.</p>	<p>A report on Procurement of Secondary School extensions was approved by Council which set out the procurement route for all extensions and the associated risks.</p> <p>Contingency plans developed and in place to resolve ongoing issues with legal approvals, delay caused to construction works and delivery of projects at Ross and North Berwick High Schools</p> <p>Ensure Project Agreement is implemented and Unitary Charge paid timeously.</p> <p>Reviewing lifecycle expenditure to ensure investment in the PPP leased buildings is maintained at an acceptable level.</p> <p>Financial accounts provided by IML at Innovate Board Meeting. ELC Finance to comment. Cease of LIBOR raised as a risk by ELC at last Innovate Board Meeting on 29th April 2021 – IML have yet to comment on the effect that this has had on Innovate.</p>				<p>procurement for remainder of growth projects.</p> <p>Recent processes completed for Ross High School and North Berwick High School expansions are to be reviewed by educational, technical and legal teams to identify any possible improvements and mitigation of risks. 'Lessons Learned' meeting to be held with stakeholders.</p> <p>ELC Finance to review and report on current financial status of Innovate.</p>			<p>November 2022</p> <p>November 2022</p>		
INF 12	<p>Current Asset Data</p> <p>Asset data for operational properties requires continual review otherwise insufficient information is held to prioritise planned investment in buildings and potential risk to occupants, contractors and members of the public from failure of building elements or systems.</p> <p>Asset data requires continual updating and aligned to financial information. The risk being if not updated and accurate it is not possible to use the data to inform decisions regarding future of properties. A recent Finance audit identified that the Council would benefit from investment in an integrated IT system recording all assets. A comprehensive, maintained asset database is required with full access for all relevant parties.</p>	<p>Limited annual desktop updates carried out on existing data informed by feedback from maintenance team.</p> <p>3rd Phase of 3 Phase building survey now completed but significant QA issues identified and being dealt with.</p> <p>Building Surveyor working on accuracy of Asset Condition information.</p>	4	4	16	<p>A new cycle of building surveys has commenced. Internal resources have been allocated to enable these surveys and comprehensive 5 yearly reviews.</p> <p>Implement a comprehensive asset management database for operational and non-operational property, with access available to all relevant services e.g. Finance, E&BS, SACPM. This will require staff and financial resource to deliver in key services, with input by IT and Improvement.</p> <p>Service Review on ES&BS to take place.</p>	2	4	8	<p>June 2026</p> <p>March 2023</p> <p>December 2022</p>	<p>Risk refreshed September 2022 with no change to risk scores.</p> <p>Risk refreshed June 2021 with current scores increased from 12 to 16.</p> <p>Risk refreshed July 2020 with no change to assessment of risk scores.</p>

INF 13	Ash Dieback	<p>Failure to adequately plan for and manage the implications and effects of Ash Dieback tree disease across East Lothian, and particularly in high risk areas including alongside roads, paths/core paths, and in parks, woodlands, open spaces and housing areas.</p> <p>The risks to the Council associated with Ash Dieback are:</p> <ul style="list-style-type: none"> Health & Safety impacts – the potential for death or injury as a result of Ash Dieback related accidents, both to professionals working on trees, and to the general public; risks to statutory functions or service delivery such as retaining safe schools, public open spaces or roads; risks from falling ash to infrastructure such as houses, buildings, structures; Economic impacts – the cost implications for local authorities (financial / resource / staff capacity; direct and indirect costs; increased liabilities and insurance premiums) are anticipated to be significant, and the costs escalate the longer the problem is left unresolved; Reputational damage – political and reputational risks as a result of negative press over Ash Dieback management and public outrage and/or anxiety, particularly in light of Climate Emergency declaration and Climate Forest tree planting initiative; potential for disruption as a result of Ash Dieback management e.g. widespread road closures to deal with potentially dangerous trees; potentially strained relationships with land owners and managers as Ash Dieback spreads, particularly in relation to costs; <p>Environmental impacts – landscape changes with impacts on tourism and recreational opportunities; losses to ecosystem services such as reductions in air quality, potential for increased flooding, loss of shade; risks to Protected Species/ sites (e.g. bats); losses of carbon storage and sequestration; loss of biodiversity.</p>	<p>Briefing and awareness raising internally. Ongoing liaison with national agencies who are leading on the national response to Ash Dieback in Scotland, including Scottish Forestry and The Tree Council who have provided us with the Scottish Toolkit for Ash Dieback Action Plans, and who can pass on learning from the experiences of local authorities in England. Ongoing liaison with other local authorities on best practice and monitoring frameworks, including potential for regional collaboration.</p> <p>An internal Ash Dieback risk management group has been set up and includes the Head of Infrastructure, Service Managers for Sport, Countryside & Leisure and Roads Service, and the Tree Officer.</p> <p>An ELC Ash Dieback Action Plan (ADAP) is currently being drafted, following national guidance, with an options appraisal identifying priority actions to reduce the risk.</p> <p>Budget options for resourcing this work were considered by CMT (2nd December 2021 meeting). CMT approved the progression of initial survey work, to undertake surveys of ash trees for Ash Dieback, on both Council land and alongside the Roads network, during spring to autumn 2022.</p> <p>Surveys of ash trees on Council land and alongside the roads network were arranged and took place over summer to autumn 2022 – this has identified priority trees infected with Ash Dieback which require to be dealt with. The findings are currently being analysed and will be reported back to CMT with recommendations on next steps in tackling Ash Dieback.</p> <p>In August 2021 we purchased hand-held digital GPS devices to enable surveying and recording of ash trees on Council land, which includes an improved record keeping system.</p> <p>An initial survey of ash trees in high amenity areas of the Council's estate, i.e. school grounds and some adjacent play parks, was undertaken during summer / early autumn 2021. This identified a number of priority ash trees that required work, which was undertaken during winter 2021-22. This has reduced the risk in these high priority areas.</p> <p>Communication & publicity: information on Ash Dieback has been placed on the Council's website (aimed at the general public, land owners, home owners) and an article on Ash Dieback was published in the Council's 'Living' magazine (Winter 2021).</p>	3	5	15	<p>Finalise Ash Dieback Action Plan, continue to undertake works to priority infected ash trees as needed, and prepare monitoring framework based on survey findings and national best practice guidelines. Ongoing liaison with national agencies.</p> <p>Ensure forestry staff have appropriate qualifications, training and experience for dealing with diseased ash trees.</p> <p>Risk Assessments and SOPs to be put in place and regularly updated for all arboriculture and forestry work relevant to dealing with infected trees.</p> <p>Monitoring for supply chain issues (availability of skilled arboriculturalists who can undertake the works needed), particularly as the disease becomes more prevalent across Scotland, through liaison at national level and with national agencies.</p> <p>Linking with national communications / publicity around Ash Dieback. Communication, collaboration and active engagement with communities.</p>	2	3	6	<p>March 2023</p> <p>March 2023</p> <p>March 2023</p> <p>March 2023</p> <p>March 2023</p>	<p>Risk refreshed by Team Manager – Strategy, Policy & Development (Amenity Services) September 2022 with no change to risk scores.</p> <p>New risk added by Team Manager – Strategy, Policy & Development (Amenity Services), June 2021 and refreshed by CMT November 2021.</p>
INF 14	<p>Service Objectives</p> <p>Reputation</p>	<p>Non delivery of Musselburgh Flood Protection Scheme (MFPS)</p> <p>MPFS is a major project being advanced under the Local Flood Risk Management Plan (Forth Estuary) and funded at a rate of 80% under the Scottish Government's Flood Protection Scheme Programme.</p> <p>In summer 2021 a managed 'Pause and Review' of the national FPS Programme is being commenced by Scottish Ministers, with a view of re-determining</p>	<p>MFPS is being advanced by a Project Management Team under a formal PRINCE2 Project Management System, therefore financial exposure is always only to the current stage which ends at a formal stage gateway before the next stage.</p> <p>The project has a risk management process and a Risk Register.</p> <p>The project regularly updates with the Scottish Government's Flooding Policy Team and liaises with them on any key developments on the Scheme</p>	3	4	12	<p>The Project Team will continue to liaise with SG's Flooding Policy Team. It is currently assumed that due to existing legal contractual commitments the Scheme does not need to pause before the end of the current stage – i.e. late 2022.</p> <p>The Project Team have responded to a request for information from the 'Pause & Review' management team. Evidence confirming the: (i) scale of flood risk; (ii) the value for money; (iii) the robustness of the project team, systems, programme and</p>	2	4	8	<p>Winter 2022</p> <p>Winter 2022</p>	<p>Risk refreshed by Service Manager for Roads September 2022 with no change to assessment of current score.</p> <p>New Risk added June 2021 by Service Manager.</p>

		<p>the validity of each project and thereafter the structure of the programme once it re-starts.</p> <p>The current review of Flood Risk Management financial implications has been underway since July 2021. COSLA Leaders have been kept informed and, to date, Leaders have made two decisions regarding the un-pausing of schemes. Firstly in March 2022 Leaders agreed that schemes which are at (or near to) tender stage should be un-paused and proceed without further delay. Then in April Leaders agreed that schemes which are at (or near to) the design phase, should proceed without further delay. Both decisions were based on a review of affordability within the overall financial envelope up to 2025/26.</p> <p>The Musselburgh scheme falls in the category of at design stage, so therefore this scheme can proceed.</p> <p>The review on the overall Flood Risk Management financial implications is continuing to be undertaken. This is being done by an officer group which includes COSLA, LA Directors of Finance and practitioners, together with Scottish Government and SEPA officers. The group is reporting to the joint officer Settlement & Distribution Group, which advises Leaders and Scottish Ministers on matters affecting funding in the Settlement. We are expecting to take a further report on progress of the review to Leaders for the end of August/Oct 2022.</p>													<p>approach to consultation; (iv) the preparedness to deliver; and (v) the scale of multiple-benefits to Musselburgh, ELC and regionally through their Scheme being delivered in partnership – is being prepared. It is assumed this Scheme will present near the top of any new national prioritisation.</p>				
INF 15	Financial impact impact on assets	<p>Ineffective maintenance of the Road Network</p> <p>Failure to adequately plan maintenance activities on the public road network could lead to conflict with the requirements of other roads users, including public utilities, events and members of the public. Also failure to comply with the requirements of the Scottish Roads Commissioner such as keeping the gazetteer up to date and other statutory obligations under the Transport Scotland Act and the New Roads and Street Works Act could result in fines from the Scottish Roads Commissioner (as occurred this year) as well as a reputational impact on ELC if events have to be cancelled.</p> <p>As Roads Authority we have responsibility for maintenance of the Road Network within East Lothian Council. COVID19 has resulted in a backlog of some maintenance, but we are working to address this.</p> <p>In accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Transport Infrastructure Assets, road assets are split in to 6 distinct Asset Groups: Carriageways; Footways and Cycleway; Street Lighting Status; Structures; Traffic Management Status and Street Furniture. It basically sets out estimated value of asset, condition and as officers we make a recommendation of investment to be in place to either keep the steady state or improve condition of asset going forward. This feeds into budget setting. The Audit and Governance Report has suggested a capital bid of £9m for the last two years to deal with street lighting. A £2m increase across road services has been provided to cover all road assets which leaves a shortfall.</p>	<p>Report annually to PPRC titled "Roads Asset Management - Annual Status and Options Report". This report presents a summary of the council's road assets and:</p> <ul style="list-style-type: none"> Describes the status of the asset, its current condition, and performance; Defines the value of the assets; Details the service that the asset and current budgets are able to provide; Presents the options available for the future. <p>Annual road maintenance plan/schedule in place although impacted by COVID19.</p> <p>Weekly works planning meetings where any impact on the Scottish Road Works Register is monitored.</p> <p>Register held of all events which is refreshed regularly.</p> <p>Regularly train and develop staff, within new Road services Structure and continue to review and make changes to service area as required within the resources available.</p>	3	4	12	<p>Review capital programme, prioritise repairs based on needs assessment.</p> <p>Consider delaying non-essential capital works to allow backlog of works to be reduced.</p> <p>Develop as COVID19 restrictions are lifted and Brexit impact becomes known.</p> <p>Pay close attention to announcements from Government to ensure we continue to comply with all relevant guidance and requirements.</p>	2	4	8	<p>Nov-Dec 2022</p> <p>Ongoing</p> <p>Ongoing</p> <p>Jan-March 2023</p>	<p>Risk refreshed by Service Manager for Roads September 2022 with no change to assessment of current score.</p> <p>Risk refreshed June 2020 with current score increased from 4 to 12 and residual score from 4 to 8.</p>							

INF 16		<p>Building Standards Team</p> <p>Recruitment constraints faced by the Council could lead to the Building Standards Team not being able to maintain a level of staff that is adequately qualified, trained and competent to carry out the Building Standards duties of verification, enforcement, licensing etc. to the targets expected in BSD's new performance framework. BSD recent audit resulted in 3 year extension to the verification role subject to successful completion of Improvement Plan. Failure to improve could lead to the Council losing the verification role.</p> <p>Service Reviews were carried out in 2016, 2019 and a current refresh is underway; however, there is an ongoing inability to recruit suitably qualified BS Surveyors & Inspectors resulting in an inability to meet targets.</p>	<p>Monitoring of workload to fee income, performance to staffing levels and project complexity to staff abilities and training.</p> <p>Involvement with the Local Authority Building Standards Scotland (LABSS) and the BSD to influence delivery of the new performance framework of 9 performance outcomes and a risk based inspection regime for Reasonable Inquiry to deliver compliance with the building regulations.</p> <p>Two new Building Standards Surveyors commenced June 2021.</p> <p>Work continues to be outsourced to Argyll & Bute Council to minimise backlog. Commitment made to re-invest Building Standards Income within the service.</p> <p>Continue to measure BS performance against set KPO's.</p> <p>Scottish Government (BSD) recognise the national shortage of suitably qualified and experienced Building Standards staff and launched a Workforce Strategy to create a sustainable BS workforce for the future. ELC have attended workshops on this.</p>	3	4	12	<p>Looking to recruit to ongoing vacant Building Standards Inspector and Technician.</p> <p>Service Review on ES&BS to take place.</p>	2	4	8	<p>December 2022</p> <p>December 2022</p>	<p>Risk refreshed September 2022 with no change to assessment of risk scores.</p> <p>Risk Refreshed November 2014 and residual risk score reduced from 12 to 8.</p>
INF 17		<p>Dangerous Buildings</p> <p>Higher enforcement workload in terms of dangerous buildings for Officers due to various reasons (including increasing instances of severe weather and owners unable to maintain their properties) resulting in increased risk to members of the public.</p> <p>Service Reviews were carried out during 2016 and 2019 and implemented; however, there is an ongoing inability to recruit suitably qualified BS Surveyors resulting in inability to meet targets.</p>	<p>Climatic and financial factors are outwith East Lothian Council's control.</p> <p>No contractual obligation for staff to provide an out of hours dangerous buildings service which therefore relies on the goodwill of the BS Manager and two Senior BS Surveyors to provide cover outwith office hours.</p> <p>Further review carried out and 3 new Posts filled March 2019 (Surveyor, Inspector & Technician). Two new Building Standards Surveyors commenced June 2021.</p> <p>Work outsourced to Argyll & Bute Council to minimise backlog. Commitment made to re-invest Building Standards Income within the service.</p>	3	4	12	<p>Continue to monitor situation with revised workforce in place and further Service Review to take place whilst working with Head of Service to potentially establish new enforcement post</p>	2	4	8	<p>December 2022</p>	<p>Risk refreshed September 2022 with no change to assessment of risk scores.</p> <p>Risk Refreshed February 2015 with current score reduced from 15 to 12 and residual score from 10 to 8.</p>
INF 18		<p>Tree Estate</p> <p>Failure to manage and maintain the Council's tree estate including a failure to monitor for the current risk from tree diseases resulting in potential damage to people and or property. Also potential negative impact on the landscape and character of East Lothian and its towns and villages, biodiversity, health & wellbeing of residents and the local economy and tourism, as well as ability to achieve climate change targets in the Council's Climate Change Strategy through carbon offsetting.</p> <p>A separate risk on Ash Dieback tree disease has been added to the Risk Register. Ash Dieback has significant implications for the Council (health & safety, financial, reputational and environmental implications) which have elevated this specific risk to Corporate Risk Register due to its difference in level of risk management and overall tree management responsibility.</p>	<p>Regular inspections undertaken as well as monitoring for tree diseases within the tree estate with record kept of trees inspected.</p> <p>Record kept of arboriculture work undertaken.</p> <p>Annual programme of tree planting and record kept of trees planted.</p> <p>All forestry staff have appropriate qualifications, training and experience.</p> <p>Risk Assessments and SOPs in place and regularly updated for all arboriculture and forestry work which employees are aware of.</p> <p>Specialised Tree Management software purchased to allow mapping and detailed recording of condition & history intended.</p> <p>Woodland Action Plan in the Biodiversity Action Plan.</p> <p>Advice provided to volunteer groups on tree planting around the county, on an ongoing basis.</p>	3	4	12	<p>Survey of all Council owned trees on their condition and location has commenced and a rolling inspection programme to be set up. Resourcing issues are such that survey progress will be limited and completion will take an extended period of time.</p> <p>Policy intent approved by Cabinet (January 2021) for an East Lothian Climate Forest; currently being taken forward by an in-house Climate Forest Steering Group which includes the Tree Officer.</p>	2	4	8	<p>September 2023</p> <p>10 year strategy to 2031 with annual review.</p>	<p>Risk refreshed by Team Manager – Strategy, Policy & Development (Amenity Services) September 2022 with no change to risk scores.</p> <p>Risk refreshed by Head of Infrastructure Dec'14 with Current Score reduced from 16 to 12 and residual score from 10 to 8.</p>
INF 19	Service Objectives	IT systems (e.g. server, AutoCAD)	IT are aware of the need to return SACPM IT systems operational if there was an incident affecting them.	3	4	12	IT service need to increase capacity and improve timescales to deal with issues	2	4	8	December 2022	Risk reviewed by Service Manager

	<p>Failure of these systems to support service delivery due to power failure or other IT issues would impact on ability to carry out design work and to monitor and control contractors operations. Inability to vet contractor's competences, carry out financial control, communicate over IP telephony and produce contract documentation.</p> <p>These complex software systems have faced significant challenges during remote working due to Covid. Staff have been unable to operate at normal productivity levels. The CAD systems affected include Autodesk AutoCAD and Revit. Other systems have also been affected e.g. Mail Manager, Badger, causing significant productivity/business continuity challenges. Issues caused by IT 're-imaging' of laptops have also been challenging, in terms of productivity and business continuity.</p> <p>Availability of hardware is a significant risk to business continuity – Current lead-in time for standard laptops is six months. This is a challenge for recruitment of new staff and for lifecycle replacement of existing equipment.</p> <p>Due to remote working being required during the pandemic, staff have had to take Council IT equipment home in order to meet Display Screen Assessments to comply with Health & Safety legislation. This leaves office spaces deficient and will require to be addressed corporately if a 'blended' model is the future return to workplaces. It has been highlighted by the IT service the Bracken server which houses all the technical files for the SA&CPM and Engineering Services teams is close to capacity. High risk of non-operation and data loss, resulting in catastrophic failure of business continuity and reputational damage. High financial risk to contract management and project delivery. Increased data storage requirements are inevitable due to transformation, 'New Ways Of Working' (scanning of paper files), Building Information Modelling and value of capital projects.</p> <p>There have been significant issues regarding IT software and hardware for technical teams in 2022, including interruptions of access to Autodesk software and connectivity.</p>	<p>The timescale for this would depend upon the scale of the incident.</p> <p>Systems are backed up and mentioned within the SACPM Business Continuity Plan.</p> <p>Replacement of some systems initiated but not fully resourced or programmed as yet e.g. Badger, NBS.</p> <p>Ongoing communication with IT service for awareness. Raised at 'Working Differently' Group and Infrastructure Management Team meetings.</p> <p>Raised at 'Working Differently' Group and Infrastructure Management Team meetings.</p> <p>IT arranged replacement of the Bracken server providing sufficient digital storage for files.</p>				<p>outlined, resolve for remote working as much as possible, and advise if other solutions are possible.</p> <p>IT service to resolve availability of hardware and lead-in times for delivery (subject to international market).</p> <p>IT and Transformation/ Improvement resources required to support the service through changes.</p>				<p>December 2022</p> <p>December 2022</p>	<p>SA&CPM September 2022 with no change to risk scores.</p> <p>Risk refreshed June 2021 with current score increased from 8 to 12 and residual score increased from 4 to 8</p>
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East Lothian Council Risk Matrix

Likelihood Description

Likelihood of Occurrence	Score	Description
Almost Certain	5	>90% chance of occurring
Probable	4	70%-90% chance of occurrence
Possible	3	30-70% chance of occurring
Unlikely	2	10-30% chance of occurring
Rare	1	<10% chance of occurring

Impact Description

Impact of Occurrence	Score	Description							
		Impact on Service Objectives	Financial Impact	Physical and/or Psychological Impact on People	Impact on Time	Impact on Reputation	Impact on Assets	Business Continuity	Legal & Regulatory
Catastrophic	5	Catastrophic failure in service delivery and key service standards are not met, long-term catastrophic interruption to operations, several major partnerships are affected	Severe impacts on budgets (emergency Corporate measures to be taken to stabilise Council Finances. Consideration should be given as to whether this is an insured or uninsured risk and whether there may be reliance on reserves. The Council is expected to hold a reserve to budget ratio of 2%.	Single or Multiple fatality and or psychological impact, within council control, leading to fatal accident enquiry.	Serious - in excess of 2 years to recover pre-event position.	Highly damaging, severe loss of public confidence, Scottish Government or Audit Scotland involved. Prolonged regional and national condemnation.	Significant disruption to building, facilities, vehicles or equipment (Loss of building, vehicles, rebuilding required, temporary accommodation required, vital equipment lost without replacement capability available resulting in services being unable to be delivered).	Complete inability to provide service/system, prolonged downtime with no back-up in place.	Catastrophic legal, regulatory, or contractual breach likely to result in substantial fines or other sanctions, including substantial involvement from regulators.
Major	4	Major impact to service quality, multiple service standards are not met, long-term disruption to operations, multiple partnerships affected.	Major impact on budgets (need for Corporate solution to be identified to resolve funding difficulty). Consideration should be given as to whether this is an insured or uninsured risk and whether there may be reliance on reserves.	Number of extensive injuries (major permanent harm) or major psychological impact to employees, service users or public.	Major - between 1 & 2 years to recover pre-event position.	Serious negative national or regional criticism and publicity.	Major disruption to building, facilities, vehicles or equipment (Significant part of building unusable for prolonged period of time, alternative accommodation required, equipment or vehicles unavailable to provide significant elements of service delivery and no appropriate contingency arrangements in place).	Significant impact on service provision or loss of service.	Legal, regulatory, or contractual breach, severe impact to Council, fines and regulatory action publicly enforced.
Moderate	3	Significant fall in service quality, major partnership relationships strained, serious disruption in service standards.	Moderate impact on budgets (can be contained within overall directorate budget).	Serious injury requiring medical treatment or moderate psychological impact to employee, service user or public (semi-permanent harm up to 1yr), council liable.	Considerable - between 6 months and 1 year to recover pre-event position.	Adverse national media public attention with elected members becoming involved.	Moderate disruption to building, facilities, vehicles or equipment (loss of use of building for medium period, loss of equipment or vehicles requires contingency arrangements to be employed and has moderate impact on overall service delivery).	Security support and performance of service/system borderline.	Legal, regulatory, or contractual breach, moderate impact to Council, regulator action and or improvement required of the Council .
Minor	2	Minor impact to service quality, minor service standards are not met, short-term disruption to operations, minor impact on a partnerships	Minor impact on budgets (can be contained within service head's budget).	Non life changing injury or psychological impact to staff or member of the public requiring treatment.	Some - between 2 and 6 months to recover.	Minor adverse local, public or media attention and complaints.	Minor disruption to building, facilities, vehicles or equipment (alternative arrangements in place and covered by insurance, equipment or vehicles unavailable for small period of time minor impact on service).	Reasonable back-up arrangements, minor downtime of service/system.	Legal, regulatory, or contractual breach, minor impact to Council, regulator advice and improvement requested of the Council.
Minimal	1	No impact to service quality, limited disruption to operations.	Minimal impact on budgets (can be contained within unit's budget).	Minor injury or minor psychological impact to employee, service user or public.	Minimal - Up to 2 months to recover.	Public concern restricted to local complaints and of no interest to the media.	Minimal disruption to building, facilities, vehicles or equipment (alternative arrangements in place, equipment or vehicles alternative quickly available to replace or substitute).	No operational difficulties, back-up support in place and security level acceptable.	Legal, regulatory, or contractual breach, negligible impact to Council, regulator suggested improvements requested.

Risk	Impact				
	Minimal (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	5	10	15	20	25
Likely (4)	4	8	12	16	20
Possible (3)	3	6	9	12	15
Unlikely (2)	2	4	6	8	10
Remote (1)	1	2	3	4	5

Key

Risk	Low	Medium	High	Very High
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