

REPORT TO: AUDIT AND GOVERNANCE COMMITTEE

MEETING DATE: 11 June 2024

BY: Chief Executive

SUBJECT: Corporate Risk Register

1 PURPOSE

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

The Corporate Risk Register has been developed in keeping with the Council's Risk Management Strategy and is a live document which is reviewed and refreshed on a regular basis, led by the Corporate Risk Working Group (RWG).

2 RECOMMENDATIONS

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

3 BACKGROUND

- 3.1 The Risk Register has been compiled by the Corporate RWG on behalf of and in consultation with Council Management Team. All risks have been evaluated using the standard (5x5) risk matrix (Appendix 2) which involves multiplying the likelihood of occurrence of a risk (scored 1-5) by its potential impact (scored 1-5). This produces an evaluation of risk as either 'low (1-4)', 'medium' (5-9), 'high' (10-19) or 'very high' (20-25).

- 3.2 The Council's response in relation to adverse risk or its risk appetite is such that:
- Very High risk is unacceptable, and measures should be taken to reduce, transfer or treat the risk to a more tolerable position;
 - High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place;
 - Medium risk is tolerable with control measures that are cost effective;
 - Low risk is broadly acceptable without any further action to prevent or mitigate risk.
- 3.4 The 2024-25 Corporate Risk Register as updated, currently includes 5 Very High Risks, 9 High Risks, 6 Medium Risks and 1 Low Risk. All most recent updates to risk text are highlighted in red.
- 3.6 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.
- 3.7 The CMT sub-group on Risk Management meets on a bi-monthly basis to monitor and drive Risk Management council-wide and to review the Corporate Risk Register. This group includes the Executive Directors and ensures that Risk is given prominence by CMT.
- 3.6 Risk CR1 on 'Managing the Financial Environment' continues to have both current and residual risk scores of 25 (this continues to be the highest risk scoring the Council has reported), due to the very significant external pressures the Council is facing, including a wide and significant range of external and inflationary cost and demand pressures, significant increased cost of borrowing and consequences of national pay awards
- 3.7 The former Corporate Risk titled Information Security and Data Protection has been split into two risks now titled 'Cyber Security Threats' CR6 and 'Data Protection Threats' CR11 on the Register. This is due to the differing nature of these risks and the varying control measures for them whilst they also have differing risk scores.
- 3.8 The Council remains in emergency response with business continuity plans invoked within four council services at the time of this report; these are Facilities, Estates, Housing and Sport, Countryside & Leisure (Forestry Team). These services' Business Continuity Plans are invoked predominantly in response to staffing pressure arising from a very challenged employment market, limited volume and calibre of response to recruitment campaigns and increased demand for services. Activation of Business Continuity Plans for these services results in the available staffing resource being deployed to deliver 'business critical' activities as priority.
- 3.9 Committee can be reassured that CMT, its Risk Management Sub-Group, the Corporate Risk Management Group and its Linking Risks Sub-Group, continue to closely monitor all Corporate Risks. Informed by global and national risks, via the annual Global Risk Report produced by the World Economic Forum in January each year, and by the Scottish Government's National Risk Assessment (NRA) produced annually, every effort is made to

ensure that the Corporate Risk Register reflects current and future risks with appropriate mitigations in place.

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 –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
7.2 Appendix 2 – Risk Matrix

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DATE	30 May 2024

East Lothian Council Corporate Risk Register 2024-25

Risk Ref.	Risk Category	Risk Description	Existing Risk Control Measures	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Timescale for Completion / Review Frequency	Evidence held of Regular Review
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ELC CR 1	Financial Service Objectives	<p>Managing the Financial Environment</p> <p>The Council continues to face unprecedented levels of challenge and risk within the financial environment. The provisional revenue outturn for 2023/24 is likely to result in a significant reduction to reserves balances. In addition, the Council faces a significant funding gap, estimated to be in excess of £55.8 million over the next 5 years. This represents approximately a fifth of the council's annual running costs.</p> <p>This is compounded by a growing range of external cost and demand pressures, policy and legislative obligations and financial pressures aligned to population growth.</p> <p>These wide range of external risks and demands are wholesale and include:</p> <ul style="list-style-type: none"> The level and complexity of national funding with current resources being made available not keeping pace with these growing demands, and around 70% of national funding being made available 'directed' to support specific policy obligations and specific settlement conditions. Impact of national settlement conditions including Council Tax freeze continues to have an adverse and recurring impact on resources available to the Council to fund sustainable local services. Significant increased cost of service delivery arising from high inflation and pay settlements. Growing demands for services aligned to on-going cost of living challenges and legislative change Increased cost of supporting services aligned to significant sustained and projected population growth, including the cost of new associated infrastructure such as new schools. Significant challenges in supporting capital infrastructure requirements including: <ul style="list-style-type: none"> Higher interest rates Significantly higher costs of construction Increased gap between approved S75 contributions and cost of infrastructure aligned to growth Investment needed to support an aged and wide-ranging asset base, including servicing on-going maintenance of these assets, and emerging challenges posed through the identifications of RAAC Meeting the cost of enhanced infrastructure policy obligations including net zero. There remains on-going uncertainty relating to the proposed national capital accounting review, 	<p>The Council has approved a budget for 2024/25 and identified future financial projections for the next 5 years, which includes the delivery of in excess of £15million of planned savings.</p> <p>The Council has an approved financial strategy which is refreshed annually and sets out a series of critical enablers aligned to supporting transformation and future sustainability of service provision.</p> <p>The budget development framework incorporates a cross party budget working group, which meets regularly throughout the year to progress budget development options.</p> <p>The Council annually refreshes the Financial Strategy, Capital Strategy and Treasury Management Strategy to take cognisance of any new / emerging financial risks. These documents support the medium-term financial planning for the organisation.</p> <p>The Council has an approved 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.</p> <p>The Council has a wide range of on-going cost control and financial management arrangements to manage in year budget performance and delivery of planned efficiencies. This includes regular management information to CMT and quarterly financial reporting to Council.</p> <p>The Council has an enhanced range of urgent cost control measures aimed at mitigating and limiting the scale of these rising costs.</p> <p>Significant national lobbying and stakeholder discussions highlighting the specific challenges being faced by this Council aligned to a growing population continues at both political and officer level.</p> <p>The Council continues to actively support discussions and lobbying at both political and officer level setting out the scale of the funding challenge facing Local Government.</p> <p>Continue to prioritise and support the statutory annual audit process. The accounts for 2022/23 were signed on 20 March 2024.</p>	5	5	25	<p>Enhanced programme of monitoring of Council's budget aligned to risk currently being developed.</p> <p>On-going review of Capital Planning and capital infrastructure priorities.</p> <p>Conclude the review and prioritisation of Transformation programme aligned to supporting financial sustainability and shaping services for the future.</p> <p>The Council 'reset' the Council Plan to 3 overarching key priorities at its meeting on 27 February 2024 and officers are currently progressing work to develop an action plan aligned to focus resources and service delivery to be reported to Council in June.</p> <p>Continue to support national discussions through CIPFA Directors of Finance aligned to ensuring the on-going financial sustainability of local government.</p> <p>On-going engagement with Scottish Government and COSLA on local government funding and distribution to support a fair and adequate allocation of resources to deliver local services.</p> <p>Continue to review the budget development proposals and financial modelling and seek to identify further budget savings which will support sustainable service delivery.</p> <p>Continue to engage with Scottish Government and COSLA to adequately resource the funding requirements associated with population growth arising from the Local Development Plan, taking into consideration both revenue and capital costs.</p> <p>Continue to support regional placed based funding discussions with City Region Deal Partners.</p> <p>Continue to seek urgent national agreement with DFM for additional place-based revenue funding for East Lothian.</p> <p>Provide regular updated public information for communities and residents explaining the financial pressures and impacts on services.</p>	5	5	25	<p>Actions ongoing and under continuous review while monitoring arrangements will continue to be applied.</p>	<p>Risk fully reviewed by Executive Director Council Resources (CFO) and Head of Finance, May 2024, with no changes to risk scores.</p> <p>Risk reviewed by Head of Finance and Executive Director Council Resources, August 2023 with residual score increased to 25 given the scale of the current financial challenge.</p> <p>Risk refreshed November 2022 by CMT Sub-Group on Corporate Risks with current score increased from 20 to 25 and residual from 16 to 20 due to the current climate.</p>

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		<p>which could result in changes in accounting for capital infrastructure and may ultimately result in significantly increased cost to local taxpayers.</p> <p>The level of unallocated reserves being held by the Council as a contingency to mitigate any unforeseen events remains very low relative to the concurrent risks the Council is currently facing. The Council aims to hold a minimum level of reserves of £7.6 million. Given the current level of in year overspend and future financial projections, there remains a high degree of risk that this may not be sufficient to meet current / future unplanned events.</p> <p>The Council approved a budget for 2024/25 and forward financial plans on 20 Feb 2024 which includes the delivery of £8.1m savings in 2024/25 and over £15 million over the next 5 years. In addition, the Council approved savings plans which includes an anticipated delivery of £20m of capital receipts over the next 5 years. The need to deliver these savings remains an essential part of current and future financial strategy, but the timing and delivery of this scale will be challenging. Should these savings not be deliverable, alternative proposals will need to be quickly identified to close the financial gap.</p> <p>The IJB has a very significant funding gap being faced in 2023/24 and in future years. There remains enhanced risks relating to the ability for the IJB to meet the level of planned savings aligned to delegated Council budgets and wider demand. Should this materialise and the IJB remain unable to meet the wider savings gap, this may result in an additional financial pressure for the Council.</p> <p>Given the significance of the financial pressures, there is a risk that the Council will not be able to continue to deliver all of its current and future obligations within the resources which are now available. The financial resilience and sustainability has now reached a critical stage, and the Council must now focus on redesigning services, and reprioritise and refocus Council priorities to ensure on-going financial sustainability.</p>										
CR 2	Financial	<p>Maintenance of Assets</p> <p>The Council has a significant asset base covering a wide range of services. Many of these physical assets require significant capital investment to ensure they meet both condition and suitability asset requirements and will also require significant on-going maintenance to ensure they can be maintained to an appropriate condition.</p> <p>There is a risk that the Council will not have the available financial resource and staffing requirement to carry out essential repairs and maintenance programmes to ensure buildings are maintained in a good condition, and on-going capital investment is required to ensure suitability and condition of buildings remain appropriate and aligned to national conditions.</p>	<p>Annual update of programme of works based on Condition, Suitability and Statutory Compliance assessments to inform budget requirement and prioritised aligned to available resources.</p> <p>A wider asset review is being progressed by the Council which includes exploring opportunities to repurpose, dispose of, or rationalise assets, and undertake a place-based asset review of existing assets.</p> <p>The Council has in place a Corporate Asset Group, chaired by the Head of Infrastructure, which receives regular reports on any risks which identify impact on the operation or safety of the assets to enable planned action to be considered and implemented.</p>	5	5	25	<p>On-going monitoring of condition and other data to inform the planned delivery of works required to ensure buildings comply with statutory and legal requirements and are maintained in a safe operating condition.</p> <p>Progress with further 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>	4	5	20	<p>All measures are ongoing and under constant review as to when they will be in place by.</p> <p>Risk reviewed by Executive Director Council Resources and Service Manager – Strategic Asset & Capital Plan Management May 2024 and by Head of Infrastructure and Service Manager - Engineering Svcs & Building Stds, February 2024 and with no changes to risk scores.</p> <p>Risk reviewed by Head of Infrastructure, June 2023 and scores</p>	

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		<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 and could ultimately result in a failure of building elements and impacts on safe operation of an asset with the risk of closure or enforcement by Statutory or Regulatory authorities.</p> <p>Failure to carry out 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>The risks posed through the identification of RAAC/Siporex and subsequent costs from the implications in respect of management, remediation and or total loss of assets.</p> <p>There remains significant cost pressures aligned to on-going cost of construction including challenges around availability and supply of goods/ services.</p> <p>There are a growing range of new policy requirements aligned to public infrastructure and funding including net zero and energy targets, which require additional monitoring, specification requirements and costs. These require significant additional finance commitment and staff resource is required to achieve this, assess the current status, and plan works to bring buildings up to the required standard.</p>	<p>The Learning Estate Project Board continues to be in operation and chaired by Executive Director for Education and Childrens service to review and plan appropriately for the effective use and future strategy for Education estate.</p> <p>Management and survey work to identify RAAC/Siporex and wider investigation / review.</p> <p>RAAC / Siporex risk continue to be highlighted at ELC PPP Monthly Meetings and at Innovate Board Meetings. Structural works have been carried out at Preston Lodge High School, removing the requirement for ongoing monitoring of RAAC panels, and all teaching areas are now fully operational. Remedial works have been carried out at Ross High School to enable re-occupation of the dining and kitchen areas, with ongoing monitoring of RAAC panels.</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>The Learning Estate Strategy was approved by full Council in December 2022. The associated Learning Estate Improvement Plan has been completed and was lodged in the Members' Library in March 2024. This will be used to support works and decision-making associated with the learning estate.</p> <p>Regular engagement with Care Inspectorate re-quality of care environment.</p> <p>Effective repairs and maintenance reporting and health & safety workplace inspections and incident reporting inform asset maintenance programme and response.</p>				<p>Review and identify staffing resource required within SACPM, Education and Engineering Services. Service review ongoing.</p> <p>Assess property estate against Scottish Government targets to address Climate Change. Plan programme of works to improve performance of buildings.</p> <p>Identification and management of assets affected by RAAC and Siporex with option appraisals to identify remediation and or demolition and future provision.</p> <p>Further structural works in the dining hall of Ross High School in the summer break 2024. Upon completion, the requirement for ongoing monitoring will be removed.</p> <p>Contingency plans are being prepared to mitigate restricted use or unavailability of parts of buildings following assessments. Council Management and Executive Team to be made aware of emergency planning proposals.</p> <p>The security of secondary school grounds will be reviewed with Education and will be prioritised in terms of risk and available capital and revenue budget. Work is ongoing.</p> <p>The security of primary school grounds will be reviewed with Education and will be prioritised in terms of risk and available capital and revenue budget.</p> <p>Progress with work to support the asset review including Place Based Asset Review which will assist in prioritising future place-based assets and will inform future capital investment opportunities.</p>				<p>increased from 20 and 16 to 25 & 20 due to ongoing RACC / Siporex issues and subsequent costs.</p> <p>Risk reviewed by Head of Infrastructure, April 2023 with risks posed through the identification of RACC/Siporex and subsequent costs added. Risk also moved to Corporate Risk Register due to heightened issue. Current risk score increased from 16 to 20 and residual score from 12 to 16.</p>	
ELC CR 3	<p>Impact on Service Objectives</p> <p>Financial</p> <p>Legal</p>	<p>Homelessness</p> <p>Rapid rehousing policy requires the Council to transform homelessness services, place people quickly into permanent accommodation, negating the use of temporary accommodation and requiring a significant reduction in temporary accommodation stock. Resource allocation, further exacerbated by a series of legislative change has been insufficient for service transformation and the approach has resulted in an inability to accommodate those in need, forcing use of non-contracted B&Bs / B&Bs out-with county.</p> <p>Scottish Government require the implementation of a Housing First approach as a key priority, although no funding is available for this.</p> <p>Legislative change regarding local connection came into force November 2022 and requires the Council to accept rehousing responsibility for additional</p>	<p>Housing Options preventative approach to provision of advice.</p> <p>Continued monitoring of RSL nomination process (new build and routine turnover).</p> <p>Allocation Policy reduced number of offers for each Homeless applicant to 1, to encourage quicker throughput in temporary accommodation.</p> <p>Cabinet approved recommended actions to address pressures re-lack of affordable housing supply and address homelessness pressures via delivery of agreed action plan.</p> <p>Cabinet approval of allocations targets to general needs / homeless applicants. Performance to targets kept under ongoing</p>	5	4	20	<p>Further iterations of Rapid Rehousing Transition Plans (RRTP) with clear plans to transform homelessness services kept under regular review in context of resource allocation and changing legislation.</p> <p>Continue new build activity to increase housing stock, exploring potential to further increase supply within context of the growth agenda.</p> <p>Significant growth in mid-market rent properties coming forward.</p> <p>Housing Options Training Toolkit is being rolled out to Community Housing and Homelessness staff to improve homelessness prevention and complement new Prevention Duty anticipated 2024/25</p>	5	4	20	<p>December 2024</p> <p>March 2025</p> <p>March 2025</p> <p>December 2024</p>	<p>Risk updated by Head of Housing and Service Manager - Comm Housing & Homelessness May 2024 with no changes to risk scores.</p> <p>Decision to move risk H1 to Corporate Risk Register following update by Service Manager – Comm Housing & Homelessness October 2022 with residual score increased from 16 to 20.</p>

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		<p>homeless cases. This adds to increased pressures posed by discretion around intentionality and change in focus to deliberate manipulation of the system. Changes to local connection have been enacted without Guidance which places the Council at risk in respect of threats of judicial review and furthermore, presentations from neighbouring authorities are exacerbating existing pressures.</p> <p>Continued levels of low stock turnover results in limited lets available and longer average time spent in temporary accommodation. The Scottish Housing Regulator has noted this.</p> <p>There is a higher financial cost burden for the general services budget due to increased costs as a result of a retendering exercise as well as increasing demand for suitable temporary accommodation, and lengthy stays in temporary accommodation.</p> <p>Ongoing breaches of the Unsuitable Accommodation Order due to a shortage of 'suitable' temporary accommodation, with extension of the Order commencing October 2021 and subsequent daily breaches.</p> <p>Enforceable temporary accommodation standards framework implemented from 2021/22 which further reduces the existing portfolio of 'suitable' accommodation.</p> <p>Proposed changes re-new prevention duty pose further risk to existing practice. Implementation will likely result in increased referrals and homeless assessments.</p> <p>Reduced supply of private lets due to landlords' ongoing concerns re Private Residential Tenancy, legislative change (energy efficiency and repairing standard), welfare reform impacts and cost of living increase, resulting in increased rents. This is further exacerbated by reliance on the PRS as a suitable housing option for Ukraine households, preventing their homelessness. A significant increase in LHA rates from 01 April 2024 makes private lets even more unaffordable.</p> <p>The Cost of Living Bill (Scotland) reduced the ability of landlords to recover tenancies to March 2024 and has resulted in a significant number of households presenting and requiring temporary accommodation from Spring 2024. Linked to this, landlords are increasingly taking action to end tenancies due to mortgage interest rates rising on their own homes and / or homes they rent out.</p> <p>Increased service demand due to poverty and relationship breakdown associated with cost of living crisis are also likely to add to pressures.</p> <p>Uncertainty over future funding of supported housing (DWP) and proposed changes in respect of restructuring the financing of temporary accommodation.</p>	<p>review. Cabinet approval of Allocations Policy Review.</p> <p>Housing First protocol in place and placements ongoing.</p> <p>Open Market Acquisitions has helped to increase supply prioritising the western part of the county, where demand is highest, however there is no investment for any open market acquisitions in 2024/25.</p> <p>Significant work completed re-policies and procedures to increase flow via rent deposit scheme.</p> <p>Audit of existing accommodation undertaken re-extension to unsuitable accommodation order.</p> <p>Refreshed performance monitoring framework in place to enable improved ongoing monitoring of key aspects of service.</p> <p>Fortnightly monitoring of voids performance to ensure turnaround times are minimised.</p> <p>The Council Leader has written to and met the Minister noting the challenges around meeting our ambitions to deliver on our RRTP as a result of recent and planned legislative changes, impact of Resettlement schemes and the risk that if interventions don't happen timeously the adverse impacts on our local housing system are significant.</p> <p>Provision of housing options advice to all clients and efforts to mitigate eviction, noting Mortgage to Rent Scheme is available.</p> <p>Review of income via HB and revised policy re furnishing temporary accommodation.</p> <p>A new LHS has been published and approved setting out the challenges and actions for the next 5 years.</p>				<p>Exploration of flat share and shared tenancies ongoing, which could potentially make better use of existing stock.</p> <p>Revised Homelessness Operations Policy is ongoing, alongside comprehensive review of existing policies and procedures, to ensure service is operating efficiently and effectively.</p> <p>Improved partnership working with existing partners and neighbouring authorities could potentially result in new ways of working and economies of scale.</p> <p>Continue to engage with the Scottish Government to review and monitor the impact that legislative changes and Resettlement Schemes are having on meeting RRTP ambitions to ensure any adverse impacts are addressed quickly – noting a focus on the concerns re-local connection.</p> <p>Significant resource is being channelled to improve void turnaround times including the establishment of a team to address long-term major works voids. Strengthened and dedicated resources in day-to day team, development of performance management framework and high-level monitoring of progress with both the backlog project and day to day voids.</p> <p>Consideration of business case/options appraisal in respect of alternative forms of accommodation in response to forthcoming legislative change.</p> <p>Further communication with the Housing Minister is likely, regarding requests for assistance to help alleviate housing pressures, with a focus on the issues presented by legislative change re-local connection.</p> <p>Planned tenancy conversions and temporary increase in % allocations to increase flow through the system and enable reduction in temporary accommodation to be met.</p> <p>Review of Response, Accommodation and Prevention Teams to enable more efficient ways of working, cost savings and increased focus on prevention for vulnerable groups via service transformation.</p> <p>Joint working with external providers ongoing, to explore emergency accommodation for on call staff.</p>				<p>December 2024</p> <p>April 2025</p> <p>April 2025</p> <p>April 2025</p> <p>April 2025</p> <p>December 2024</p> <p>April 2025</p> <p>June 2024</p> <p>June 2024</p> <p>December 2024</p>	

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		<p>The policy area of migrant homelessness and destitution is becoming increasingly complex within the context of limited Scottish Government Guidance.</p> <p>There are ongoing concerns regarding limited flow through the housing system and inability to accommodate people in emergency accommodation, due to lack of supply. This can impact upon the ability to source emergency accommodation at times of crisis, which can be particularly stressful for staff on call and leave homeless households without adequate shelter.</p> <p>The Regulators recent risk assessment as a result of our recent engagement, has highlighted ELC is at heightened risk from systemic failure.</p> <p>There is increasing homelessness and housing demand pressure arising from a number of Resettlement schemes, primarily Ukraine refugee schemes, with host arrangements breaking down and pressure from the Scottish Government re-entry policy. These demands are likely to increase with further UK and Scottish Government commitments anticipated, particularly in respect of the move in focus from a 'warm Scots welcome' to a 'warm Scots future'. There are also other humanitarian schemes including but not limited to the Afghan schemes and asylum seeker dispersal scheme which involves procurement of properties within council areas.</p> <p>Reduction/slowdown in the Affordable Housing programme can be expected given the recent reduction in SG investment meaning less affordable housing properties coming forward to meet the needs of homeless households.</p> <p>The Homelessness Service is at risk of being unable to operate within budget going forward, due to a combination of rising costs generally, procurement of emergency accommodation which resulted in increasing costs, rising numbers of homeless presentations, and lengthy periods of time in temporary accommodation.</p>				<p>The City Region is looking to take more of a regional holistic approach to reviewing and understanding the pressures across the region, particularly in relation to Homelessness and Ukraine to help find a more joined up solution</p> <p>Monthly review meetings with Finance.</p> <p>Regulator to engage with us to gather further information and assurance about our homeless service with an ask to keep them updated on capacity to meet our statutory duty re-temporary accommodation and the UAO. This will involve quarterly meetings</p>				<p>April 2025</p> <p>April 2025</p> <p>June 2024</p>		
ELC CR 4	Capacity	<p>Workforce Challenges</p> <p>Maintaining a stable and skilled workforce is essential to efficient, effective and safe delivery of services.</p> <p>The Council continues to face on-going workforce challenges to meet the diverse range of services including:</p> <ul style="list-style-type: none"> - Recruitment and retention of staff - High level of sickness absence in some service areas, placing pressure on service delivery and many areas remain in business continuity resulting in some service closure /impact - Impact of pay and grading structure and annual pay awards - Attractive employment opportunities in other sectors risks staff migrating out of Council services 	<p>The 2023-2027 Workforce Plan was approved by Cabinet (Jan 2023). The 2023-2027 Workforce Plan actions are being implemented.</p> <p>There is a corporate action plan resulting from the Employee Engagement Survey 2023 which has been integrated into the Workforce Plan and actions will be monitored through the Workforce Plan Action Plan, of which CMT has oversight.</p> <p>Regular assessment of staffing capacity within services enables redeployment of available resources to maintain frontline service delivery, reducing service provision when essential in non-statutory services.</p>	5	4	20	Update Management Arrangements on Fire Safety and First Aid	5	3	15	June 2024	<p>Risk reviewed and updated by Executive Director Council Resources May 2024 with no change to risk scores.</p> <p>Risk updated February 2024 by Service Manager – Customer Services and November 2023 by Service Managers – CP&I and Customer Services with no change to risk scores.</p>

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		<p>- Impact of Council financial mitigation measures including enhanced recruitment mitigations</p> <p>- Aging workforce and impact on succession planning</p> <p>Failure to preserve business critical activities within these services could lead to increased risks in respect of 'life and limb' services, finance and severe reputational damage to the Council.</p> <p>Insufficient staff can also lead to an inability to open facilities, or to reducing opening hours/days, impacting on local service access and reducing community programmes of activity, particularly those supporting early intervention and prevention activities.</p> <p>Staffing challenges may result in a lack of cross-service staff capacity to meet emergency response requirements and any other concurrent risks which may place risks to public safety, bringing reputational damage to the Council.</p> <p>The Council has a duty of care to the workforce, a breach of which may affect the health, safety and wellbeing of employees leading to increased sickness absence, pressures on service delivery and added potential for employee liability claims against the Council for incidents involving employees or non-employees or enforcement action by the Health & Safety Executive.</p>	<p>Essential vacancies are advertised within the approved Recruitment & Selection Policy processes and in accord with budgetary controls criteria instigated by Council in August 2023.</p> <p>Initiatives are in place to help employees manage their own stress, including Employee Assistance Programme, Listening Ears, Healthy Working Lives</p> <p>Service Reviews involve inputs from HR and Finance to ensure appropriate role and grading definitions within the service and broader corporate context.</p> <p>Business Continuity Plans activated as necessary, reducing scope and scale of service delivery to focus existing resource on business critical and statutory functions.</p> <p>The Joint Health & Safety Committee and Joint Consultative Committee oversee joint health and safety arrangements for all staff.</p> <p>Employee Engagement Survey 2023 conducted and results analysed. A 'You said/we did' update has been published. The 2024 survey was completed by staff in May and the results will be used to inform the development and implementation of the Workforce Plan.</p> <p>Service Planning and PRD processes were reviewed in early 2024 and will be reviewed on an ongoing basis.</p>								<p>Risk Refreshed November 2022 by CMT – amalgamating previous CR6, CR 15 and CR 18 – composing one 'workforce challenges' risk.</p> <p>Risk refreshed November 2022 by CMT Sub-Group on Corporate Risks with current score increased from 16 to 20 and residual from 12 to 15 given number of services in BC mode.</p>	
ELC CR 5	Physical and/or Psychological Impact on People Legal & Regulatory	<p>Refugee/Asylum Schemes</p> <p>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, with confirmation January 2024 that changes to visa requirements / schemes will enable Ukraine households to remain in the UK until 2026. These schemes are broader in scope and of a significantly greater scale than previous refugee schemes. Consequently, this means greater demands placed on Council services (including service areas not previously involved) in administering the schemes, supporting hosts and refugees as well as placing additional demand on schools and Health and Social Care services. The challenges posed are further compounded by the requirement for local authorities to commit to accommodating other groups of refugees via the cap on safer and legal routes and request to assist Mears regarding local procurement of properties and corresponding support requirements.</p> <p>Current challenges include, but are not limited to:</p> <ul style="list-style-type: none"> Complexity and variation between different schemes and more recent changes to visa extensions to 2026 Constant changing and revision of national guidance, which continues to evolve through 	<p>Cross-Service Working group in place until Autumn 2023 and additional resources identified within Community Housing & Homelessness (CH&H) to deal with administrative tasks and casework</p> <p>Regular attendance at meetings with SG, Home Office and COSLA.</p> <p>ELC Ukraine enquiries contact email address set up.</p> <p>Database of hosts and families created comprising all administrative aspects (disclosures, property checks, payments, education requirements etc.).</p> <p>Ongoing case management of hosts / guests, where appropriate.</p> <p>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.</p> <p>National safeguarding system in place.</p>	5	4	20	<p>Quantification of future resource requirements to be identified and articulated via service review.</p> <p>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.</p> <p>Children's services are considering a host families scheme to provide accommodation and support for UASC.</p> <p>Work with ALACHO, SOLACE, COSLA and others to ensure future funding arrangements are adequate, in accordance with the revised approach to a 'warm Scots future'.</p> <p>Allocation of seven properties in Haddington (Brown Street) for a small number of Ukraine households to be accommodated in settled accommodation until 2026 as host accommodation comes to an end.</p>	4	3	12	<p>December 2024</p> <p>December 2024</p> <p>December 2024</p> <p>December 2024</p> <p>July 2024</p>	<p>Risk refreshed by Service Manager May 2024 with no changes to risk scores.</p>

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		<p>ongoing discussion between SG, COSLA, Home Office and local authorities</p> <ul style="list-style-type: none"> Being clear on different funding arrangements, scope and operational deployment Understanding the scale of and resourcing the challenge in the context of existing commitments to the global refugee scheme, Afghan schemes, Asylum dispersal scheme. Clarity as to whether funding will continue going forward at what level and in what form Potential increased homeless and housing demand, with almost all existing hosts wishing to withdraw from providing assistance and no additional hosts available) Service resource demands on all affected teams but particularly Community Housing & Homelessness Additional demands continue to emerge through extensions and variations to all the schemes – including the rise in unaccompanied minors and associated responsibilities Implementation of 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. The national local crisis in fostering resources is compounding the service risk. A change in Scottish Government policy focus from a 'warm Scots welcome' to delivery of a 'warm Scots future' within the context of wider homelessness and housing pressures, with associated changes / extensions to visas to 2026. 	<p>Unaccompanied Asylum-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.</p> <p>Clarity on funding at national level, notwithstanding ongoing changes.</p> <p>Successful recruitment of two Tenancy Support Officers, however posts have since ended in November 2023 and February 2024, with no dedicated resource to deal with this client group.</p> <p>Refurbishment of seven properties in Haddington (Brown Street) for a small number of Ukraine households.</p>									
ELC CR 6	Reputational	<p>Cyber Security Threats</p> <p><u>External Cyber Security Threats</u></p> <p>There is a risk that the Council suffers a cyber-attack by a 3rd party (e.g. hacker, terrorism, nation state) causing the loss of access to or the destruction of all or part of its IT infrastructure and / or information systems.</p> <p>This could be caused by a direct attack on the Council or indirectly via an attack on a trusted supplier or element of national infrastructure.</p> <p>The attack vectors continue to evolve and in recent months the supply chain has become a favoured route.</p> <p>The current conflicts in Ukraine and the Middle East combined with the requirement for a UK General Election in 2024 are resulting in a continuous risk of Nation State led cyberattacks on the UK which could potentially affect National Infrastructure in a way that has a direct impact on East Lothian Council.</p>	<p>Policy controls in place to dictate the standards for operation and security of our IT assets.</p> <p>Physical controls in place to prevent unauthorised access to ELC data centres.</p> <p>Technical controls in place to obfuscate and prevent unauthorised access to our infrastructure and information systems.</p> <p>Procedural controls in place to ensure access is only permitted where required.</p> <p>Change and patch control processes in place.</p> <p>Follow and apply industry best practice for securing IT Infrastructure and Information Systems.</p> <p>Follow advice and guidance from the National Cyber Security Centre, UK and Scottish</p>	4	4	16	<p>Recruit to the IT Specialist – Information Security Officer post.</p> <p>Contract a 24x7 Network Operations Centre to monitor our network logs.</p>	3	4	12	<p>July 2024</p> <p>September 2024</p>	<p>May 2024 Cyber Security and Data Protection risks separated. Cyber Security Risk updated by Service Manager – IT.</p>

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		<p>Internal IT Security Threats</p> <p>Council IT systems are compromised by the actions of an internal employee - causing the loss of a system, virus/trojan/ransomware infection or loss/disclosure of data.</p> <p>Risks currently exacerbated due to difficulties recruiting to IT Specialist – Information Security</p>	<p>Governments, Local Government Digital Office, Scottish Local Authority Security Group and react accordingly.</p> <p>Online cyber awareness staff training programme in place for all staff and the Council continue to highlight the importance of vigilance with staff.</p> <p>Annual IT health checks on the existing infrastructure.</p> <p>New systems are risk assessed and security checked prior to introduction to ensure they meet expected criteria.</p> <p>Digital Strategy and moving services to cloud.</p>									
ELC CR 7	Reputation Financial	<p>Climate and Nature Emergency</p> <p>Climate change will increase the severity, duration, and frequency of extreme weather events that will disrupt service delivery and reshape the East Lothian area. The same human activity that causes climate change also causes devastation to the natural environment, which further endangers the quality of our area. The Scottish Government's Climate Change Act (2009) requires the Council to support the delivery of the national net zero targets and adaptation programmes.</p> <p>The risks associated with the responsibilities are:</p> <ul style="list-style-type: none"> Failure to meet our statutory duty under Scotland's Climate Change Act (2009). Failure to meet our statutory duty under the Nature Conservation (Scotland) Act 2004. Lack of financial and staff resources to respond to the climate and nature emergency. Reputational damage and failure in corporate social responsibility if climate action and biodiversity conservation are not mainstreamed across the Council. There are no clear funding paths to meet the budgeted costs to reduce greenhouse gas emissions and adapt to climate change. This includes moving all our energy in buildings and our fleet and supporting infrastructure to zero emission sources. To meet the challenge, investment for Buildings is estimated at £1bn. Fleet is more difficult to calculate at present due to the emerging technology and changes in market costs, but it is noted as a significant investment. Both cannot be met through existing core funding or grant availability. <p>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. These will be cascading risks that can lead to power outages, shortages of water and supplies, and disruptions to transportation. The Council must reduce its emissions to mitigate the severity of climate</p>	<p>Climate Change Strategy in place which guides our response to the climate crisis and Local Biodiversity Action Plan (in development). This is reported on annually to Council.</p> <p>Annual reporting to the Scottish Government to track CO₂e reductions and delivery of adaptation programmes.</p> <p>Reporting to the Scottish Government every three years on the actions the Council has taken to meet our Biodiversity Duty.</p> <p>Intra-Council groups, including an officer working group and a cross-party political group, which meet quarterly to track our response to the climate and nature emergency.</p> <p>Bi-monthly Energy Transformation Board meetings, to deliver a Local Heat & Energy Efficiency Strategy for the county, improve innovation and energy supply from renewable sources while generating income from installing low carbon technologies across the Council's estate.</p> <p>Climate change is embedded in the Council by being one of the Council Plan's 3 Outcomes and with members of staff undertaking Carbon Literacy Training.</p> <p>The Council works collaboratively with other local authorities and national bodies including NatureScot and through professional networks such as the Scottish Biodiversity Officers' Network and Sustainable Scotland Network through regional and national Strategies for implementation.</p> <p>East Lothian Climate Action Hub and Community groups, supports public engagement to reach net zero.</p> <p>Work is currently progressing with stakeholders through the East Lothian Biodiversity Partnership</p>	4	4	16	<p>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).</p> <p>Secure the tools, powers and resources to enable the delivery of a 'Net Zero Council' and a Climate-ready Council.</p> <p>Identify interim emission reduction targets across Council Services. Identify effective and necessary climate adaptation measures for Council assets & services. Implement a monitoring & evaluation framework for both.</p> <p>Engage East Lothian Partnership to include carbon emissions reduction targets in review and update of the East Lothian Plan.</p> <p>Re-engage with the Resilient Communities initiative, to prepare East Lothian residents for emergencies and severe weather events in alignment with the Scottish National Adaptation Plan. To include work with Community Councils and Community Groups to raise awareness of the nature emergency and identify local actions.</p> <p>Monitoring and reporting to be set up to track progress following the Council's declaration of Nature Emergency in October 2023, including a report to Council and monitoring and discussion on an ongoing basis after this by the cross-party Climate Change and Sustainability Forum.</p> <p>Identify funding streams and partners to continue delivering projects to conserve and enhance biodiversity on a local and landscape scale.</p>	3	4	12	<p>Ongoing with annual review</p> <p>2045 with annual review</p> <p>2030 with annual review</p> <p>2027</p> <p>May 2026</p> <p>August 2024</p>	<p>Risk updated May 2024 by Sustainability & Climate Change Officer and Biodiversity Officer with no change to risk scores.</p>

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		<p>change and have robust climate adaptation measures to respond to this growing crisis.</p> <p>The State of Nature Scotland Report (2019) found that 49% of Scottish species have decreased in abundance and 11% are under threat from extinction. Failure to halt biodiversity loss and restore nature will have a detrimental impact on our environment, economy, jobs, health and wellbeing and impact our capacity to adapt to and mitigate the climate crisis.</p> <p>The Council is making progress in reducing the Climate and Nature Emergency risks. However, there is an urgent need to secure the funding, resources, tools and powers to enable us to deliver net zero and become nature positive. Until then, our capability for transformational change to reduce these risks is uncertain.</p>	<p>to develop and update the East Lothian Biodiversity Action Plan, to identify priorities for action to reverse biodiversity loss and identify interim targets for nature recovery.</p> <p>The Council works to protect and enhance species and habitats within its land holding through the work of the Countryside Rangers and Amenity Services, including the development of Nature Networks within its urban landholding, and works closely with partners, community groups and through the planning & development process to protect and enhance biodiversity and green networks across the county. Deliver actions set out in the Green Networks Strategy SPG, Open Space Strategy, Climate Change Strategy, Countryside Site Management Plans and Nature Networks in Parks & Greenspaces Action Plan.</p> <p>The East Lothian Biodiversity Partnership has been re-convened.</p>									
ELC CR 8	Legal & Regulatory	<p>Limitation (Childhood Abuse) (Scotland) Act 2017</p> <p>The Act covers the period prior to 2004 for civil actions arising from allegations of childhood abuse for children who have been in the care system.</p> <p>The Scottish Child Abuse Inquiry is currently in its 8th Phase, with a 9th identified. Survivors may continue to come forward for the period from 1964 to 2004. Historic and current insurers are put on notice where claims are received. The level of deductible or excess is the financial pressures if historic claims of child abuse are made and upheld against East Lothian Council as the statutory successor.</p> <p>The Council's insurers have indicated that where the policy can respond, they will cover appropriate external legal costs and compensation payments subject to the deductible in force. 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.</p> <p>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.</p> <p>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 ELCs Insurers.</p>	<p>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.</p> <p>Child Abuse Claims Group and SCAI Overview Group – East Lothian co-ordination of responses, reported strategically, managed flow and collaboration.</p> <p>Close monitoring of the work of the Scottish CAI itself and review of any published materials. Scotland-wide networking and information sharing on SCAI between authorities.</p> <p>Council has appointed external solicitors to provide legal support for the public fostering inquiry.</p> <p>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.</p> <p>Cross Lothian collaboration on Lothian Region period 1975 to 1996 (and predecessor authorities) re-records management and retrieval etc occurs regularly when a claim is received. Accurate records post 1996 relating to East Lothian Council clients.</p> <p>Council Financial Reserve – may reduce the impact to service provision if claims extend beyond budget. 2024 update: further discussions have been held between successor LRC local authorities due to emerging risks of limits of</p>	4	4	16	<p>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.</p> <p>Fully engage with the SCAI to anticipate and forecast future claims and ensure ELC is represented well in the public hearings.</p> <p>Ensure current social work practice with children who are accommodated away from home meets high professional standards and complies with legislation and national standards to ensure they are safe and reduce the likelihood of any 'new' claims arising.</p> <p>Full review of the overall Council Records Management systems and behaviours required to be undertaken to streamline obtaining the relevant information requested.</p> <p>Counsels opinion has been sought in relation to historic liabilities for the former LRC and a meeting is due to take place soon to discuss.</p>	4	3	12	<p>All measures reviewed quarterly at cross service catch up meeting and will be ongoing for some time.</p>	<p>Risk reviewed May 2024 by Insurance, Legal and CSWO with no changes to risk scores.</p> <p>Risk reviewed May 2022 by Chief Social Work Officer with planned score increased from 9 to 12.</p>

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			<p>indemnity and future allocation of claims. Unanimous decision to put formal agreement in place to cover from 1996 to date (and beyond)</p> <p>The Scottish Government redress schemes is 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 are no longer permitted to submit a civil litigation claim. The maximum amount of compensation through Redress Scotland is £100,000.</p> <p>Regular discussions are held with Council's Insurance providers and brokers to ensure risk continues to be covered and/or mitigated to allow regular review for sufficient budgetary provision for any additional costs/claims that may not be covered by insurance.</p>									
ELC CR 9	Physical and/or Psychological Impact on People Service Objectives Legal & Regulatory	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 and damage to road and path networks, impact on public and community safety, property, businesses, harbours and natural heritage sites and an associated increase in claims against the Council.	<p>In December 2021, a Flood Risk Management Plan covering the Forth Estuary catchment over the 2022-28 (Cycle 2) period was published. In March 2023, the Forth Estuary Local Flood Risk Management Plan covering 2022-28 was published. This publication outlines the specific objectives and actions to be undertaken to mitigate flood risk in the East Lothian area and complies with East Lothian Council's duties under the Flood Risk Management (Scotland) Act 2009.</p> <p>The Forth Estuary Local Flood Risk Management Plan (LFRMP) 2022-28 identifies actions such as river and coastal flood studies, awareness raising and maintenance which are subject to funding.</p> <p>Musselburgh Flood Protection Scheme (MFPS) is proposed to be funded 80% by Scottish Government. The delivery of flood protection schemes is reliant on funding.</p> <p>In January 2024, East Lothian Council approved the MFPS to move to Stage 5 (Statutory Approvals). This approval allowed the Scheme to move to publishing ("notifying") its Outline Design in March 2024.</p> <p>Community consultation has progressed throughout the project and a large-scale community consultation event took place to present the preferred outline design in June 2023; this outline design has been refined and a final outline design completed for the Statutory Approval stage.</p> <p>In January 2024, MFPS Project Team presented an Executive Summary Report on Coastal Change in Musselburgh at a Council meeting. This report identified that coastal erosion is a current and growing concern in Musselburgh. East Lothian Council agreed in the January 2024 meeting that further investigation of erosion should take place.</p>	4	4	16	<p>Flood studies for Dunbar, West Barns & North Berwick (Coastal), Cockenzie, Port Seton, Longniddry & Prestonpans, and Tranent & Macmerry have been included in the 2021-28 Flood Risk Management Plan and the 2022-28 Forth Estuary LFRMP.</p> <p>As part of the 2022-28 Local Flood Risk Management Plans Flood Protection Schemes for Musselburgh and Haddington are included in the list of actions for the Forth Estuary Local Plan District.</p> <p>ELC have undertaken Flood Studies for Musselburgh and Haddington within the 2016-2022 FRM cycle and are currently progressing the Musselburgh Flood Protection Scheme which is a fully established project.</p> <p>Musselburgh FPS is not yet approved under the Flood Risk Management (Scotland) Act 2009. In January 2024, East Lothian Council approved the Scheme to move to Stage 5 (Statutory Approvals) of the Scheme Design in accordance with the project's PRINCE2 Project Management System. The statutory approvals process, which includes publishing the final Outline Design, commenced in March 2024.</p> <p>A full report on Coastal Change in Musselburgh was completed and published in March 2024. MFPS will continue to work with organisations such as Dynamic Coast to assess coastal change risks. East Lothian wide, a Coastal Change Adaptation Plan (CCAP) is proposed for 2024-25.</p>	3	3	9	2024-2028 2024-2028 2024 2024-2026 2024-2026	Risk reviewed and updated February 2024 by Senior Engineer - Flood Protection, with no change to assessment of current scores.

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			<p>Flood risk and drainage issues are considered when processing planning applications and within long-term development planning. This assessment is aligned to new policy within National Planning Framework 4 (NPF4), published February 2023.</p> <p>The Severe Weather Response Plan has been developed and ensures a co-ordinated and consistent multi-agency response across the county.</p> <p>Emergency surface water, coastal and river flooding procedures are in place and have proven effective.</p> <p>A Shoreline Management Plan is in place.</p> <p>Advice on dealing with flooding is available on the Council website and directs people to the relevant websites.</p> <p>The Council is working with various organisations to promote and progress "Resilient Communities" as per the Scottish Government initiative "Ready Scotland".</p> <p>Communication with vulnerable groups regarding access and assistance during severe weather events.</p> <p>Maintain existing flood protection schemes.</p> <p>Improvements to introduce a risk-based process of undertaking watercourse inspections and delivering appropriate clearance and repair of watercourses was implemented in 2022.</p>									
ELC CR 10	Financial Service Objectives & Legal Regulatory	<p>The Impact of the National Care Service on East Lothian Council</p> <p>The Scottish Government proposal to establish a National Care Service, which could extend to all adult social work and social care services, children's services, justice social work services will result in the largest re-organisation of local government since the creation of single tier local authorities in 1995/96.</p> <p>The National Care Service (Scotland) Bill was published as at 22nd June 2022. The Bill sets out principles for the NCS and places a duty on Scottish Ministers to promote a Care Service designed to secure improvements in the wellbeing of the people of Scotland. The full scope of the NCS is still to be determined, although, the inclusion of Adult Social Work and Social Care must be assumed. There will be a period of formal research and consultation to inform the decision about the inclusion of Children and Justice Social Work Services. The Bill states that the NCS will be up and running by 2026. On the 12th July 2023, SG and COSLA confirmed that they had reached an initial consensus agreement that accountability for the NCS would be a partnership between SG / LG and NHS. This included that the</p>	<p>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).</p> <p>Council officers will actively engage in National Professional networks and feedback any relevant information to the working group.</p> <p>CMT will continue to monitor the development of the proposal and report as appropriate to the Council.</p> <p>Council agreed to delegate authority to the Exec Dir of E&CS to respond to consultation exercises, and submit evidence, in respect to the Scottish Government's proposal for a National Care Service for Scotland and the National Care Service (Scotland) Bill.</p>	5	3	15	<p>The Council has established a working group that will consider the scope and impact that the NCS may have on Council Services. The working group will also monitor ongoing developments and respond to any request for information and engage in the consultation.</p>	4	3	12	<p>In line with Scottish Government decisions</p> <p>Risk reviewed May 2024 by Executive Director, Education & Children's Services and April 2024 by Director of ELHSCP and Chief Social Worker with no change to risk scores.</p> <p>Risk reviewed July 2023 by Executive Director, Education & Children's Services and reviewed by CMT August 2023 with current score reduce from 20 to 15 and residual score from 20 to 12.</p>	

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				L	I	L x I		L	I	L x I		
		<p>workforce and assets currently within local authorities, would remain there in the new NCS. In November 2023, COSLA reported some emerging uncertainties including that SG intended to retain as much of the NCS Bill as possible and were taking a 'maximalist approach' to NCS integration and delegation including for Children's Services and Justice Social Work.</p> <p>At its inception, the council detailed concerns at the risk involved in this proposal which were detailed in the Council's response to the Scottish Government's consultation on its proposals (report to Members Library, November 2021).</p> <p>The potential for elements of the proposed changes to lead to improved outcomes for vulnerable people is acknowledged. However, there remains uncertainty on any unintended consequences of the changes on how effectively and efficiently the council can continue to meet its statutory obligations.</p> <p>The bill has passed through stage 1 (29/2/24) and is in the stage 2 process.</p>										
ELC CR 11	Reputational	<p>Data Protection Threats</p> <p>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:</p> <ul style="list-style-type: none"> - 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 <p>The Council has a mandatory 72-hour window in which to report relevant breaches to the Information Commissioner's Office.</p> <p>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 has also placed additional pressures to digitise paper records management systems and ensure new ways of working remain secure.</p> <p>Requests for personal data (SARs) and other information (FOIs) continue to increase persistently in both number and complexity (average increase of 28% every year since 2021). Staffing challenges and disproportionate impact of frequent requesters mean the Council is at higher risk of missing statutory timescales for responses.</p> <p>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</p>	<p>Data Protection</p> <p>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.</p> <p>DP and Records Management Awareness training is a mandatory part of induction and must be refreshed every two years. E-learning module content was refreshed and redesigned in May 2022. The ELNet pages for Information Governance also include templates, guidance and information to support corporate compliance. A new Team Leader-Information Governance took up her post on 31 July 2023, whose brief includes leading the Information Governance training and awareness programme.</p> <p>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).</p> <p>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.</p>	3	4	12	<p>Data Protection</p> <p><u>Training & awareness:</u> The DPO, Team Manager- IT Infrastructure & Security and Communications teams are progressing a Communications Plan including Inform briefings, e-mail updates and other training and briefings to reinforce awareness of data protection and information security across the Council; Newly recruited Team Leader is commencing consultation with Council Services to identify training gaps/needs.</p> <p><u>Information Transformation Strategy:</u> 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'.</p> <p><u>Records Management Plan:</u> 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.</p> <p><u>Paper document management:</u> Procurement exercise to identify best value for document management services for all paper records. Existing contract has been extended with supplier Oasis by six months to allow for completion amidst other service pressures.</p>	2	4	8	<p>June 2024</p> <p>Ongoing</p> <p>Ongoing</p> <p>October 2024</p>	<p>May 2024 -Cyber Security and Data Protection risks separated. Cyber Security Risk updated by Team Manager - Information Governance.</p>

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		<p>recordkeeping practice across the Council. This is also a requirement of the Public Records (Scotland) Act 2011 (PRSA).</p> <p>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.</p>	<p>Records Management Plan: Retention schedules and BCS have been updated in line with national models. Initial phase of Digital Preservation Plan currently underway to identify/register digital information assets, and procure baseline software/hardware. A Digital Preservation Policy has been drafted and prepared for review by relevant stakeholders. 5 departments have completed reviews of the Retention Schedule to map to their own records with support from the Information Governance Team.</p> <p>Information Asset Register: workshops are held quarterly to identify information assets and data flows within Council Service areas. This is a key compliance measure under Article 30 of the UK GDPR and the Council's Records Management Plan.</p> <p>DSA/DPIA Process Reviews completed: DSA and DPIA processes have been reviewed and simplified, with reduced waiting times. Team Leader now taking on new DPIA requests allowing Team Manager to address backlog.</p> <p>Dunbar Road Options Paper: CMT has approved proposals to contract out paper document management services, including records storage, retrievals, metadata management, scan-on-demand and secure destructions.</p> <p><u>Information Strategy</u> Work continues to implement Microsoft 365 across corporate Council Services;</p> <p>Data Protection/Records Management training delivered as needed by individual Services and teams.</p>									
ELC CR 12	Physical and/or Psychological Impact on People	<p>Public Protection – Risk of Harm</p> <p>The Council has a legal responsibility to address concerns that may require a Child or Adult protection response. The Council also has an obligation to manage offenders through the Justice Social Work service and contribute to MAPPAs arrangements. It should be noted that by the very nature of the work involved in Child Protection, Adult Protection, management of offenders and people experiencing domestic abuse this is a high risk business even with all the controls and measures in place.</p> <p>Any failure to adequately respond to concerns may negatively impact on children and adults, who may be at risk of harm. This 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.</p> <p>A failure to secure efficient and effective Public Protection arrangements, covering Child Protection, Adult Support and Protection, local MAPPAs arrangements, Violence against Women and Girls</p>	<p>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:</p> <ul style="list-style-type: none"> 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 	3	4	12	<p>Awaiting feedback from Scottish Government.</p> <p>L&D 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.</p> <p>The East Lothian Partnership's establishment of the new Community Safety and Justice Partnership, and creation of its 3 supporting groups – Community Safety Group, Community Justice Group and Equally Safe Group – will see a renewed focus on community safety and justice priorities during 2023/24. Community Justice Group self-assessment against appropriate standards completed and action plan to be taken forward.</p>	2	4	8	August 2024	<p>Risk reviewed February 2024 by Director of ELHSCP and Chief Social Worker.</p> <p>Risk refreshed October 2022 by General Manager - Adult Social Work and Public Protection Team Manager with current score reduced from 16 to 12 and residual score from 12 to 8.</p> <p>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.</p>

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			<p>Group has been established to oversee and manage risks in relation to staffing</p> <p>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.</p>									
ELC CR 13	Service Objectives & Legal Regulatory	<p>Duty of Care to Public</p> <p>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.</p> <p>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.</p> <p>Additional pressure within this area caused by external providers struggling to deliver through staffing issues.</p> <p>The Council took out QBE policy in 2021 with Medmal, which now includes cover for some intrusive medical intervention (e.g. tube feeding or assistance with diabetic pumps). However, prior to this there is a 5 year period where the Council was without any cover, the claims for which may not be submitted for many years (particularly if it relating to children) meaning this risk will remain for some time.</p> <p>Members of the public access services in many public buildings which require to operate within statutory health and safety requirements relating to the building itself, and spaces within it. Some services are provided in the outdoor public realm. Failure to operate services safely both within ELC buildings and in outdoor spaces could risk harm to members of the public and staff, resulting in injury, financial liability and reputational damage.</p> <p>Serious and Organised Crime (SOC) poses a physical and virtual threat, be that human trafficking, drug supply, sexual exploitation, fly-tipping, fraud, unsafe consumer sales et al. These risks can include cyber-attacks, corruption, bribery, IT system infiltration, human 'plants' into organisations. SOC poses risks to our communities through targeting of vulnerable people and their properties e.g. to act as conduits for drug supply, door-step fraud, on-line crime et al.</p>	<p>Prioritise maintenance of safe staffing levels for all statutory services the partnership delivers.</p> <p>Briefing sessions, specialist training and supports are in place.</p> <p>Regular formal supervision in place for all staff including completion of PRD's and e-KSF, focusing on specific and agreed development needs.</p> <p>Clinical & Care Governance Committee established which is to provide strategic oversight within the Partnership. Chief Social Work Officer, Chief Nurse, Clinical Director, AHP Lead oversight and review of practice to assess workload allocation and risk management.</p> <p>Specific oversight groups established for example Care Home, Health & Safety and Risk Management.</p> <p>Review ongoing through bi-weekly Care at Home meetings chaired by General Managers.</p> <p>Services comply with required professional registration standards for all staff, e.g. SSSC, HCPC, NMC etc.</p> <p>"Safer Recruitment" practices and PVG checks embedded.</p> <p>LSI mechanism in place with reporting structure through PPC.</p> <p>Regular engagement with the Care Inspectorate reviewing services in place</p> <p>Risk assessment documentation shared with providers with client RAG in place to ensure services are prioritised for those most at risk.</p> <p>Council owned buildings and open spaces subject to strict management and maintenance regimes, with all requisite risk assessments and safe operating arrangements in place.</p>	3	4	12	<p>Review of oversight and governance arrangements for assessment.</p> <p>Alteration of the workforce model for delivery of care at home service including expansion of internal delivery.</p> <p>Utilisation of SDS option 3 to support delivery of care at home.</p> <p>Comprehensive pathway modelling underway lead by Head of Operations HSCP.</p> <p>Continual recruitment underway for care at home with recruitment events designed and held including media, open days etc to encourage applications.</p> <p>Review of existing CAH packages underway to identify any capacity that can be released and support unmet needs at home or currently waiting at hospital</p> <p>Refresh of Serious and Organised Crime Multi-Agency Plan, aligned to review of Anti-social Behaviour Strategy.</p>	2	4	8	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>June 2024</p> <p>June 2024</p> <p>June 2024</p>	<p>Risk reviewed February 2024 by Director of ELHSCP and Chief Social Worker.</p> <p>Risk reviewed September 2023 by Director of ELHSCP, Head of Communities and the Head of Children's Services/Chief Social Worker with SOC Risk and mitigations moved from Communities Service Risk Register by CMT Risk Sub-Group</p> <p>Risk reviewed April 2023 by Head of Operations, H&SCP with no change to risk scores.</p> <p>New risk created November 2022 by Head of Operations, H&SCP.</p>

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			<p>Effective Partnership working with Police Scotland, immigration and HMRC.</p> <p>Anti-social Behaviour Oversight Group operates and oversees Serious Organised Crime Multi-Agency Action Plan.</p> <p>Effective oversight of all aspects of Public Protection through the East and Midlothian Public Protection Committee.</p> <p>Trading Standards oversight of safe consumer practices and promotion of call blocking devices. Trusted Trader Scheme in operation.</p> <p>CONTEST and Prevent counter-terrorism arrangements in operation overseen by East and Midlothian Public Protection Committee.</p>									
ELC CR 14	Physical and/or Psychological Impact on People Service Objectives	<p>National Power Outage</p> <p>The National Electricity Transmission System (NETS) transports electricity across Great Britain. Total failure of this system would cause a nationwide loss of electricity supplies instantaneously and without warning. This would cause cascading failures across multiple sectors including telecoms, water, gas, sewage, food, health and fuel, and cause significant disruption to public service provision and most businesses and households. These disruptions could lead to physical and psychological casualties or fatalities due to the loss of the services relied upon by many, especially those with health and wellbeing vulnerabilities.</p> <p>ELC must be prepared, as best we can, to respond and recover should widespread electricity failure ever occur. Communications will be seriously interrupted, the care of vulnerable people will become hugely challenging and the continued provision of our critical activities, highlighted within our Business Continuity plans, will be seriously tested.</p>	<p>Backup generator at Penston House with Fuel to power essential emergency facilities for up to 8 days.</p> <p>Fuel Plan in place for the provision of fuel to backup generators and essential vehicles.</p> <p>Critical services have up to date business continuity plans, exercised annually.</p> <p>IT Back-up generator at JMH for vital server equipment. IT has completed a significant amount of upgrade work to the IT infrastructure to remove single points of failure.</p> <p>Lothian and Borders NPO Response Framework (resilience.gov.uk) in place.</p> <p>3 x Airwave Radios Terminals are available for our use. These terminals are currently stored at Haddington Police Station and allow for communications with other category 1 emergency responders during incidents. Airwave Terminals are tested by the emergency planning team every 3 months.</p> <p>Deployable Space X Starlink Satellite system purchased and installed at Penston House which allows for internet connectivity at ELC facilities remote to Penston house such as Offices, Depots, Rest Centres and Media Briefing centres.</p> <p>RAYNET UHF radio capability now installed at Penston House enabling communication with other LAs and Police Scotland.</p>	2	5	10	<p>Complete ELC NPO framework Plan to assist the Council, should an NPO occur, to have processes in place to deal with the ongoing challenges and recover from the impacts of the power outage. Linking in with the Lothian and Borders Local Resilience Partnership (LRP) completed NPO framework of 16/2/24 which outlines the multi-agency considerations for L&B LRP in the event of an NPO. Training exercise and incorporating in to ELC response documentation to be completed.</p> <p>All services to carry out an annual BC test based on NPO.</p> <p>Purchase power banks to allow for charging of mobile phone and laptops and powering 230V devices.</p>	2	3	6	<p>July 2024</p> <p>August 2024</p> <p>December 2024</p>	New risk created by Emergency Planning & Resilience Team, May 2024.
ELC CR 15	Physical and/or Psychological Impact on People	<p>Severe Weather</p> <p>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.</p> <p>This could result in travel disruption, difficulties for</p>	<p>East Lothian Councils Winter Maintenance Plan has been in place for some time and ensures that the main transport routes are treated as priority.</p> <p>The Council has a Severe Weather and Adverse Events Policy in place for all staff while the</p>	3	3	9	<p>Upskill CMT and Service Manager cohort to increase response capacity in the event of any incident enduring more than 1 day.</p> <p>Facilitate Resilient Communities workshop to include Severe Weather element and</p>	3	3	9	<p>Spring 2025</p> <p>March 2025</p>	Risk reviewed and updated May 2024, with no change to assessment of current scores.

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		<p>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.</p> <p>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.</p> <p>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 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.</p>	<p>Council has its own mitigating measures for its own estates/property during severe weather.</p> <p>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.</p> <p>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 partner agencies.</p> <p>The ELC Severe Weather Response plan includes reference to and improvements learned from the 'Beast from the East' (snow) incident in 2018 and Storm Arwen.</p> <p>The Council's Salt Barn has a capacity of 8,000 tonnes to meet demand arising from severe cold weather.</p> <p>A fourth-generation SXL framework was approved by Executive Sub Committee in August 2022. This framework has commenced for salt for winter road maintenance for the period 1 November 2022 until 31 October 2026.</p> <p>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.</p> <p>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.</p> <p>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 by ELC Emergency Planning staff.</p> <p>Work continues with the Resilient Communities and also involves other voluntary groups such as Tenants and Residents Groups. ELC organises</p>				resilient community plans.					

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			<p>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.</p> <p>ELC finances all 20 Community Councils' annual insurance premiums ensuring that Insurance is not perceived as a barrier to invoking such plans.</p> <p>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.</p>									
ELC CR 16	Physical and/or Psychological Impact on People Legal & Regulatory	<p>Threat of Terrorism</p> <p>Delivering the UK Government's Counter Terrorism (CT) strategy, known as CONTEST (comprised of four components - Prevent, Protect, Prepare and Pursue).</p> <p>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.</p> <p>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.</p>	<p>Multi agency 'J' Division CONTEST Meeting attended by East Lothian Council representatives.</p> <p>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.</p> <p>ELC has appointed senior members of staff as SPoC (Head of Children's Services) and Deputy SPoC (Head of Education) for Prevent as per statutory guidelines.</p> <p>A SPoC for Prepare and Protect although not a statutory requirement, has also been appointed (Emergency Planning, Risk and Resilience Manager).</p> <p>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.</p> <p>ELC follows and contributes towards the 'J' Division Contest group implementation plan.</p> <p>The SPOC Prevent Group in the East of Scotland is attended by the ELC SPoC.</p> <p>Prevent Multi-Agency Panels Chair (SPoC) and Depute (Service Manager Adult Social Work and General Manager Children's Services respectively) identified to chair multi-agency meetings established to discuss any referrals.</p> <p>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.</p> <p>A Prevent working group, chaired by the Head of Children's Services, meets regularly and a</p>	3	3	9	<p>Awareness-raising sessions are being arranged with Police colleagues with independent service providers operating in East Lothian.</p> <p>CT police are offering bespoke Prevent training across other council services and supporting managers to update paper-based training materials for manual staff.</p> <p>Further service specific Prevent training is being arranged for children's and justice social work services.</p>	2	3	6	<p>September 2024</p> <p>September 2024</p> <p>September 2024</p>	<p>Risk refreshed by Head of Communities, Contest Working Group Chair, May 2024 – no change to risk scores.</p>

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			<p>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.</p> <p>Elected Members were briefed in January 2022.</p> <p>Joint training (with Midlothian) for PMAP members was undertaken.</p> <p>Home Office PMAP training was provided for managers in justice, children's and adult social work services.</p> <p>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).</p> <p>Education personnel are fully engaged with Prevent and appropriate filters have been installed on the Education infrastructure.</p> <p>Updated Prevent referral pathway has been agreed with EMPPC and communicated on the intranet, including the new national Prevent referral form.</p> <p>A Prevent – Counter Terrorism e-learning module is available on Learn Pro and is a mandatory learning module for staff. Uptake of mandatory Prevent e-learning is reported to the Prevent working Group.</p> <p>UK Government Home Officer e-learning for the new Protect Duty rolled out from March 2023, signposted to services/staff working in complex public buildings/venues and in outdoor arenas.</p> <p>ELC Emergency Planning, Risk and resilience and members of CMT attended Exercise Safe Steeple, March 2023, led by SGov Resilience to exercise multi-agency response to a marauding terrorist attack.</p> <p>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.</p>									
ELC CR 17	<p>Service Objectives</p> <p>Legal & Regulatory</p> <p>Physical and/or Psychological Impact</p>	<p>Business Continuity</p> <p>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.</p>	<p>Business Continuity Framework Plan in place and regularly reviewed.</p> <p>Business Continuity Plans are maintained for all service areas, giving details of minimum levels of staff, alternate locations, exercise and review</p>	2	4	8	<p>Progress Business Continuity Plans with Education and H&SCP in order that each School and Care Home has a plan.</p>	2	3	6	July 2024	<p>Risk refreshed May 2024 noting changes to risk description and mitigation measures whilst no change to risk scores.</p>

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				L	I	L x I		L	I	L x I		
	on People	<p>Non availability of:</p> <ul style="list-style-type: none"> 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. <p>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.</p>	<p>dates and version control.</p> <p>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.</p> <p>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.</p> <p>The Council carried out a Council Wide Business Continuity Exercise in November 2019 which successfully tested the BC capabilities of the Council. Each Service carries out an annual BC exercise.</p> <p>ELC staff have access to an e-learning package on Business Continuity which was reviewed and refreshed during March 2021.</p> <p>Business Continuity Plans are invoked as Services suffer BC issues with a fortnightly update of those plans invoked provided to CMT.</p> <p>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.</p> <p>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.</p> <p>All Services asked to consider a National Power Outage as part of their BC Plan.</p> <p>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.</p>									
ELC CR 18	Legal & Regulatory	<p>Failure to maintain, review & exercise Emergency Planning, Incident Response and Management</p> <p>Failure to maintain, review and exercise Emergency Contingency Plans and to comply with current guidance and legislation or to contravene current legislation, which may result in severe penalties as well as an ineffective response to an emergency.</p> <p>Any ineffective preparation and planning for potential crises and disruptive events such as those reflected</p>	<p>Contingency plans in place, to address risks as identified in the UK National Risk Register and that are most likely to impact on East Lothian, including generic, site, event and response specific. Incident response processes and resources are identified in contingency plans.</p> <p>Training and exercises to ensure emergency arrangements remain 'fit for purpose' and to test the robustness of contingency plans.</p>	2	4	8	<p>Ongoing communication with ELC 'Resilient Communities'. Several more Community Councils are considering creating Resilient Communities plans following their response to COVID-19.</p> <p>Future Emergency/Resilience training will be progressed with ELC staff, strategic, tactical and operational.</p>	1	4	4	<p>September 2024</p> <p>August 2025</p> <p>June 2024</p>	<p>Risk reviewed by EP, R & R Manager, May 2024 with no change to risk assessment scores.</p>

Risk Ref.	Risk Category	Risk Description	Existing Risk Control Measures	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Timescale for Completion / Review Frequency	Evidence held of Regular Review
				Likelihood	Impact	Total		Likelihood	Impact	Total		
				L	I	L x I		L	I	L x I		
		within the Community/UK Risk Register, that directly relate to the council as a 'Category 1 Responder' may result in the council's inability to effectively respond and manage the event in a way that minimises harm to the community, our employees and the reputation of the council. For example, connectivity between partner agencies during a response to spontaneous events/incidents is challenging due to several agencies using different software and platforms.	<p>Ensure 'key' ELC staff continue to stay abreast of incident/ emergency response arrangements and processes and are aware of their role and how they integrate with multi-agency partnership working.</p> <p>The Council works with Community Councils (CC) and other community groups e.g. Tenants and Residents Associations to promote and progress 'Resilient Communities' as per the Scottish Government initiative 'Ready Scotland'. The council communicates directly with community groups as risk warnings are received. Resilient Community Single Points of Contact (SPoC) are in place for the majority of CCs and are fully aware of their responsibilities.</p> <p>Corporate emergency planning arrangements are in place, including media/public information and social care arrangements.</p> <p>Working with other Category 1 and 2 Responders e.g. Police Scotland, Scottish Fire & Rescue Service (SFRS), Scottish Ambulance Service (SAS), Utility companies etc. as defined by the Civil Contingencies Act 2004 to ensure an effective and integrated response.</p> <p>Debriefing processes are followed, when appropriate, to enable lessons learned to be fed back into contingency planning.</p> <p>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. BC plans are key to ensure ELC services continue to provide their critical activities.</p>				<p>A full Level 2 nuclear emergency response exercise will take place in June 2024.</p> <p>An ELC response plan for incidents of significant electricity failure, also known as power loss or blackout, will be created alongside Scottish and UK Government guidance. Such an incident will have major impacts for all councils and there are no easy answers with a major such incident expected to last up to 7 days. However, this plan will ensure ELC is prepared, as much as it can be, to respond and recover from such an incident.</p>				July 2024	
ELC CR 19	Physical and/or Psychological Impact on People Legal & Regulatory	<p>Communicable Disease Outbreaks of Public Health Significance</p> <p>ELC continue to liaise with NHSL Public Health Service, and wider national and international reports e.g. World Health Organisation, to monitor public health advice and guidelines relating to all public health outbreaks e.g. legionella. Pandemic, et al.</p> <p>The ability to quickly and effectively respond to any declared national or local public health outbreak remains embedded in Civil Contingency Act 2004 first responders e.g. NHS, Police, Fire, Councils.</p>	<p>Protective Services continue to have regular engagement with East Region Health Protection Team (ERHPT) and are ready to work in partnership with NHS Lothian/ERHPT in relation to standing up a response where required. This includes a watching brief on emerging issues such as avian Influenza and other CD which may emerge / increase due to climate change.</p> <p>Established mechanism to stand up the Council Management Team (Critical Incident Response Team) to oversee and direct the Council's response to any public health outbreak including processes to establish proactive 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</p> <p>Due to increased immunity in the population, C19 is now a relatively mild disease for the vast majority of people. However infection continues throughout the year with no pattern of</p>	2	3	6					<p>Risk reviewed May 2024 by Service Manager – Protective Services and Head of Operations, H&SCP with no changes to risk scores.</p> <p>Risk reviewed March 2024 by Director of ELHSCP and Head of Operations with Current Risk Score reduced to 6 due to vaccination programme established.</p>	

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				Likelihood	Impact	Total		Likelihood	Impact	Total		
				L	I	L x I		L	I	L x I		
			<p>seasonality. The vaccination programme continues to be reviewed.</p> <p>H&SCP continues to support delivery of the COVID19 vaccination programme. In spring 2024, the Joint Committee on Vaccination and Immunisation (JCVI) advises that a COVID-19 vaccine should be offered to;</p> <ul style="list-style-type: none"> adults aged 75 years and over residents in a care home for older adults individuals aged 6 months and over who are immunosuppressed <p>EL H&SCP have a well-established vaccination programme and resilience to react to most anticipated scenarios. New Spring programme and the new RSV vaccination starting in Summer 2024.</p> <p>Resilience Direct continues to be available for use to share information on a multi-agency basis.</p> <p>Business Continuity Plans in place in all services leading to staff continuing to work from home unless it is essential for them to be in their place of work.</p> <p>Resilient Communities Groups exist in each Community Council area and Groups are ready to stand-up when required.</p> <p>Volunteer Centre East Lothian collaboration over support for local Third and Voluntary sector organisations able to respond to consequences across communities.</p> <p>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.</p>									
ELC CR 20	Legal & Regulatory	<p>Equality</p> <p>Failure to meet duties and legislative requirements of the Single Equality Act 2010.</p> <p>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</p> <ul style="list-style-type: none"> 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. 	<p>ELC Equality Plan 2021-2025 was adopted in November 2021 and is now being implemented. This includes the commitments made by East Lothian Council as a Licensing Board and as an Education Authority. The plan outlines our commitments:</p> <ul style="list-style-type: none"> 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 	2	3	6		2	3	6	Risk reviewed and updated April 2024 by Service Manager - Policy, Performance & Organisational Development with no change to assessment of current scores.	

Risk Ref.	Risk Category	Risk Description	Existing Risk Control Measures	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Timescale for Completion / Review Frequency	Evidence held of Regular Review
				Likelihood	Impact	Total		Likelihood	Impact	Total		
				L	I	L x I		L	I	L x I		
		<p>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.</p> <p>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.</p> <p>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.</p>	<p>intervention and prevention approach adopted by the Council and its Partners;</p> <ul style="list-style-type: none"> • 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 <p>The Poverty Plan has been reviewed and produced for the period 2023 – 2027. Delivery will be monitored by the Poverty Working Group and the new East Lothian Partnership Governance Group.</p> <p>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.</p> <p>Continue to embed the use of the Scottish Government's Sustainable Procurement Tools into procurement procedures.</p> <p>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.</p> <p>As per our statutory obligation, HR is annually capturing the Employment Monitoring information required under the Act. This is reported publicly alongside the requirement to publish an annual Equal Pay Report.</p> <p>ELC Equalities Mainstreaming Annual Report 2022-23 published.</p> <p>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.</p>									
ELC CR 21	Reputation & Legal Regulatory	<p>Standards in Public Life</p> <p>Failure of corporate governance or to meet standards in public life.</p> <p>Failure of the Council's corporate governance or of officials or members to meet standards in public life could result in reputational damage.</p>	<p>Standing Orders (the Schemes of Administration and Scheme of Delegation) are regularly reviewed and revised. The most recent review took place in April and June 2023, with two reports to Council.</p> <p>The Council has an adopted Code of Conduct for its employees which gives all employees greater clarity around the standards of behaviour expected of them. Breach of the Code may amount to a disciplinary offence.</p>	2	2	4	<p>The Council's Standing Orders are reviewed regularly, and a further review will be undertaken after a period of operation of the Hybrid Committee Meetings system to ensure they remain up to date and relevant.</p>	2	2	4	September 2024	Risk Reviewed by Head of Corporate Support April 2024 with no change in risk scores.

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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