

REPORT TO: East Lothian Council

MEETING DATE: 10 December 2024

BY: Chief Executive

SUBJECT: Corporate Risk Register 2024-25

1 PURPOSE

- 1.1 The Corporate Risk Register was last fully reported to Council in April 2024. Within the context of developing international, national and local risks impacting on delivery of Council services and local communities, the Corporate Risk Register, although live, is being reported to Council given the continued substantial levels of heightened risk.
- 1.2 The significant economic factors driving increased financial pressures and risks for the Council have been incorporated into the relevant risks across the Corporate Risk Register. Any further risk developments impacting on the Council in the period from 25 November 2024, will be reported verbally at Council in presentation of this report.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council approves the Corporate Risk Register and in doing so, the Council is asked to approve that:
- The Corporate Risk Register is maintained as a 'live' document which will be reviewed by the Council Management Team (CMT), the CMT sub-group on Risk Management, Service Management Teams (SMT), risk owners and the Corporate Risk Management Group on a regular basis and reported back to Council as and when required;
 - agree that the relevant risks have been identified;
 - agree that the significance of each risk is appropriate to the current nature of the risk;
 - agree that the total profile of corporate risk can be borne by the Council at this time in relation to the Council's appetite for risk but in the context of the planned mitigations; and,

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

3 BACKGROUND

- 3.1 In keeping with the Council's Risk Management Strategy and reflecting upon the concurrent and constantly changing nature of risks managed by the Council, the Corporate Risk Register, although live, is being reported to Council given the continued substantial levels of heightened risk. The Corporate Risk Register considers the international, national and local risk factors impacting on the delivery of Council services and is also informed by the impacts of business continuity arrangements currently deployed in some services across Council.
- 3.2 The 2024-25 Corporate Risk Register as at 25 November 2024, currently includes 5 Very High Risks, 9 High Risks, 6 Medium Risks and 1 Low Risk.
- 3.3 A 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.
- 3.4 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.
- 3.5 Risk CR3 has been retitled Homelessness and Housing Pressures and updated to reflect the Council declaring a formal Affordable Housing Emergency on 12 November 2024 and the measures around this. The current score has been increased from 20 to 25 due to the Affordable Housing Emergency.
- 3.6 Risk CR5 on Refugee/Asylum Schemes has had its residual score increased from 12 to 16 and will be re-assessed following the ongoing discussions with Scottish Government and the Home Office around the increase in numbers of UASC children coming to East Lothian.
- 3.7 Risk CR17 on Failure to meet Equality Act requirements has recently had its current risk score increased from 6 to 9 due to the introduction of the Prevention of Sexual Harassment duty which places an anticipatory and preventative duty on employers to take reasonable steps to prevent harassment. Planned measures have been put in place to mitigate the risk and bring the score back down to 6.
- 3.8 Council can be reassured that CMT, its Sub-Group, the Corporate Risk Management Group and its Linking Risks Sub-Group, continue to closely monitor all Corporate Risks. Management of our risk environment is informed by global and national risks, via the annual Global Risk Report produced by the World Economic Forum in January each year, by the Scottish Government's

National Risk Assessment (NRA) and the UK National Risk Register which are produced annually. Every effort is made to ensure that the Corporate Risk Register reflects current and future risks with appropriate mitigations in place.

- 3.9 The Council's Corporate Risk Strategy is reviewed annually and was reported to Cabinet on 14 March 2023.

4 POLICY IMPLICATIONS

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

5 INTEGRATED IMPACT ASSESSMENT

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

6 RESOURCE IMPLICATIONS

- 6.1 Financial –The financial impact of the corporate risks and mitigation measures remain under close monitoring and review, aligned with the Council's Financial Strategy. 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 impacting on the administration and oversight of the Corporate Risk Strategy and Framework.
- 6.3 Other – Effective implementation of this register will require the support and commitment of the risk owners identified within the register.

7 BACKGROUND PAPERS

- 7.1 Appendix 1 – Corporate Risk Register 2024-25

AUTHOR'S NAME	Scott Kennedy
DESIGNATION	Team Manager - Emergency Planning and Resilience
CONTACT INFO	skennedy@eastlothian.gov.uk 01620 827247
DATE	25 November 2024

Risk Ref.	Risk Category	Risk Description	Existing Risk Control Measures	Risk & Controls Owner	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Planned Control Owners	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 financial environment continues to present substantial risks to the council's capacity to meet its objectives and sustain service provision. The in year financial outlook at quarter 2 indicates a significant in year and recurring budget pressure. In addition, the Council faces a significant funding gap, estimated to be in excess of £21 million in the coming financial year, rising to £65 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, including:</p> <ul style="list-style-type: none"> The level and complexity of national funding with current resources being made available not keeping pace with growing demands, and around 70% of national funding being 'directed' to support specific policy obligations and settlement conditions. Impact of national settlement conditions including the 2024/25 Council Tax freeze, and uncertainty around Scottish Government's future position on this continue 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 previous 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"> High interest rates High 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 	<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>A new Transformation Strategy has been approved by Council. A wider review and prioritisation of the Transformation programme has been completed and aligned to supporting financial sustainability and shaping services for the future, with an agreed list of projects for 2024/25.</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. Elected members are kept informed of the financial position through regular update reports to Council.</p> <p>Significant national lobbying and stakeholder discussions highlighting the</p>	<p>Chief Executive</p> <p>Executive Director of Council Resources (CFO)</p> <p>Head of Finance</p> <p>EMT / CMT</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>Budget model and projections for 2025/26 onwards to be updated in December following receipt of draft local government financial settlement.</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.</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 ensure that these are shared through the cross-party budget group. 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 progress conversations with Scottish Government for</p>	5	5	25	<p>Executive Director for Council Resources / Head of Finance / Council Management Team</p>	<p>December 2024</p> <p>February 2025</p> <p>December 2024</p> <p>April 2025</p> <p>February 2025</p> <p>February 2025</p> <p>February 2025</p> <p>February 2025</p> <p>February 2025</p>	<p>Risk fully reviewed by Executive Director Council Resources (CFO) and Head of Finance, November 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>posed through the identifications of RAAC/</p> <ul style="list-style-type: none"> Meeting the cost of enhanced infrastructure policy obligations including net zero. <ul style="list-style-type: none"> There remains on-going uncertainty relating to the proposed national capital accounting review, which could result in changes in accounting for capital infrastructure and may ultimately result in significantly increased cost to local taxpayers. <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 2024/25 and in future years. There remain 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 to ensure on-going financial sustainability.</p>	<p>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> <p>A 'Budget Insights' communications campaign has been developed to promote messaging to the public around the challenging financial position facing the council and the risks that this poses to services.</p> <p>Consultation to inform future budget planning has been undertaken as part of the residents' survey.</p>				<p>additional place-based revenue funding for East Lothian.</p> <p>The financial and capital strategies will be refreshed and presented to Council in December.</p> <p>Support national conversations aligned to SOLACE / Improvement Service Transformation Programme.</p>				<p>December 2024</p> <p>April 2025</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</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>	Service Manages – Strategic Asset & Capital Plan Management (PPP Project)	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</p>	4	5	20	Service Manages – Strategic Asset & Capital Plan Management And	<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, Head of Infrastructure ,</p>

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		<p>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>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>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> <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 is now complete. Significant issues identified within the Brunton Hall has resulted in a decision taken by Full Council in October 2024 to close and mothball the Brunton Hall as soon as possible, with temporary alternative arrangements for service delivery to be put in place, including the relocation of services to alternative locations.</p> <p>There has also been a section impacted within North Berwick Sports Centre. Further analysis and options appraisal remains ongoing.</p> <p>A Properties at Risk Register of most at risk assets has been generated to reflect those assets of greatest concern, where significant investment is required but is currently not immediately available.</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</p>	<p>and Estates Non-Operational Properties)</p> <p>Service Manager – Engineering Svcs & Building Stds (Operational Properties)</p>				<p>maintained in a safe operating condition.</p> <p>The service continues to regularly evaluate the current situation as regards material availability and works to mitigate any adverse effects of cancelled or delayed orders for this year's major summer works programme.</p> <p>Review and identify staffing resource required within SACPM, Education and Engineering Services.</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>The Asset and Engineering teams will use both the asset review, available budgets and asset management partnership working to identify temporary and permanent solutions.</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>Engineering Svcs & Building Stds</p> <p>May 2025</p> <p>March 2025</p>	<p>Service Manager – Strategic Asset & Capital Plan Management and Service Manager - Engineering Svcs & Building Stds November 2024 with no changes to risk scores.</p> <p>Risk reviewed by Head of Infrastructure, June 2023 and scores 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>	

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			<p>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>											
ELC CR 3	Impact on Service Objectives Financial Legal	<p>Homelessness and Housing Pressures</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 B&Bs out-with area / noncontracted.</p> <p>Scottish Government require the implementation of a Housing First approach, although no funding is available for this.</p> <p>Legislative change regarding local connection came into force in 2022 and requires the Council to accept rehousing responsibility for additional homeless cases. This adds to pressures posed by discretion around intentionality. Changes have been enacted without guidance initially, placing the Council at risk regarding threats of judicial review and furthermore, presentations from neighbouring authorities are exacerbating existing pressures. Revised Guidance published October 2024 is likely to result in increased numbers of section 38 referrals to East Lothian. With 33% of homeless assessments in September / October 2024 from households outwith EL, and circa 5-10 live section 38 referrals at end October over and above this, is concerning.</p> <p>Continued levels of low stock turnover results in limited lets available and lengthy average time in temporary accommodation, noted by the Scottish Housing Regulator.</p>	<p>Housing Options preventative approach to provision of advice.</p> <p>More efficient approach taken re Council allocations and RSL nominations.</p> <p>Cabinet approved Homelessness Action Plan in September 2024 including changes to Allocations Policy (removal of 6-month policy and allocation of single person households to 3apts where agreed criteria are met) subject to 6-month review, to encourage quicker throughput to permanent housing, reduce breaches of the Unsuited Accommodation Order and reduce high service costs.</p> <p>An Affordable Housing Emergency was declared on 12 November 2024 outlining pressures across the wider housing system, including homelessness pressures and specifically the ongoing negative impact of changes re local connection.</p> <p>Cabinet approval of allocations targets to general needs / homeless applicants. Performance under ongoing review.</p> <p>Housing First protocol in place and placements ongoing.</p> <p>Significant work completed re-policies and procedures to increase flow via rent deposit scheme.</p> <p>Revised, planned, and strategic approach to allocation of emergency / temporary housing.</p>	Housing Options Service Manager	5	5	25	<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>Mid-market rent properties coming forward to be targeted at homeless / threatened with homelessness households.</p> <p>The leader will write to both UK and SG asking for an urgent response to the affordable housing emergency. The service will continue to manually monitor homeless assessments for households approaching outwith EL and record and share this information with SG, to inform discussions regarding the declaration of an affordable housing emergency.</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 2025, with revised approach to be agreed and implemented.</p> <p>Implementation of recent changes to Allocations Policy agreed at</p>	5	4	20	Housing Options Service Manager for all measures	<p>June 2025</p> <p>March 2025</p> <p>March 2025</p> <p>December 2024</p> <p>March 2025</p> <p>May 2025</p>	<p>Risk updated by Head of Housing and Housing Options Service Manager November 2024 with current risk score increased from 20 to 25 due to Affordable Housing Emergency.</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>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.</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 and includes specific requirements re occupancy agreements / temporary accommodation handbook.</p> <p>Proposed changes re-new prevention duty poses 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. A significant increase in LHA rates from 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, resulting in several households presenting and requiring temporary accommodation from Spring 2024. Linked to this, landlords increasingly take action to end tenancies due to mortgage interest rates rising on their homes and / or homes they rent out. 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>The policy area of migrant homelessness and destitution is becoming increasingly complex within the context of limited 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.</p>	<p>Plan in place to reduce service demand via more efficient ways of working and associated plan in place to reduce emergency / temporary accommodation stock accordingly to reduce costs.</p> <p>Two new temporary staff in place September 2024 to enable service transformation.</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>Monthly review meetings with Finance.</p> <p>The declaration of a formal Affordable Housing Emergency will hopefully enable a series of planned meetings with the SG to consider ways to mitigate the reduction in funding for affordable housing supply.</p>				<p>Cabinet September 2024 (removal of 6-month policy and allocation of single person households to 3apts where agreed criteria is met) to be rolled out from 01 October 2024 and monitored closely.</p> <p>Plan to reduce service demand, temporary accommodation, and associated costs to continue being rolled out and monitored closely.</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 RSLs could potentially result in formal revisions to nominations for single person households.</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, within the context of having declared an Affordable Housing Emergency.</p> <p>Significant resource channelled to improve void turnaround times including establishing 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 progress monitoring re-backlog project and day to day voids.</p> <p>Rollout of revised approach to occupancy agreements / handbooks.</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 local connection and impact on demand for homelessness services, particularly within the context of declaring an affordable housing emergency.</p> <p>Planned tenancy conversions and temporary increase in % allocations</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 2025</p> <p>May 2025</p>			

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		<p>The Regulators has highlighted ELC is at heightened risk from systemic failure.</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, in part due to increasing demand from outwith EL, and lengthy periods of time in temporary accommodation.</p>					<p>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>The City Region is taking a 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>Ongoing engagement with SHR to gather further information and assurance re service with an ask to provide updates on capacity to meet statutory duties re-temporary accommodation and UAO.</p>					<p>May 2025</p> <p>April 2025</p> <p>January 2025</p>		
ELC CR 4	Capacity	<p>Risk to Services Delivery due to 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 - Impact of pay and grading structure and annual pay awards - Attractive employment opportunities in other sectors risks staff migrating out of Council services - Impact of Council financial mitigation measures including enhanced recruitment mitigations - Aging workforce and impact on succession planning <p>Failure to preserve business critical activities within these services could lead to increased risks in respect of 'life and limb' services, financial 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 access to services and reducing community programmes of activity, particularly those supporting early intervention and prevention activities.</p>	<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. A 'You said/we did' update on the 2023 Survey has been published.</p> <p>The 2024 Survey was completed by staff in May and the results will be used to inform future iterations of the Workforce Plan.</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> <p>Essential vacancies are advertised within the approved Recruitment & Selection Policy processes and in accord with budgetary control measures 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 Manager – People & Council Support</p> <p>Service Manager – Protective Services</p>	5	4	20	<p>Update Management Arrangements on Fire Safety and First Aid</p> <p>Workforce planning to be added to service plan templates.</p> <p>A review of the Council's workforce plan action plan.</p>	5	3	15	<p>Service Manager – Protective Services</p> <p>Transform'n & Digital Portfolio Manager</p>	<p>December 2024</p> <p>March 2025</p> <p>March 2025</p>	<p>Risk reviewed and updated by Head of Communities August 2024 with no change to risk scores.</p> <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>Staffing challenges may result in a lack of cross-service staff capacity to meet emergency response requirements and any other concurrent risks which may create 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>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 are 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>Service Planning and PRD processes were reviewed in early 2024 and will be reviewed on an ongoing basis.</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 recent immigration and humanitarian crisis by introducing refugee schemes that 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 refugees via the cap on safer and legal routes and request to assist Mears regarding local procurement of properties and corresponding support requirements. 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 ongoing discussion between SG, COSLA, Home Office and local authorities 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 Two Tenancy Support Officer (refugee and asylum seeker) posts ended Nov 2023 and Feb 2024 with no dedicated resource for this client group. Implementation of mandatory national transfer scheme means the Council must accept an allocation of unaccompanied asylum-seeking 	<p>Regular attendance at meetings with SG, Home Office and COSLA.</p> <p>ELC Ukraine enquiries contact email address set up and ongoing case management of hosts / guests, where appropriate and demand for services reducing / stabilised.</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> <p>Unaccompanied Asylum-Seeking Children (UASC) currently being supported by the Aftercare Team in Children's Services, making use of accommodation within the My Place project.</p> <p>Managers attend regular national meetings on best practice.</p> <p>Refurbishment of seven properties in Haddington (Brown Street) for Ukraine households.</p>	Housing Options Service Manager Head of Children's Services (CSWO)	5	4	20	<p>Quantification of future resource requirements to be identified and articulated as new and changing schemes are rolled out.</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>Discussions are ongoing with Scottish Government and the Home Office about the increase in numbers of UASC children coming to East Lothian.</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>Completion and 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	4	16	Housing Options Service Manager and Head of Children's Services (CSWO) for all measures	<p>March 2025</p> <p>March 2025</p> <p>June 2025</p> <p>March 2025</p> <p>March 2025</p> <p>November 2024</p>	Risk refreshed by Housing Options Service Manager September 2024 with residual score increased from 12 to 16.

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		<p>young people set by the Home Office. Notification will be short notice and frequency is dependent on rate of arrival in the UK. This presents a resource challenge re-provision of accommodation and social work support. The national local crisis in fostering resources is compounding the service risk.</p> <ul style="list-style-type: none"> 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. Mears procurement is being carried out with limited communication and arrivals flagged to local authorities with limited notice. 												
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 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><u>Internal IT Security Threats</u></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>Unpatched/unsecured/hardened "shadow IT" has been identified in some areas this alongside IOT devices. These provide easy path into the ELC network. IT are essentially blind to these devices and systems until they are found and decoupled.</p> <p>Our traditional security architecture needs to align with modern approaches, this has been the key finding for many data breaches, ransomware attacks alongside supply chain attacks which are becoming increasingly intelligent in their attack vectors.</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 Governments, Local Government Digital Office, Scottish Local Authority Security Group and react accordingly.</p> <p>Monthly mandatory 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>Membership and attendance of the Scottish Local Authorities Information Security Group (SLAISG).</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>	<p>Executive Director – for Council Resources</p> <p>Head of Corporate Support</p>	4	4	16	<p>Contract a 24x7 Network Operations Centre to monitor our network log and perform MXDR/SOC duties</p> <p>ELC to take tech lead for procurement of National SOC project by Digital Office. Initial meetings with 3rd parties around managed SOC/SIEM solution initiated.</p> <p>Recruit IT Security Specialist.</p> <p>Evaluate and initiate project to deploy a "Zero trust" Architecture effectively changing how we handle cyber security internally versus our traditional LAN/WAN based network.</p>	3	4	12	<p>Team Manager - Infrastructure & Security for all measures</p>	<p>September 2025</p> <p>September 2025</p> <p>December 2024</p> <p>Q4 2025</p>	<p>Cyber Security Risk updated by Service Manager – IT, October 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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ELC CR 7	Physical and/or Psychological Impact on People Impact on Service Objectives 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. Deteriorating natural environment and extreme weather affect our ability to deliver services reliably and to acceptable standards. 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 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</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>Reported to Council on actions taken to tackle the Nature Emergency following the Nature Emergency Declaration. Ongoing future reporting to Council will be lodged in the Members' Library Service.</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 to develop and update the East Lothian Biodiversity Action Plan, to identify priorities for action to</p>	<p>Chief Executive</p> <p>Head of Development</p> <p>Sustainability and Climate Change Officer</p> <p>Head of Infrastructure</p> <p>Biodiversity Officer</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>	3	4	12	<p>Sustainability and Climate Change Officer</p> <p>S&CCO</p> <p>S&CCO</p> <p>S&CCO</p> <p>S&CCO and Biodiversity Officer</p>	<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>Risk updated August 2024 by Sustainability & Climate Change Officer and Biodiversity Officer with no change to risk scores.</p>

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		<p>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>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> <p>Identify funding streams and partners to continue delivering projects to conserve and enhance biodiversity on a local and landscape scale.</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</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 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. 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 and make more efficient our records management systems.</p> <p>Cross Lothian collaboration on Lothian Region period 1975 to 1996 (and predecessor authorities) re-records management and retrieval etc occurs</p>	Service Manager – Governance Chief Social Work Officer	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>A draft agreement regarding historical liabilities for the successor authorities of LRC is out for consultation with each authority and it is hoped it will be agreed in 2024.</p>	4	3	12	<p>Cross Service Group</p> <p>Chief Social Work Officer</p> <p>Chief Social Work Officer</p> <p>Records Management</p> <p>Insurance</p>	<p>December 2024</p> <p>December 2024</p> <p>December 2024</p> <p>August 2026</p> <p>December 2024</p>	<p>Risk reviewed August 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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		Government proposals/legislation for compensation schemes and as such any legitimate claim arising would need to be taken forward through ELCs Insurers.	regularly when a claim is received. Accurate records post 1996 relating to East Lothian Council clients. Council Financial Reserve – may reduce the impact to service provision if claims extend beyond budget. 2024 update: further discussions have been held between successor LRC local authorities due to emerging risks of limits of indemnity and future allocation of claims. Unanimous decision to put formal agreement in place to cover from 1996 to date (and beyond) 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. Regular discussions are held with Council's Insurance providers and brokers to ensure risk is covered and/or mitigated to allow regular review for sufficient budgetary provision for any additional costs/claims that may not be covered by insurance.											
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.	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. 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. Musselburgh Flood Protection Scheme (MFPS) is proposed to be funded 80% by Scottish Government. The delivery of flood protection schemes is reliant on funding. 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'24.	Executive Director for Place	4	4	16	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. 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. 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. 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	3	3	9	Senior Engineer - Flood Protection Senior Engineer - Flood Protection Senior Engineer - Flood Protection Senior Engineer - Flood Protection	2024-2028 2024-2028 2024-2026 2024-2026	Risk reviewed and updated September 2024 by Team Manager – Structures & Flooding with no change to assessment of current scores.

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			<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> <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>				<p>accordance with the project's PRINCE2 Project Management System. The statutory approvals process, which includes publishing the final Outline Design, commenced in March 2024 and this period closed in April 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 completion between 2024 and 2026; this is not yet out for tender.</p>				Senior Engineer - Flood Protection	2024-2026		

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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 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. The bill has passed through stage 1 (29/2/24) and is in the stage 2 process.</p> <p>On November 14th Maree Todd (Minister for Social Care) wrote out to confirm that the Stage 2 process had been deferred beyond 26th November to allow more time to understand and address outstanding issues. New Stage dates to be agreed between the Minister for Parliamentary Business and the Scottish Parliament with no fixed timeline.</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). The potential for elements of the proposed changes to lead to improved outcomes for vulnerable people is acknowledged. However, there remains uncertainty on unintended consequences of the changes on how effectively and efficiently the council can continue to meet its statutory obligations.</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> <p>ELC and EL IJB sent in separate submissions on their views of the National Care Service. They considered each other's and NHS Lothian's views as part of their submissions, reflecting on Partner views.</p>	<p>Chief Social Work Officer</p> <p>Head of Operations (H&SCP)</p> <p>Executive Director for Education and Children's Services</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> <p>As part of the Stage 2 process there is a call for views on the National Care Service (Scotland) Bill with a deadline of 20th September 2024. ELC and EL IJB are preparing separate submissions as part of this process.</p>	4	3	12	<p>Executive Director, Education & Children's Services</p> <p>CMT & IJB</p>	<p>In line with Scottish Government decisions</p> <p>September 2024</p>	<p>Risk reviewed November 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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			<p>prepare for the implementation of retention controls in Microsoft 365 (M365); the introduction of a new Digital Preservation Policy; staff training and collaborative work with IT to build knowledge of governance functionality within M365; active contribution to the M365 Project Team to feed into a pilot project for Legal Services to establish document management, governance and security functions within SharePoint and Teams.</p> <p>The Council works closely 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> <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.</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 MAPPA arrangements.</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, risk of</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 Support & Protection, Child Protection and Violence Against Women and Girls.</p> <p>The primary aim of the Committee is to provide leadership and strategic oversight of Public Protection activity and performance</p>	<p>Executive Directors</p> <p>Director of East Lothian Health and Social Care Partnership</p> <p>Chief Social Work Officer</p>	3	4	12	<p>The Equally Safe leadership group is taking responsibility for the development of an Equally Safe strategy for East Lothian.</p> <p>There is a national Equally Safe delivery plan published in August 2024 which identifies the need to establish longer term funding for VAWG services. EMPPC VAWG delivery group chair will liaise with</p>	2	4	8	<p>Head of Communities</p> <p>EMPPC VQWG Delivery Group Chair</p>	<p>November 2025</p> <p>December 2024</p>	<p>Risk reviewed October 2024 by Head of Operations ELHSCP and Chief Social Work Officer.</p> <p>Risk refreshed October 2022 by General Manager - Adult Social Work and</p>

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		<p>compensation claims and have a negative impact on the reputation of the Council.</p> <p>A failure to have in place efficient and effective Public Protection arrangements, covering Child Protection, Adult Support and Protection, local MAPPA arrangements, Violence against Women and Girls (VAWG) and Substance Misuse services, may see the Council being unable to fulfil its statutory duties/duty of care which could contribute to a service user suffering harm/death or detriment. This would in turn result in reputational damage and financial compensation.</p> <p>There has been a long-standing waiting list for an Outreach Service from Women's Aid Mid and East Lothian which is the specialist service provider for Women experiencing or having experienced domestic abuse. There is a funding gap created by non-recurring revenue streams and increased demand. The contract for refuge has been reviewed and has been extended on a short-term basis only.</p> <p>The Council's MAPPA responsibilities are not currently at risk as information is continuing not be shared as per habit and practice over the past decade and in line with legislation. The Home Office are progressing a new database – MAPPS – which will replace ViSOR in 2025/26 and all MAPPA partners have agreed to engage with the development. The underlying barriers have not been resolved and some uncertainties remain around operational joint working between ELC and Police Scotland. East Lothian has no access to ViSOR.</p> <p>Currently, 50% of people awaiting CAH are in critical need and there is a risk they may come to harm as a result of not having appropriate support.</p>	<p>across East Lothian and Midlothian. EMPPC lunched its new website on 7th October 2024. This gives information for staff and the public about the work of the Committee, and associated Procedures and Guidance - emppc.co.uk.</p> <p>An Equally Safe leadership group has been established which will take responsibility for the development of an Equally Safe strategy for East Lothian</p> <p>Critical Services Oversight Group (CSOG), Provides governance and leadership of EMPPC on a quarterly basis. The Public Protection Partnership discharges its functions through the following sub-groups:</p> <ul style="list-style-type: none"> • Performance and Quality Improvement Sub-group is responsible for the oversight and governance of the performance framework and quality assurance arrangements. • Learning and Development Sub-group is responsible for the development and delivery of the EMPPC Multi-agency Learning and Development Strategy. • Learning Review Sub-group is responsible for the oversight of progress of Learning Reviews undertaken in relation to Adult Support and Protection and Child Protection, development and review of the progress of action plans arising from Learning Reviews and oversight of local Learning Review arrangements. • East Lothian and Midlothian MAPPA Group is responsible for ensuring that the statutory responsibilities placed on local partner agencies for the assessment and management of risk posed by offenders subject to MAPPA are discharged effectively. • Violence Against Women and Girls Delivery Group is responsible for supporting the delivery of the Equally Safe Strategy and overview of local delivery of services. • Adult Support and Protection Sub-group focuses on practice issues, national and local developments in emerging trends in Adult Support and Protection • Child Protection Sub-group focuses on practice issues, national and local developments in emerging trends in Child Protection <p>The CSWO remains actively engaged in national meetings aimed at achieving a long-term solution to the MAPPA</p>	Public Protection Team Manager				<p>Scottish Government via national network to seek urgent resolution to lack of funding arrangements.</p> <p>The Care at Home Change Board has also reviewed and developed proposals for piloting new models of Care at Home that have been approved.</p>				General Manager, Adult Social Work	March 2025	<p>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>information sharing / ViSOR issue ahead of the implementation of the replacement system MAPPs. The CSWO will continue to provide regular assurance of the safety of MAPPa practice to the CEO.</p> <p>The CSWO and Chief Executive are fully sighted on the current situation regarding ViSOR. Access to ViSOR requires Non-Police Personnel Vetting L2 or L3 and this is a highly intrusive process and colleagues in legal, Information Governance and HR have advised that JSW staff cannot be instructed to undertake this vetting and have confirmed that JSW need access to the information that ViSOR holds only, not the system itself, to fulfil their duties under the Management of Offenders (Scotland) Act 2005 on which MAPPa is based.</p> <p>ELC H&SCP have a daily Care at Home Huddle to monitor/review the level of risk for individuals and maximise opportunities for provision of care.</p> <p>The councils' CSWO attends the CAH change Board to ensure discharge of assuring the quality of care. This will remain in place until there is assurance of stability.</p> <p>Chief Social Work Officer (CSWO) fulfils statutory role and responsibilities, overseeing and reporting on Public Protection issues to Chief Executive and Elected Members, reporting annually to Council giving oversight of Public Protection performance including assessment of risks and pressures.</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</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>Head of Operations, H&SCP</p> <p>Head of Children's Services/ Chief Social Worker</p>	3	4	12	<p>Review of oversight and governance arrangements for assessment. Recent review of Social Governance arrangements undertaken by General Manager for Adult Social Work.</p> <p>Alteration of the workforce model for delivery of care at home service including expansion of internal delivery and piloting of alternative models via Care at Home Change Board.</p> <p>Utilisation of SDS option 3 to support delivery of care at home.</p> <p>Establishment of daily Care at Home Huddle and approval via Change Board to pilot alternative models of Care at Home delivery.</p>	2	4	8	Head of Operations, H&SCP	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>April 2025</p>	<p>Risk reviewed August 2024 by Head of Operations 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>

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		<p>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>Review ongoing through regular Care at Home meetings chaired by General Managers and establishment of daily Care at Home huddle to oversee levels of unmet need.</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> <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>				<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>				Head of Communities	<p>June 2025</p> <p>December 2024</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>	
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</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>	Team Manager, Emergency Planning & Resilience	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.</p>	2	3	6	Team Manager, Emergency Planning & Resilience (TM EP&R) TM EP&R	January 2025	New risk created by Emergency Planning & Resilience Team, May 2024 and updated August 2024

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		<p>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>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> <p>Power banks in place to allow for charging of mobile phone and laptops and powering 230V devices.</p>				<p>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>Review ELCs usage of UHF/VHF radios for both corporate and community resilience purposes. Purchase radio equipment and appropriate licence to operate. Provide training to Staff on the use of radio equipment during an incident.</p>				<p>EP&R Officer</p> <p>EP&R Officer</p>	<p>March 2025</p> <p>March 2025</p>		
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 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 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</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 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</p>	Executive Director of Place Head of Infrastructure	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 resilient community plans.</p>	3	3	9	Team Manager – EP&R	<p>Spring 2025</p> <p>March 2025</p>	Risk reviewed and updated August 2024, with no change to assessment of current scores.

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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 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>Chief Executive</p> <p>Executive Directors</p> <p>Council Management Team</p> <p>EL Contest Chair (Head of Communities)</p> <p>Contest SPoC (Emergency Planning, Risk & Resilience Manager)</p> <p>Prevent SPoC (Head of Children's Services)</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	Contest and Prevent SPoCs for all	<p>March 2025</p> <p>March 2025</p> <p>March 2025</p>	Risk refreshed by Head of Communities, Contest Working Group Chair, August 2024 – no change to risk scores.

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			<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	Legal & Regulatory	<p>Failure to meet Equality Act requirements</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; 	<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; 	Head of Corporate Support	3	3	9	<p>A Childrens Rights and Wellbeing Impact Assessment (CRIWA) template and guidance are now in place to be used across the organisation to uphold Childrens Rights and mitigate this risk. The Equality IIA review will include signposting to complete a CRIWA.</p>	2	3	6	Equality Officer	March 2025	Risk reviewed and updated November 2024 by Equality Officer and reviewed by Head of Corporate Support with current risk score

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		<ul style="list-style-type: none"> • 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>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>The Scottish Government continues to extend their commitment to Equality, Inclusion and Rights, this includes the recent incorporation of the United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Act, the British Sign Language (Scotland) Act 2015 and additional Public Sector Equality duties. At the time of writing this may bring in a duty on accessible and inclusive communication.</p> <p>To meet new legal duty to ensure compliance with the 26 October 2024 Prevention of Sexual Harassment duty which places an anticipatory and preventative duty on employers to take reasonable steps to prevent harassment. This duty is specific only to sexual harassment.</p>	<ul style="list-style-type: none"> • 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; • Continue to embed the equality agenda in all our work, and contribute to the early intervention and prevention approach adopted by the Council and its Partners; • Improve understanding of the impact of poverty and inequality on people's lives; and • Ensure that we plan and deliver services which meet modern standards of delivery and that are inclusive of a wide range of different needs from digital services to face to face interactions <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 ELC 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 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 Report 2022-23 published.</p> <p>Annual Equality module review.</p> <p>The mandatory staff Equality module is completed at induction, and thereafter an annual refresh by all staff.</p> <p>Prevention of Harassment, Employee Code of Conduct policies are in place, Signposting</p>										increased from 6 to 9.	

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		<p>As an employer, to actively prevent sexual harassment at work in relation to all employees, ensuring prevention of sexual harassment by colleagues and workers – with a new duty to protect employees and workers from third parties such as service users and members of the public et.</p> <p>Financial consideration should complaints go to Tribunal given any compensation payment would be uncapped and could be further uplifted by 25% by the Equality & Human Right Commission of any financial compensation.</p> <p>Equality & Human Rights Commission has new additional powers to enforce non-compliant employers to complete prevention of sexual harassment action plans.</p>	<p>via Intranet, newsletters and MyHR to support; internally (listening ears/Support Officers) and externally (Employee Assistance Programme and other external agencies) employee training via Learnpro and in person, Toolbox talks, and Banter and Equalities training is in place,</p> <p>Lone working arrangements and policy, Bee Nice campaign and customer care training, sphere system recording and evaluation to inform action planning, preventive measures via sphere to flag clients/customers who may be challenging to employees and workers.</p>				<p>Updated and ongoing training for all employees and managers. Toolbox Talks and Equalities/Banter training.</p> <p>Ongoing communications and engagement with employees.</p> <p>Ensure that Prevention of Sexual Harassment Risk Assessments are undertaken by management.</p> <p>Enhance the reporting system for all employees to include helpline services, with ongoing monitoring and evaluation.</p> <p>Third party posters zero tolerance and bee nice.</p> <p>Recruiting to an HR Equality Adviser to develop compliant policy and procedural arrangements regarding Prevention of Sexual Harassment and all employee duties under the Equality Act 2010.</p> <p>Review of work settings where risk may be higher e.g., community settings, schools etc.</p>				<p>SMT/Head Teachers</p> <p>HR Adviser</p> <p>SMT/Head Teachers</p> <p>Team Manager HR Operations</p> <p>SMT/Headteachers</p> <p>Team Manager HR Operations</p> <p>SMT/Head Teacher / HR</p>			
ELC CR 18	<p>Service Objectives</p> <p>Legal & Regulatory</p> <p>Physical and/or Psychological Impact on People</p>	<p>Failure to ensure currency of ELC 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>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>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 dates.</p> <p>The Chief Executive has a statutory responsibility for the ELC BC process. The Heads of Service remain responsible for ensuring their BC process is completed.</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>Emergency Planning, Risk and Resilience Manager</p> <p>Emergency Planning, Risk and Resilience Officer</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> <p>Progress updates to Council wide BC plans to ensure each Service has a live BC plan which is exercised fully on an annual basis and provides support to the Team if BC is invoked, including loss of premises/staff etc.</p>	2	3	6	<p>EP&R Officer</p>	<p>April 2025</p> <p>October 2025</p>	<p>Risk refreshed November 2024 by Service Manager, EP & Resilience with no change to risk scores.</p>

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			<p>Business Continuity Plans are invoked as Services suffer BC issues with a fortnightly update of invoked plans 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 telephony, e-mail and social care.</p> <p>Controls 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 at JMH for the main data centre.</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 19	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 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>	<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> <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</p>	Team Manager – Emergency Planning & Resilience	2	4	8	<p>Ongoing communication with ELC 'Resilient Communities'/ Community Councils to create Resilient Communities plans.</p> <p>Future Emergency/Resilience training will be progressed with ELC staff, strategic, tactical and operational.</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>	1	4	4	<p>J Fleetwood</p> <p>TM EP&R</p> <p>TM EP&R</p>	<p>March 2025</p> <p>August 2025</p> <p>January 2025</p>	Risk reviewed by EP, R & R Manager, August 2024 with no change to risk assessment scores.

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					L	I	L x I		L	I	L x I					
			<p>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>A full Level 2 nuclear emergency response exercise took place in June 2024.</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>													
ELC CR 20	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>As of November 2024 there remains a risk globally from Monkeypox which ELC continue to monitor and following WHO and Government advice. ELC is not expected to implement any control measures.</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>Public Health Scotland continue to work with UKHSA to monitor.</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 seasonality. The vaccination programme continues to be reviewed.</p>	Head of Operations, H&SCP Service Manager, Protective Services			2	3	6	There is a pre-exposure vaccination programme underway in Scotland for those at risk.	2	3	6	Service Manager, Protective Services	December 2024	<p>Risk reviewed November 2024 by Service Manager – Protective Services and Chief Officer, 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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			<p>H&SCP continues to support delivery of the COVID19 vaccination programme however COVID deprioritised in favour of flu uptake due to the clinical benefits. Key changes are</p> <ul style="list-style-type: none"> JCVI statement on the COVID-19 vaccination programme for autumn 2024, 8 April 2024 - GOV.UK (www.gov.uk) Published Friday 02 August 2024. <p>Eligible groups:</p> <ul style="list-style-type: none"> residents in care homes for older adults adults aged 65 years and over persons aged 6 months to 64 years in a clinical risk group (as per COVID-19 Green Book Chapter) JCVI does not advise Covid-19 vaccination for frontline HSCWs, staff in care homes for older adults, unpaid carers & household contacts of people with immunosuppression." <p>However, SG has agreed to offer Covid-19 vaccination to frontline staff & staff in care homes for older adults this winter.</p> <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 21	Reputation & Legal Regulatory	<p>Failure to meet 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, and further revisions being made to the</p>	Service Manager – Governance	2	2	4	The Council's Standing Orders are reviewed regularly, and a further review will be undertaken in late 2024 after a period of operation of the Hybrid Committee Meetings system to ensure they remain up to date and relevant.	2	2	4	Service Manager – Governance	December 2024	Risk Reviewed by Head of Corporate Support September 2024 with no change in risk scores.

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			<p>Schemes of Administration and Delegation in 2024.</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> <p>Training on the Councillors' Code of Conduct is offered to Members periodically with regular updates from the Standards Commission circulated to Members.</p> <p>The Council's Monitoring Officer and Depute Monitoring Officers provide advice as required.</p> <p>An induction programme for new Councillors was delivered to both new and returning Members. This included training on standards in public life and, specifically, on compliance with the requirements of the Councillors' Code of Conduct.</p> <p>A 100-day review took place with our Elected Members in August 2022. This was carried out by way of face-to-face meetings with Elected Members and covered the Elected Member Induction Programme, the Councillors' Code of Conduct, PA support, office accommodation, Access to Council officers, committee papers, surgeries, and further training and development.</p>											

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File Name	East Lothian Council Corporate Risk Register		
Original Author(s)	Scott Kennedy, Risk Officer		
Current Revision Author(s)	Scott Kennedy, Risk Officer		
Version	Date	Author(s)	Notes on Revisions
71	February 2024	S Kennedy	Updates made to Workforce Challenge, Maintenance of Assets and Climate and Nature Emergency risks.
72	March 2024	S Kennedy	Communicable Disease risk reduced from 9 to 6 due to vaccine programme in place and Homelessness, Refugee / Asylum Schemes and IS & DP risks updated.
73	March – April 2024	S Kennedy	Risk Register reviewed by Executive Director Council Resources, Head of Finance and Head of Communities with updates made to Financial Environment, Maintenance of Assets and Workforce Challenges risks. Cost of Living Pressures and Economic Volatility risk removed, March 2024.
74	April – May 2024	S Kennedy	Equality, Standards in Public Life, Business Continuity and Emergency Planning risks reviewed.
75	May 2024	S Kennedy	Information Security and Data Protection risk split into two risks. All remaining Corporate Risks reviewed.
76	July 2024	S Kennedy	National Power Outage Risk updated.
77	August - November 2024	S Kennedy	Risks reviewed prior to December presentation to Council followed by transfer to risk software.

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