

REPORT TO: AUDIT AND GOVERNANCE COMMITTEE

MEETING DATE: 25th March 2025

BY: Chief Executive

SUBJECT: Education, Children's Services, Infrastructure and Health and Social Care Partnership Risk Registers

1 PURPOSE

- 1.1 To present to the Audit and Governance Committee risk registers in the following order for discussion, comment and noting:
- A. Education
 - B. Children's Services
 - C. Infrastructure
 - D. Health and Social Care Partnership Risk Registers
- 1.2 These Risk Registers are developed in keeping with the Council's Risk Management Strategy and are live documents, which are reviewed and refreshed on a regular basis, led by the Local Risk Working Groups (LRWG) within each service.

2 RECOMMENDATIONS

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

3 BACKGROUND

- 3.1 The Risk Registers has been compiled by the respective LRWGs. All risks have been evaluated using the standard (5x5) risk matrix (Appendix 5) producing an evaluation of risk as either 'low (1-4)', 'medium' (5-9), 'high' (10-19) or 'very high' (20-25).
- 3.2 The Council's response in relation to adverse risk or its risk appetite is such that:
- Very High risk is unacceptable and measures should be taken to reduce, transfer or treat the risk to a more tolerable position;
 - High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place;
 - Medium risk is tolerable with control measures that are cost effective;
 - Low risk is broadly acceptable without any further action to prevent or mitigate risk.
- 3.3 The four risk registers presented include the following number of risks:
- Education Risk Register includes 2 Very High, 3 High and 8 Medium risks.
 - Children's Services Risk Register includes 1 Very High, 3 High, 1 Medium and 1 Low risks.
 - Infrastructure Risk Register includes 3 Very High, 21 High, 30 Medium and 14 Low risks.
 - Health and Social Care Partnership Risk Register includes 1 Very High, 12 High and 9 Medium risks.

As per the Council's Risk Strategy, only the Very High and High risks are being reported to the Committee.

4 POLICY IMPLICATIONS

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

5 INTEGRATED IMPACT ASSESSMENT

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

6 RESOURCE IMPLICATIONS

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

6.2 Personnel - There are no immediate implications.

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

7 BACKGROUND PAPERS

7.1 Appendix 1 – Education Risk Register

7.2 Appendix 2 – Children’s Services Risk Register

7.3 Appendix 3 – Infrastructure Risk Register

7.4 Appendix 4 – Health and Social Care Partnership Risk Register

7.5 Appendix 5 – Risk Matrix

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DATE	13 th March 2025

East Lothian Council Education Risk Register

Risk ID	Category	Title	Description	Impact	Probability	Current Risk Score	Residual Risk Score	Corrective Actions	Review Date	Latest Update
R177	Impact on Reputation	Condition of the School Estate and impact of Changing Demographic	<p>Significant refresh and investment in the existing school estate is required to bring our learning and teaching facilities up to standard and improve suitability.</p> <p>Failure to invest in the school estate impacts negatively on learning and teaching and leads to minor repairs/maintenance becoming major repairs/maintenance costs.</p> <p>Our school estate needs to be fit for purpose for the delivery of a modern curriculum, and therefore needs to change to reflect education reform and to ensure we are equipped to raise attainment and offer a wide breadth of curriculum choice to meet the needs of all learners.</p> <p>Proposed LDP housing development, population growth and subsequent need to expand the schools' estate risks failure to provide suitable school provision or sufficient capacity available in the short term.</p> <p>Risk to uncertainty with forward planning for new establishments where house development completion rates are slower than expected delaying the start date for new school buildings.</p>	4	3	20	16	<p>347 - A review of our methodology for calculating school capacity is currently in progress.</p> <p>348 - A subgroup of the LEPB has been developed</p> <p>349 - C Morris convened a Learning Estate Working Group from all service areas to consider priorities and stakeholder views and solutions</p> <p>350 - The Council is making provision for significant capital expenditure</p> <p>351 - A Learning Estate Strategy was created to reflect the Councils aspirations with a resulting improvement plan being created</p> <p>352 - A strategy for specialist provision is under development</p>	30/06/2025	06/02/2025
R179	Impact on Reputation	Unpredictable rise in the number of children with ASN	<p>Increased pressure on specialist provision due to a rise in the numbers of children and young people with Additional Support Needs.</p> <p>Potential increase in references to the ASN tribunal through inability to meet demand for ASN specialist placements.</p> <p>Applications for Exceptional Needs has increased in line with national trends whilst the budget available to the service has not increased at the same rate.</p> <p>Increased demand and costs for specialist educational provision outwith East Lothian Council.</p>	4	4	20	8	<p>360 - A strategy for specialist provision is under development</p>	01/04/2025	19/02/2025
R180	Impact on Reputation	School Premises Security Deficiencies	<p>If our School Premises are not properly safeguarded there is a risk that unauthorised persons could gain entry and cause damage to children, young people and staff as well as property. This could lead to loss of life in the most extreme cases. There is also a risk of assets being unavailable for use, facing potential closure and re-provision of care/teaching in alternative locations at increased cost to the Council and/or in need of repair in turn leading to adverse publicity.</p> <p>There are currently significant issues regarding school boundaries which require to be addressed.</p> <p>The Strategic Asset & Capital Plan Management service have responsibility for the maintenance contracts for the PPP secondary schools and the Wallyford Learning Campus. The Engineering Services team are responsible for the maintenance of the primary school estate.</p>	4	3	16	12	<p>362 - School building security plans are under review by Education.</p> <p>363 - The Learning Estate working group is developing an audit template</p>	21/08/2025	14/02/2025

R174	Financial Impact	Effect of budget challenges and risks on the Scheme of DSM	<p>Management of Devolved School Management Budgets</p> <p>Failure to manage a delegated budget in a fair, equitable and transparent way risks that school's budget is not deployed in accordance with best value principles and risks resources not being used effectively to meet the needs of learners.</p> <p>Failure to adhere to Local Authority procurement arrangements risks non-compliance with policy and best value and potential for large fines.</p> <p>Potential risk of short-term funding i.e. Pupil Equity Fund (PEF and SEF) gives additional budgetary pressure in relation to the retention of staff who could be surplus to requirements when funding ceases.</p> <p>Removal of curriculum charging (parental donations for HE, Art, CDT materials) and removal of Instrumental Music Instruction charging, the SG funding does not cover the cost of delivery of courses placing more pressure on school's budgets or curricular activities needing to be demonstrated rather than experienced directly</p> <p>A budget set annually in April is difficult to manage as it spans two academic years of staffing commitments and makes best value decisions more challenging.</p> <p>Reductions to redesign staffing levels within the Education Service in line with available budget may incur large financial penalties by the SG current policy if staffing numbers cannot be maintained.</p> <p>Risk that probationer teacher quota may not be met if vacancies need to be filled by redeployed teachers. This is being closely managed but cannot guarantee that we will meet our minimum number for the maximum funding threshold.</p> <p>Additional pressure to maintain teacher numbers and associated penalties is creating financial and workforce pressures within the Education budget overall. DSM could not support the financial pressure without further significant funding.</p>	4	3	16	9	340 - Budget pressures in 2024-25 require a further DSM review	30/06/2025	19/02/2025
R176	Regulatory	Failure to Raise Attainment and Achievement	<p>There is a risk to the outcomes for learners living in Quintiles 1 and 2 through failure to close the poverty related attainment gap, and appropriately utilising Pupil and Strategic Equity Funding.</p> <p>Risk of not receiving positive inspections as there is insufficient evidence of impact on closing the attainment gap evaluated under Q1 3.1 – Ensuring wellbeing, equality and inclusion. This could lead to increased scrutiny by external scrutiny bodies such as Education Scotland.</p> <p>The Scottish Government are considering the outcome of education reports, including the Hayward Review. The outcome of this has the potential to require a significant change to the service objectives, education provision and measures. This would require a significant re-orientation of service priorities and resources to meet this national requirement.</p>	4	3	12	9	<p>343 - Continue to develop an authority wide model for the Senior Phase that incorporates all elements of the curriculum</p> <p>344 - Develop partnership arrangements with QMU and Edinburgh College</p> <p>345 - To maintain staffing levels of Pedagogy Team at a minimum of 3.0FTE.</p> <p>346 - Strategic leadership of curriculum provision development</p>	30/06/2025	19/02/2025

East Lothian Council Children's Services Risk Register

Risk ID	Category	Title	Description	Impact	Probability	Current Risk Score	Residual Risk Score	Corrective Actions	Review Date	Latest Update
R189	Financial Impact	Children's Services Activity Pressures	<p>Service activity pressures see demand for services outstrip available budgetary resources risking unmet client need and risk to client safety and independence, potentially generating reputational risk for the Council. In order to protect people and to meet our statutory functions, there will be occasions when difficult decisions about finance need to be made.</p> <p>There are not always suitable internal resources to manage increasing complexity of need of the children referred to children's services which increases the risk of an external provision being required.</p> <p>Internal fostering resources are unable to meet the current demand for placements. External foster placements are considerably more expensive.</p> <p>The requirement to meet the increasing demand for Continuing Care placements impacts on foster placement and internal residential capacity and creates further budget pressures.</p> <p>The UK National Transfer Scheme has resulted in more young people being settled in East Lothian which has an impact on the Aftercare service accommodation and support budget. This is largely offset by the funding from the Home Office.</p> <p>Children's Services have used internal fostering and residential resources to provide accommodation for young people referred to East Lothian.</p>	4	5	20	9	<p>524 - Childrens Services budget increase for 2025 2026 will reduce the risk of the service being overspent in this coming financial year.</p> <p>525 - Target for 2025 2026 to reduce external placements by a minimum of one per year which will reduce spend on external resources.</p>	15/06/2025	27/02/2025
R191	Impact on People	Failure to meet duty of care to public and meet statutory requirements for service delivery	<p>Failure to deliver the duties of Children's Social Work Legislation may put a child at significant risk of harm or result in children not receiving their entitlement to supports and services from the council.</p> <p>The Council has a legal responsibility to address concerns that may require a child protection response.</p> <p>Child protection will continue to be a high-risk area even with all the controls and measures in place.</p> <p>A failure to secure efficient and effective child protection arrangements may see the Council being unable to fulfil its statutory duties/duty of care which could contribute to a harm/death of child or significant harm. This would in turn result in reputational damage to and increased scrutiny of the Social Work services.</p> <p>Factors that impact on this could be lack of resources (financial, services or staffing), poor practice, lack of training, a failure to prioritise those at highest risk, non-compliance with procedures/guidance or failing to intervene early enough. Access to and availability of earlier intervention supports and services are likely to continue to impact on vulnerable children and families.</p> <p>There are increasing policy and legislative requirements from the Government, most of which do not come with additional resourcing. For example:</p> <ul style="list-style-type: none"> •Continuing Care •Implementing the Promise •The Scottish Child Abuse Inquiry •Scottish Child Interview Model •Self Directed Support •Age of Criminal Responsibility 	4	3	12	8	<p>387 - Work is underway to agree what is required to increase the capacity of appropriately regulated emergency accommodation that care leavers can access.</p> <p>388 - Work is underway to agree what is required to increase the capacity of appropriately regulated emergency accommodation that care leavers can access.</p> <p>389 - A further review of all childrens services policies and procedures</p> <p>527 - Ensure learning from EMPPC Learning Review Subgroup is consistently fed back to staff to ensure learning remains relevant and impacts</p>	30/06/2025	27/02/2025

			<p>Page of Criminal Responsibility</p> <ul style="list-style-type: none"> • Keeping Brothers and Sisters together • New National Child Protection Guidance • UASC transfer scheme <p>Lack of suitable accommodation for care experienced young people who become homeless results in the use of unregulated B&B /commercial accommodation. Young people having to stay in B&B over extended periods is a breach of our statutory duties.</p> <p>There is a risk that external regulatory inspections identify significant weaknesses and risks to service users leading to reputational damage and impact on staff.</p>					current practice.		
R190	Business Continuity	Workforce Recruitment and Retention	<p>Lack of a skilled, sufficiently qualified and experienced staff resource or the unexpected loss of a key employee or employees could result in</p> <ul style="list-style-type: none"> • Increased caseloads that reduce staff capacity to assess and manage risk and need to children at risk of harm • A reduction in line management capacity to provide safe oversight of risk management • Statutory duties not being met • Inability to deliver the strategic priorities of the service improvement plan. <p>Newly qualified and inexperienced staff require enhanced supervision, management and oversight which further impacts management capacity.</p>	4	3	12	8	<p>385 - Updated workforce plan is under development.</p> <p>386 - Newly Qualified Social Worker post will be implementing a supported first year programme</p> <p>526 - New Workforce Learning and Development group, chaired by the general manager will address recruitment and retention issues.</p>	15/06/2025	27/02/2025
R194	Legal	Non compliance with data protection	<p>Risk that information governance standards are not fully followed, leading to a breach of Data Protection legislation with possible penalties imposed by the Information Commissioner's Office with commensurate media coverage and reputational damage.</p> <p>Children's services holds highly sensitive information which we need to share regularly (within the parameters of the data sharing agreement) for the purposes of meeting the needs of the children and families in East Lothian. This increases the risk of human error which could result in a person's sensitive data being shared incorrectly.</p>	4	3	12	12		15/06/2025	27/02/2025

East Lothain Council Infrastructure Risk Register

Risk ID	Category	Title	Description	Impact	Probability	Current Risk Score	Residual Risk Score	Corrective Actions	Review Date	Latest Update
R157	Impact on Service Objectives	Reduction in Purchase of Council vehicles	<p>A reduction in future purchase of Council vehicles would result in revenue / maintenance expenditure costs rising.</p> <p>Requirement for the fleet to move to Ultra Low Emission Vehicles (ULEV) cost impact to meet climate change objectives and government legislation – Public Fleet sector target of 2025 for all cars/small vans to be ULEV, no purely fossil fuelled vehicles available to purchase from 2030.</p> <p>No further Transport Scotland funding coming forward for vehicle procurement - limited to EV charging infrastructure.</p>	4	5	20	16	446 - To allow the Council to migrate to an alternative fuel solution SG investment will be required as the cost is currently beyond the capital fund available.	24/08/2025	10/01/2025
R158	Impact on Service Objectives	Reduced Taxi Provision Council Wide	<p>Taxis are becoming difficult to source/procure due to the aftereffects of COVID19 and the current economic status. All taxi operators are facing recruitment issues with pressure on wage and working pattern/hours.</p> <p>There is a potential risk of enhanced contracts being offered from other user areas out with ELC as there is a financial benefit to taxi provider moving to cancellation / handback of ELC contract.</p> <p>Alongside this taxi escort provision is scarce due to the limited hours and salary level.</p> <p>The last series of tenders completed by Transport Services resulted in a nil return or a 40% - 100% price increase depending on operator where we received a response.</p> <p>Operators are leaning to Home to School as their primary work and everything else has to fit around that. The main reason for this is the stability of the routes versus the constant changes involved with other taxi hires.</p> <p>Taxi operators are struggling with supply chain for supply of vehicles and spare parts for maintenance.</p> <p>The main Council Services affected by this reduced availability are Education, Children & Families, Adult Services and Homelessness and potential impacts are: Routes cannot be fulfilled due to unavailability. Services hire their own taxis which may not be compliant and the drivers/escorts may not be PVG checked leaving ELC & clients exposed. The cost of finding taxis will see an increase in cost of tenders up to 75-100%</p> <p>All of the above is a reputational risk to the Council.</p> <p>Taxi provision throughout East Lothian has declined by an estimated 45% since 2019.</p>	4	5	20	20	<p>445 - Market intelligence, monitor and engage regularly with providers and work with them pro-actively.</p> <p>529 - Continued and increased discussion with Taxi operators to maintain awareness of any deterioration of the market conditions.</p>	24/08/2025	10/01/2025
R160	Impact on People	Ash Dieback	<p>Failure to adequately plan for and manage the implications and effects of Ash Dieback tree disease across East Lothian, and particularly in high risk areas including alongside roads, paths/core paths, and in parks, woodlands, open spaces and housing areas.</p>	5	4	20	6	<p>434 - Forestry Squad to continue programme of felling highest risk priority ash trees</p> <p>436 - Identify ownership of all priority roadside diseased ash trees on private land.</p> <p>437 - Pursue national funding for local authorities to tackle Ash Dieback via COSLA, SOLACE, and APSE.</p>	23/02/2026	20/02/2025

R161	Financial Impact	Education Estate – Changes to Projects	<p>Risk of unanticipated changes within Projects resulting in project cost overruns and potential delays to the project with financial consequences for the Council as well as a reputational risk.</p> <p>Recent projects have seen increases in scope due to suitability, condition, upgrades to catering kitchens, safer routes to school, utilities and other factors. Mitigation has not been possible resulting in costs increasing.</p> <p>A full survey of all catering kitchens throughout Council properties is required which is not included in the current condition survey work and needs to be resourced.</p> <p>The Scottish Government announced the intention to introduce free school meals for all primary aged children by 2022 as part of the 100 day commitment. Work was initiated by SG to consider the cost and logistical implications of implementing this policy intent. The policy has not yet been implemented in full and there is ongoing engagement between The Scottish Government and local authorities regarding funding.</p>	4	4	16	12	<p>427 - Ensure Condition and other data is maintained up to date</p> <p>428 - Delivery and implementation programme to be directly linked to school condition and suitability.</p> <p>429 - A planned programme of works to improve performance of buildings is needed</p> <p>430 - Ongoing engagement with Head Of Infrastructure and Executive Directors regarding project changes</p> <p>431 - SACPM to engage with senior management regarding resources and risk mitigation</p> <p>432 - Review risks against level of available budgets and capital bids</p>	21/08/2025	14/02/2025
R163	Financial Impact	Harbours	<p>Failure to maintain harbours could lead to damage to the fabric of the harbour and to boats on moorings and in dinghy parks (where appropriate).</p> <p>Increase in storm events and increased force of wave action could and has led to damaged walls and infrastructure.</p> <p>Potential risk of injury to harbour users, water pollution, vessels sinking and danger from heights should people / equipment fall.</p> <p>Failure to warn of the dangers of the operation of the boom crane (North Berwick only) resulting in HSE / MCA (Marine and Coastguard Agency) involvement.</p> <p>All could lead to bad publicity for the Council and financial loss through insurance claims from the public.</p>	4	4	16	8	<p>423 - Full coastal survey</p>	29/08/2025	20/02/2025

R164	Financial Impact	PPP Project	<p>Failure to adequately resource contract management arrangements will have subsequent issues related to contract compliance, financial risks and deterioration in asset base.</p> <p>Compliance issues include, but are not limited to: asbestos, fire, water quality, building fabric and building services (significant safety and reputational risks). Contract management issues at risk include, but are not limited to: contract guidance for users, benchmarking, Education PPP Specification and curriculum development (modernisation).</p> <p>Asbestos treatment at pre/post of PPP Contract and changes to legislation again form significant risks for ELC including statutory/legislative/management and financial risks. The agreed process is in place however appropriate resources require review. This is also a reputational risk.</p> <p>Fire – Full review of Fire Plans etc. required due to changes in ELC PPP Estate. The agreed process is in place however appropriate resources require review.</p> <p>PPP Future Risk items including Handback preparations.</p> <p>Treasury guidance for the management of PPP Contracts state a minimum of 2% of Contract Value to be spent on Contract management (and this is the basis on which ELC received Government support). Currently the PPP Contract Monthly Unitary Charge is £1,042,021.54 per month or £12,504,258.43 per annum.</p> <p>Expansion of Secondary Schools leased to Innovate under PPP Project Agreement.</p> <p>Failure to conclude Supplemental Agreements in sufficient time to meet timescales for the completion of the extensions resulting in insufficient capacity for pupils.</p> <p>This could result in future reputational risk to the Council.</p>	4	4	16	8	<p>415 - Governance around separate contracts for installation</p> <p>416 - Financial approval required to address compliance risks highlighted.</p> <p>417 - Recent processes completed for Ross High School and North Berwick High School expansions are to be reviewed by educational, technical and legal teams</p> <p>419 - RAAC ELC are to monitor ongoing works at Ross High School</p> <p>420 - Financial implications minimised through negotiations with Innovate regarding capital spend</p>	21/08/2025	21/02/2025
R165	Financial Impact	Failure to inspect and maintain road infrastructure including (road structures, network and street lighting)	<p>These are all major issues for the council given its responsibility for key routes. Any failure in provision/ maintenance may lead to closures, disruptions, adverse public reaction in terms of expectation. A healthy road network aids in enabling a vibrant economy and future economic development.</p> <p>The level of investment in street lighting replacement and maintenance is linked into the holistic road service budget.</p> <p>Following the financial update and reduced budget for 24/25FY Road Services will continue to work with a very challenging financial situation. Recommendation on level of investment will come forward with the Roads Asset Management – Annual Status and Options Report</p> <p>Failure to adequately plan maintenance activities on the public road network could lead to conflict with the requirements of other roads users, including public utilities, events and members of the public. Also failure to comply with the requirements of the Scottish Roads Commissioner such as keeping the gazetteer up to date and other statutory obligations under the Transport Scotland Act and the New Roads and Street Works Act could result in fines from the Scottish Roads Commissioner (as occurred this year) as well as a reputational impact on ELC if events have to be cancelled.</p>	4	4	16	9	<p>411 - Review capital programme</p> <p>412 - Consider delaying non-essential capital works</p> <p>413 - Pay close attention to announcements from Government</p> <p>414 - Attend PPRC</p>	23/06/2026	13/01/2025
R166	Impact on Service Objectives	Current Asset Data	<p>Asset data for operational properties requires continual review otherwise insufficient information is held to prioritise planned investment in buildings and potential risk to occupants, contractors and members of the public from failure of building elements or systems.</p> <p>Asset data requires continual updating and aligned to financial information. The risk being if not updated and accurate it is not possible to use the data to inform decisions regarding future of properties. A recent Finance audit identified that the Council would benefit from investment in an integrated IT system recording all assets. A comprehensive, maintained asset database is required with full access for all relevant parties.</p>	4	4	16	8	<p>409 - New cycle of building surveys</p> <p>410 - Implement a comprehensive asset management database for non-operational property</p>	30/06/2025	04/02/2025

R168	Financial Impact	Maintenance of Non-Operational Property Portfolio and Voids	<p>Failure to maintain non-operational properties in compliance with statutory legislation, particularly in relation to statutory compliance and inspections due to insufficient resources may expose the Council to legal proceedings, financial loss, service reduction, damage to its reputation and potential Health and Safety incidents in properties.</p> <p>Failure to maintain rental income of non-operational property portfolio due to disrepair of properties, poor financial checks on tenants, poor debt retrieval, poor implementation of rent reviews and financial climate. This would result in deteriorating properties, loss on rental income and increase in the number of void properties.</p> <p>This could result in injury/loss of life of building users and legal action against the Council. Failure to make sufficient finance available to carry out testing and implement recommendations may result in all of the above.</p> <p>Scottish Government targets to address Climate Change and imminent changes to energy performance requirements for properties will require significant work to assess the current status and plan works to bring buildings up to the required standard.</p> <p>If voids are not kept to a minimum due to disrepair of property, delay in safety checks, and the undertaking of repairs and improvements it could lead to loss of income.</p>	4	4	16	12	<p>403 - Plan a programme of condition surveys and an audit</p> <p>404 - Review and identify inspection and management resource</p> <p>405 - Consider wider strategic review of commercial portfolio</p> <p>406 - Continue asset rationalisation work to reduce surplus assets</p>	21/08/2025	13/02/2025
R169	Financial Impact	Capital Programme	<p>Risk of adverse financial implications for the Councils capital programme in the light of unpredictable tender price indices. This is likely to result in tender returns being higher than cost plans.</p> <p>Tender and construction costs continue to rise nationally and to the impacts of international events such as Brexit, COVID, the Ukraine War, Suez Canal etc. have resulted in higher costs levels, which are a 'new normal'. Escalation of the current conflict in Gaza poses a risk.</p> <p>East Lothian Council have received several national reports, information from other local authorities and notifications from contractors regarding labour and skill shortages. There is a trade shortage in Scotland. Although availability of construction materials has improved recently and price inflation appears to be stabilising, this is not equitable across all materials. Key subcontract packages are witnessing significant cost increases. Furniture and IT component shortages/lead-in times are also a continuing challenge.</p> <p>This is particularly relevant in respect of the School Estate Expansion where growth and school capacities require delivery of statutory provision by specific deadlines.</p> <p>If capital projects do not proceed, this could result in insufficient accommodation for pupils within schools, with consequent appeals from parents and reputational damage.</p>	4	4	16	12	<p>396 - Continue to monitor national situation with ELC Procurement</p> <p>397 - Prioritise capital projects according to need.</p> <p>398 - Prioritise and programme Capital Plan</p> <p>399 - All census and revised roll projections prepared by Education</p> <p>400 - Housing Land Audit is being progressed by Planning.</p> <p>401 - Sufficient staffing and financial resource to be allocated to projects</p> <p>402 - Capital Plan interventions and S75</p>	21/08/2025	14/02/2025

R170	Financial Impact	Failure to meet Waste and recycling targets and legislation	<p>The Waste (Scotland) Regulations 2012 set out a number of provisions which help Scotland move toward the objectives and targets set out in the Scotland's Zero Waste Plan and help transition toward a circular economy. These provisions include a ban on biodegradable municipal waste going to landfill from the 1 January 2021 – ban has been delayed until 2024. Meeting the ban will have a negative impact on the revenue budget due to increases in gate fees.</p> <p>The Scottish Government has delayed the Deposit Return Scheme until 2025.</p> <p>The scheme is likely to result in a significant loss of high value materials to the Waste Service therefore impacting on the cost effectiveness of delivering kerbside recycling services.</p> <p>The Scottish Government within the context of the circular economy bill is proposing a move away from the current voluntary approach to Scotland's Household Recycling Charter towards a more mandated approach, whereby implementation of the Charter and its supporting Code of Practice becomes a statutory obligation, placing aspects of the Scottish Household Recycling Charter and its supporting Code of Practice on a statutory footing, specifying materials to be targeted for collection or mandating how they are collected, to accelerate improvements to both the quality and quantity of recycling that local authorities are collecting in Scotland and the provision of more consistent collections.</p> <p>Changes to global commodities markets have drastically altered following China's National Sword Policy which instigated strict quality controls on the materials it would accept through import. This has led to huge quantities of poorer quality material without end destinations being retained within the national county of origin. In the UK this has led to an oversupply of material and has reduced the rebate values paid, while East Lothian has in the most part been protected from the worst of the market decline as the box collection system allow us to monitor the material we collect for recycling and ensure it is of sufficiently high quality to attract a value from reprocessors, this continued market uncertainty is likely to increase the cost of procuring kerbside collections going forward.</p>	4	4	16	12		24/08/2025	13/01/2025
R171	Impact on Reputation	Maintenance of Burial Grounds	<p>Failing to maintain the Council's burial grounds could result in a serious injury/death to the public or ELC employees from falling headstones/memorials and a resulting financial loss due to insurance claims. There is also the risk of losing part of East Lothian's cultural heritage through the loss of family history records on headstones and memorials and failure to comply with the Equalities Act if access paths aren't maintained.</p>	4	4	16	12	<p>335 - Ongoing programme of consolidation works scheduled over winter 2023/24 based on revised risk assessment.</p> <p>336 - Round 3 of Headstone Inspection Programme to be completed by March 2024 according to agreed rolling programme.</p> <p>337 - Project to commence on West area headstones to intensify number of headstone checks complete.</p>	23/02/2026	20/02/2025
R172	Impact on Reputation	Burial Service	<p>Inability to provide an efficient burial service and sufficient land for burial purposes would mean that the Council is unable to undertake its statutory duties, and create distress to family and mourners.</p>	4	4	16	12	<p>332 - In Prestonpans there was a delay due to neighbouring housebuilding completions. Completion of cemetery construction is anticipated Winter 2023</p> <p>333 - In Dunbar completion of cemetery construction is anticipated Winter 2023.</p> <p>334 - Potential site identified for Tranent Cluster, initial desktop study identified land possibly suitable for development. Purchase in principle agreed.</p>	23/02/2026	20/02/2025

R198	Property	Asset management records	<p>Asset management records</p> <p>Asset management records lost or unavailable for Council operational and non-operational properties. This would necessitate procuring new measured and condition building surveys incurring significant costs to the Council, potential delay to delivery of capital projects and provision of data to other services.</p> <p>Property data held in paper form in Council-owned premises that are not fit for this purpose (unheated etc.).</p>	4	4	16	12	<p>449 - Seek resource to scan existing documents for off-site electronic / CD storage</p> <p>450 - Visit archive stores for paper-based material and identify extent of issue</p>	21/08/2025	04/02/2025
R167	Impact on People	Tree Estate	<p>Failure to manage and maintain the Council's tree estate including a failure to monitor for the current risk from tree diseases resulting in potential damage to people and or property. Also potential negative impact on the landscape and character of East Lothian and its towns and villages, biodiversity, health & wellbeing of residents and the local economy and tourism, as well as ability to achieve climate change targets in the Council's Climate Change Strategy through carbon offsetting.</p>	5	3	15	10	407 - Regular inspections undertaken	23/02/2026	20/02/2025
R224	Property	Surplus Properties	<p>Failure to dispose of a surplus property due to market conditions, buyers drops out, legal resources, planning resources resulting in ongoing maintenance/security costs for vacant buildings and delay to capital receipts</p>	3	5	15	12	528 - The Estates team will monitor and work with Legal to manage each sale.	21/08/2025	04/02/2025
R159	Impact on Service Objectives	IT systems (e.g. server, AutoCAD)	<p>Failure of these systems to support service delivery due to power failure or other IT issues would impact on ability to carry out design work and to monitor and control contractors operations. Inability to vet contractors' competences, carry out financial control, communicate over IP telephony and produce contract documentation.</p> <p>These complex software systems faced significant challenges during the initial move to remote working. Staff were unable to operate at normal productivity levels. The CAD systems affected include Autodesk AutoCAD and Revit. Other systems were also been affected e.g. Mail Manager, Badger, causing significant productivity/business continuity challenges. Issues caused by IT 're-imaging' of laptops have also been challenging, in terms of productivity and business continuity.</p> <p>Availability of hardware is a significant risk to business continuity – Current lead-in time for standard laptops is six months. This is a challenge for recruitment of new staff and for lifecycle replacement of existing equipment.</p> <p>Servers which house all the technical files for the SACPM and Engineering Services teams require ongoing monitoring of capacity with IT. High risk of non-operation and data loss, resulting in catastrophic failure of business continuity and reputational damage. High financial risk to contract management and project delivery.</p> <p>Increased data storage requirements were inevitable due to transformation, 'New Ways Of Working' (scanning of paper files), Building Information Modelling and value of capital projects.</p> <p>There have been significant issues regarding IT software and hardware for technical teams. e.g. interruptions of access to Autodesk software and connectivity. No recent issue reported.</p>	4	3	12	8	<p>443 - IT service to resolve availability of hardware and lead-in times for delivery (subject to international market). Continue to monitor with IT.</p> <p>444 - IT and Transformation resources required to support the service through changes. Continue to monitor.</p>	21/08/2025	31/01/2025

R162	Impact on Service Objectives	Non delivery of Musselburgh Flood Protection Scheme (MFPS)	<p>Non delivery of Musselburgh Flood Protection Scheme (MFPS)</p> <p>MFPS is a major project being advanced under the Local Flood Risk Management Plan (Forth Estuary) and funded at a rate of 80% under the Scottish Government's Flood Protection Scheme Programme.</p> <p>The review on the overall Flood Risk Management financial implications is continuing to be undertaken. This is being done by an officer group which includes COSLA, LA Directors of Finance and practitioners, together with Scottish Government and SEPA officers. The group is reporting to the joint officer Settlement & Distribution Group, which advises Leaders and Scottish Ministers on matters affecting funding in the Settlement. The outline design of the scheme to protect Musselburgh from major flood risk was approved elected members at the full meeting of East Lothian Council on Tuesday 23 January 2024.</p> <p>The Proposed Scheme was published on 21st March 2024 in accordance with The Flood Risk Management (Scotland) Act 2009 and The Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010 (as Amended).</p> <p>East Lothian Council's Legal Team is responsible for managing the formal process under the Flood Risk Management (Scotland) Act 2009. They are processing the correspondence that we have received, which is ongoing, and in due course any formal 'Valid Objections' and / or 'Representations' as defined in the legislation will be provided to all councillors so they can consider them and the future of the Proposed Scheme.</p>	4	3	12	8	<p>424 - Review Outline Design</p> <p>425 - Project Team will continue to liaise with SG's Flooding Policy Team</p> <p>426 - Project Team have responded to a request for information from the 'Pause & Review'</p>	21/03/2025	13/01/2025
R196	Property	Building Standards Team	<p>Building Standards Team</p> <p>Recruitment constraints faced by the Council could lead to the Building Standards Team not being able to maintain a level of staff that is adequately qualified, trained and competent to carry out the Building Standards duties of verification, enforcement, licensing etc. to the targets expected in BSD's new performance framework. BSD recent audit resulted in 6 year extension to the verification role subject to maintaining successful completion of Improvement Plan. Failure to improve could lead to the Council losing the verification role.</p> <p>Increase in Dangerous buildings being reported and increasing requirement to implement enforcement to be addressed.</p>	4	3	12	8	447 - Looking to implement new enforcement measures.	30/06/2025	04/02/2025
R197	Property	Dangerous Buildings	<p>Higher enforcement workload in terms of dangerous buildings for Officers due to various reasons (including increasing instances of severe weather and owners unable to maintain their properties) resulting in increased risk to members of the public.</p> <p>Service Reviews were carried out during 2016 and 2019 and implemented; however, there is an ongoing inability to recruit suitably qualified BS Surveyors resulting in inability to meet targets.</p>	4	3	12	8	448 - Continue to monitor situation with revised workforce in place	30/06/2025	04/02/2025
R199	Financial Impact	Arms-Length External Organisation (ALEO) – Enjoy Leisure	<p>Enjoy Leisure is the Councils ALEO partner delivering sport and leisure services on behalf of the Council. Enjoy also manage a range of Council sports centres and assets.</p>	4	3	12	9	523 - Ensure information is received through contract meetings to allow due consideration.	31/07/2025	26/02/2025
R211	Impact on People	Street Cleansing Service	<p>Failure to provide a street sweeping service resulting in the Council not being able to fulfil its statutory duties under the Environmental Protection Act. This would have a negative effect on the landscape character of East Lothian and its towns and villages, biodiversity, health & wellbeing of residents and the local economy and tourism. Failure to deliver SOA Outcome.</p>	4	3	12	8	464 - Additional HGV Sweeper Driver post in recruitment process to meet demands of newly adopted roads.	23/02/2026	20/02/2025

R231	Financial Impact	Estate management records	Estate management records lost or unavailable resulting in possible disruption to effective property management – effect on establishing ownership and lease terms and conditions (thereby difficult to protect Council's interest and maintain best value objectives), rent reviews missed, loss of rental income, effect on statutory compliance monitoring, financial reporting etc.	4	3	12	6	473 - Improve off-site storage and back this up more frequently 474 - Transition from previous Badger system to new CIPFA database ongoing - still requires significant time and resource to complete.	21/08/2025	04/02/2025
R246	Financial Impact	Asset Valuations	Failure to provide asset valuations to Finance on time leading to incorrect/outdated values in finance records – audit reports. Discrepancies in data held in Council asset management systems causing challenge from external auditors and delays/additional staff time to resolve. Rise in reinstatement costs.	3	4	12	9		21/08/2025	04/02/2025

East Lothian Health and Social Care Partnership Risk Register

ID	Title	Risk Description	Controls in place	Rating (current)	Rating (Target)	Risk Owner	Handler	Planned Control Description	Progress	Due date
5832	Delivering Financial Balance	<p>There is a sizeable risk that the Health & Social Care Partnership is not able to deliver Financial Balance in 24/25 and at the same time meet the demand from residents and patients for services.</p> <p>The IJB has approved a budget for 24/25 but this relies on delivery of high level savings and there is risk in slippage / non-achievement of these that will require alternative savings to be identified. Furthermore inflationary and service pressures / demands are likely to put further pressure on existing budgets</p>	<p>Budget Monitoring and enhanced budget scrutiny in place that includes;</p> <p>Monthly Financial Overview meeting chaired by Chief Officer</p> <p>Fortnightly Financial Recovery Group established chaired by Head of Operations that will scrutinise each savings proposal, implementation plan, progress and mitigation actions to offset any slippage.</p> <p>Financial position - key action on each Services management meetings</p> <p>Detailed budget reporting in place to provide monthly financial information from NHSL and ELC to ensure timely information on current performance</p> <p>Regular reporting of position to partners (ELC and NHSL) on progress and development of additional plans required and options</p> <p>Reporting of position monthly through to IJB on current position, risks and any need for further options including early engagement with IJB on additional proposals that may be required.</p>	20	12	Wilson, Fiona M	Hood, David	Implementation of appropriate Financial recovery plans along with monitoring and any variances throughout the year.	<p>Financial Overview meetings and regular monitor of financial position in place.</p> <p>August 2024 update - There is an IJB finance workshop scheduled for 5/9/24 at which the Q1 24/25 update will be presented. An update of the five year financial plan and further discussion around management actions that can be taken to bring the position back into financial balance</p> <p>October 2024 - Financial Overview meetings and regular monitor of financial position are in place. Further meetings on Financial recovery have been out in place on regular basis and focus on budget review meetings is on reducing spend. IJB financial recovery workshops have been held in Sept and October with a clear focus on agreeing further actions that will support financial recovery. Further development of the 5 year financial plan and recovery actions need will be presented to IJB committees throughout November and December and shared with Partners.</p> <p>November 2024 - SPG considered financial position in November and overall financial risk, a further IJB development sessions was held on financial position and discussions on developing further savings schemes. Officers continue to liaise with Partners on both statutory service responsibilities and risk of financial balance. An update on 5 year plan will be taken to December IJB and overall plan continued to be developed in line with budget offers.</p> <p>December 2024 – Further discussion at December IJB regarding current financial position, forecast and potential risks. Discussion centred on ability to meet needs of most vulnerable and maintaining statutory services with presentation from Professional Leads. IJB agreed to write to Partners in ELC and NHSL to outline the scale of the financial challenge and risks to services and seek further discussions on funding going forward as part of budget setting process.</p> <p>January 2025 update - Ongoing discussions with Partners regarding financial position and year end forecast and IJB Chair has written to Partners about the expected out turn. Positive ongoing dialogue about funding into 25/26 with both Partners but remains a significant 5 year gap and additional development session held with IJB and further discussions planned into 25/26 linked to Strategic Plan and a 5 year Financial plan.</p>	31/03/2025

5760	Lone Working Devices	<p>East Lothian Council and NHS Lothian respectively have legal duties under the Health and Safety at Work etc Act 1974; and Management of Health and Safety at Work Regulations 1999 to ensure the safety and welfare of anyone working within the East Lothian Health and Social Care Partnership as far as reasonably practicable. The law requires employers to consider carefully, and then deal with, any health and safety risks for people working alone. On this basis, we need to ensure that consistent procedures are established and applied across the Partnership teams to enable confirmation of lone worker locations and maintain ongoing contact; emergency escalation contact details are accurately maintained and can be used in the event of an incident; and that adequate lone working devices, and equipment, as well as training are provided to all lone workers, especially in case of high risk assessment outcomes.</p> <p>The personal safety of all staff is valued and protected through the prevention and management of Violence and Aggression within NHS Lothian. This is achieved by minimising the risk to exposure of violence and aggression for those delivering care, their patients, visitors and the public by creating safe and secure work environments and defines training and education which is proportionate to the level of risk. Due to governance issues, this training cannot be delivered to Partnership Staff who are employed by ELC, of which does not have the equivalent levels of training based on the overall risk outcome.</p> <p>Training plan to be developed and Isobel Nisbet speaking to Keith Flockhart but governance issues playing a part in this.</p>	<p>East Lothian Council Lone Worker Policy for ELC employees</p> <p>NHS Lothian staff members are governed by NHS Lone Working Policy and Safe and Well Procedures</p> <p>The policies are very similar between NHS and ELC which will mean improved staff use.</p> <p>Reporting/Compliance - Reporting of use and training compliance being reported to H&S committee for HSCP.</p>	16	8	Wilson, Fiona M	Kerr, Laura K	Reporting/Compliance - Reporting of use and training compliance to be reported to H&S committee for HSCP.	Feb Update - Progress has been docked at Workforce Group along with o at Partnership Forum and Health & Safety Committee. Overall progress continues to be monitored	31/03/2025
									<p>Police now able to share VPD directly with SUS, so health can provide early response and intervention. Helps SUS to meet the needs of more difficult to access patients.</p> <p>New B6 nurse based in criminal justice. A new post to support Social Work with their management of drug and alcohol issues, whether court mandated or otherwise. - GW February 2024</p> <p>Police share proactively with partners - MELDAP, MELD and SUS. There are discussions when increase in substances are confirmed via testing/post mortems and agreement locally in terms of communication that are required to go out to patients. Plan for expansion in term of VPD criteria in that police will look at individuals who repeat offenders for example for shop lifting and if known substance user look at earlier support as a preventative measure. - LCallander 3/5/24</p> <p>New B6 nurse based in criminal justice. A new post to support Social Work with their management of drug and alcohol issues, whether court mandated or otherwise. Aids proactive and reactive response to client social circumstances. Impact will improve over time as staff member builds links across teams, and is better able to mitigate risk through their role in liaison with Justice Social Work. GW 15/5/24</p> <p>August 2024 update - Meeting to be held at the end of August 2024 to review this year's deaths to look at themes/identify learning - this will be with MELDAP and DRD co-ordinator.</p> <p>Planning in September to start distributing testing strips for</p>	

5743	Drug-related deaths in EL	<p>Use of illicit drugs continues to put the lives and safety of young people and adults at risk, which may result in debt related violence or death.</p> <p>Consumption of illicit drugs not only undermines physical health but also heightens the risk of encountering dangerous situations. Individuals involved in drug use can face spiraling debt that can escalate into violence. Desperation for funds to sustain a habit may drive individuals into criminal activities, increasing the likelihood of encounters with violence and even death.</p> <p>Over 2023/24 we have seen an increase in laboratory manufactured drugs such as Nitizines that can be many times more powerful than traditional opiates. These can be used to cut heroin, increasing potency, and increasing risk of accidental overdose, NFO, and DRD.</p>	<p>Substance Use Services have successfully implemented Medication Assisted Treatment Standards 1- 5 offering:</p> <ul style="list-style-type: none"> •Dedicated contact service •same day assessment and treatment, •Robust non-fatal overdose pathway where assertive outreach nurses offer harm reduction and support •Development of low threshold cafes <p>Effective multi agency working with Police Scotland, MELDAP, Substance Use, SW and other partners therefore if a change in what's happening in EL and surrounding areas we react to that as a service.</p> <p>Effective communication shared with local communities and partners re recent risk of illicit substances available within East Lothian and risks associated with this</p> <p>Radar reports are received from Public health Scotland via MELDAP. These provide up to date details of drugs that have been lab tested after users report adverse unexpected effects. The advice is give by area / postcode, so we can share with clients to highlight risk.</p> <p>PSEAG meetings in place</p> <p>Provision of naloxone kits to try and mitigate</p>	16	12	Wilson, Fiona M	Whitehead, Guy	<p>Protocols - Protocols to be updated to ensure that local intelligence re local dealers and illicit substances is shared with the Police and other partners.</p>	<p>nitazines/zylazines to patients so they can test their drug sample before using.</p> <p>In light of DRD report published August 2024 identifying 20 DRDs in EL in 2023, 85% of whom were not actively engaged with SUS, the service will examine all 20 DRDs. Initial data gathering around last contact/s and episodes of care across secondary, primary care, 3rd sector, Police, SAS.</p> <p>November 2024 update - Two meetings held so far (28/10 and 04/11) with Justic Social Work, MELDAP, Police, and SUS to progress above noted exploration of the 20 DRD's in 23/24 seeking to identify any missed opportunities to pro-actively support EL residents at risk of DRD. Have agreed to go through Information Governance regarding better data sharing so each partner can share information about 'at risk' people. Have expanded membership of both VPD meeting (to include Justice SW) and DRD review group.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> - Contact Information Governance to assure compliance with policy regarding proactive data sharing so each partner can share information about 'at risk' people. - Expand membership of both VPD meeting (to include Justice SW) and DRD review group. - Review of 23/24 DRD list in progress. First pass to tabulate patient vs last service contact across all agencies. Plan to then explore each case in detail to identify any trends or missed opportunities. - Above, to inform potential service change/ or pathway development to better mitigate risk. <p>February 2025 update - VPD meeting occurring fortnightly with membership as above noted.</p> <p>Plan to expand meeting to include Justice SW transitions, and Mental Health – one meeting per week with each statutory organisation sharing intelligence around vulnerable people known to their service to allow proactive support and risk management across agencies.</p>	31/03/2025
								Implementation of MAT Standards 6-10	<p>MAT standards 6-8 progress RAG rated green, 9+10 Rated rated amber. However all MAT standards progressing to delivery on schedule.</p> <p>Provisional validation from MIST at PHS of solid green for MAT standards 1-5, provisional green for MAT standards 6-9, non applicable for MAT standard 10. solid green 1-5 Mat standards, provisional green 6 9, n/a for 10. Implementation and validation to be delivered by April 2025 - GW 15/5/24</p> <p>August 2024 update - MAT standards implementation submitted to Scottish Government on 8/7/24 for q1 of 2024-25. Scottish Government MAT team positive about agreement of Protocol of Nitazene and Fentanyl testing strips during outreach</p> <p>February 2025 update - MAT 6-10 rated as provision green by Scottish Government.</p> <p>Local MAT standards implementation group set up to continue actions around all MAT standards.</p>	30/04/2025

5412	Safe nursing staff levels of inpatient ward areas	There is a risk of insufficient nurse staffing levels caused by high level of sickness/absence. High Vacancies, insufficient supply of registered staff. This could result in compromised patient safety, prolonged length, and unsatisfactory patient experience	7.30am daily staff safety huddle (Nursing Resource Team out of hours being highlighted at this huddle), attend by ward and day services charge nurses, AHP, Nurse Practitioners, Site and Capacity and 2.45pm, workforce plan in place	16	8	Wilson, Fiona M	Neil, Gillian	Agency reduction - Reducing the use of agency staff and utilising bank staff.	<p>Reduction in agency spend has been highlighted in financial grip and control plans. Chief Nurse and GM are also reviewing inpatient staffing establishment in line with safe staffing levels to reduce reliance of staff bank. February 2024 update</p> <p>August 2024 update agency to change to bank spend - showing a reduction in bank spend from last year. Ward 1-4 revised sustainability and value to review establishments and governance of in-house processes</p> <p>November 2024 - bank spend remains high but seeing a reduction. Working with the sustainability and value team around this. Escalation process in place for bank staff and staff consider all options before banks shifts are accepted - tight governance around this.</p> <p>February 2025 update - review of nursing establishment with the s&v team is now almost complete and is being presented at various professional nursing meetings for approval. Have seen an increase in bank spend especially over Dec and Jan due to vacancies and sickness. Bank use continues to be monitored, and request made in line with bank escalation protocol.</p>	01/05/2025
5479	PCIA	<p>Risk that the primary care infrastructure and real estate wont be developed because of the lack of funding.</p> <p>It impacts on the partnership in 3 ways</p> <ol style="list-style-type: none"> 1- It presents a risk that patients will not receive GMS care 2- It may limit the HSCP to implement the PCIP or provide services accessible across East Lothian 3- It may limit the opportunities to provide primary and community care to respond to a growing and ageing population 	<p>HSCP highlight risks to NHSL as capital funding is not delegated to the HSCP.</p> <p>Strategic assessments reviewed and updated annually to inform prioritisation process.</p> <p>NHS Lothian has now competed the prioritisation exercise for all primary care developments identified across Lothian</p> <p>Significant increase is uncertain due to communication from Scottish Government there is no capital funding available for two years. HSCP has no assurance there will be funding available implement the 2021 Primary Care Premises Strategy</p> <p>Locality needs assessment Lothian governance structure on premises</p> <p>NHSL Primary Care initial agreement</p> <p>GP priorities submitted to Scottish Government</p> <p>Lothian Capital Investment group</p>	12	9	Wilson, Fiona M	Megaw, Jamie	<p>Annual assessment of future population growth by HSCP to re-evaluate impact on General Practice premises</p>	<p>Demographic growth now features on IJB risk register - SO July 2023</p> <p>The East Lothian Council Housing Land Audit is reviewed by the HSCP. The current published audit is from 2022 and housebuilding impact on General Practice premises has been reviewed. The 2020 IJB Primary Care Premises strategy remains relevant based. This action will be reviewed following publication of the 2023 HLA. Jamie Megaw 15/8/23</p> <p>The audit regarding population growth is still to be received. Key risk is Musselburgh, patients need to register with Inveresk but cannot accommodate population growth. JM continuing to meet quarterly to monitor registrations. Other risk is re: capital funding and uncertainty. JM 22/11/23</p> <p>Scottish Government confirmed no capital funding for the next two years. Review of MPCC current resource/services undertaken. JM May 2024</p> <p>August 2024 - In the process of reviewing the premises strategy - completing locality needs including population growth. 6 locality needs assessments to be undertaken with the 1st one being completed in September which is being reviewed in team and taking to the accommodation group.</p> <p>November update - One has been completed and the other will be completed by January 2025.</p> <p>February 2025 update - Assessments completed. Currently working on the strategic needs assessment which will be discussed as part of the Lothian Capital prioritisation process to ensure our priorities are as before.</p>	31/03/2025
								Review plan for plan b options	February 2025 update - work underway to explore an alternative model for funding for North Berwick.	31/03/2025

4695	Safe storage of controlled drugs	<p>East Lothian requires to apply for a home office license for the storage of controlled drugs within the Esk Centre, Musselburgh</p> <p>A home office license for controlled drug storage is imperative to ensure public safety. Regulating the storage of such substances within community environments is essential to prevent unauthorised access, misuse, or potential criminal activities. This licensing system establishes clear guidelines, safeguards, and accountability, mitigating the risks around access.</p> <p>Impact – if controlled drugs are not stored securely there is increased risk of theft, or misuse, which could cause harm. Together with secure physical storage clear and robust process controls are in place underpinned by legislation. This can help detect poor clinical practice, criminal activity, or risk to patients.</p>	<p>The East Lothian Substance Use Service who are required to store Controlled prescribed drugs within the Esk Centre, Musselburgh will adhere to Medicated assisted Treat Standard Operating procedure 2 and ensure that the following is applied:</p> <p>All controlled drugs will be appropriately stored in the recommended and approved medication locked storage cupboards All staff will order, monitor and dispense controlled drugs in adherence with NHS Lothian Controlled drugs policy and procedures East Lothian HSCP is progressing with application through the Home Office to obtain a home office license for No 11 There is a new controlled drug procedure which has been implemented from 1st May 2024</p>	12	6	Wilson, Fiona M	Whitehead, Guy	<p>Home license - East Lothian HSCP to apply for a home license and this will be progressed once responsible person has had an enhanced disclosure updated. To discuss with HR</p>	<p>Work ongoing to review those waiting for adaptations. Regular meetings in place with Care & Repair, Housing and Finance colleagues to monitor the budget and adaptations in progress.</p> <p>Adaptations panel meeting on a regular basis to discuss those with a critical need requiring an adaptation.</p> <p>Interim Review of Care & Repair planned for 2024-25. Housing Strategy team are co-ordinating this work. LB 31/1/24 Met with the lead substance use pharmacist and before we can apply for the licence we had to ensure PVGs update to date. Service liaising with PVG and then East and Mid will apply at the same time. Hopefully be completed by end of October 2023. GN 4/8/23</p> <p>In progress and Lindsay Callander taking forward due to be completed by 31/3/24</p> <p>HR person allocated to support service through the process. To be noted this is a lengthy process ultimately dependent on the Home Office. February 2024 update</p> <p>Ongoing - 15/5/24 GW</p> <p>August 2024 - Home office licence has not progressed this was sitting with CNM to progress but post now vacant. Requires a plan to get this moving. Midlothian SUS have been through the process now so should be able to help guide.</p> <p>New CNM in post October 2024, who will progress the license.</p> <p>November 2024 - New CNM in post October 2024, who will progress the license. Timeline for license unknown but is being urgently progressed by new CNM for SUS. CNM has contacted Service Manager in Mid-Lothian for guidance Nov 2024 as ML service has license in place.</p> <p>February 2025 update - CNM now has DBS check completed. ML SM providing advice about next step. Lead Pharmacist supporting.</p>	31/03/2025
								<p>Audit - East and Mid to liaise with controlled drug team to undertake an audit to ensure fully compliant as it is likely that once application is made, we will be inspected.</p>	<p>progressing well - GN 2/5/23</p> <p>There are local arrangements in place to ensure compliance. Needs to remain on the register until application is made and inspection completed - GN 4/8/23</p> <p>In progress and Lindsay Callander taking forward due to be completed by 31/3/24.</p> <p>Update 9/2/24 – SUS have audits ongoing underpinned by MAT standards and targets.</p> <p>There is a new controlled drug procedure which has been implemented from 1st May 2024 - GW 3/5/24</p> <p>The relevant post NHSL SUS Pharmacist has been appointed but is not in post yet - when in post SUS TL will liaise to organise audit by the Lothian level Pharmacist. GW 11/12/24</p> <p>February 2025 update - Lead Pharmacist in post and attending ELSUS business meetings. is aware of progress of Home Office license. Lead Pharmacist agreed to update controlled drug team regarding progress, and to support ELSUS when controlled drug team perform site visit and audit.</p>	31/03/2025

5986	Accurate prescriptions in SUS	ILLY electronic prescribing rollout requiring manual transcription of prescriptions for all 200 SUS patients creates significant risk of error. Error with SUS prescriptions could lead to patient death.	Manual process risk managed by Consultant Psychiatrist, TL Nurse and Clinical nurse specialists, with one manually transcribing from old system onto new ILLY system with other staff member then QCing the work. Subsequently when the batch is run, the prescription is again checked by the Consultant against the old system record and by sense checking with case allocated CPN who knows the patient and their history.	12	6	Wilson, Fiona M	Whitehead, Guy	Options	All SUS prescriptions will be transferred and verified through issuance by January 2025.	01/03/2025
5356	ELHSCP Workforce Risk	<p>There is a risk that we will not have sufficient workforce to deliver services.</p> <p>Recruitment & Retention.</p> <ul style="list-style-type: none"> - Challenges in recruiting staff. - Difficulty in retaining current staff within some departments in ELHSCP. <p>Difficulty attracting nursing staff from acute services to community services.</p> <p>Failure to deliver safe, effective & sustainable health & social care services</p> <p>Accommodation.</p> <ul style="list-style-type: none"> - Challenge of moving to home working and the closing of office space doesn't support a reactive service or peer support. - Consolidation of building space to increase overall service delivery. <p>Resulting in staff becoming disengaged with the Partnership and services it delivers.</p> <p>IT</p> <ul style="list-style-type: none"> - Continued divide between employers IT systems. <p>Resulting in:</p> <ul style="list-style-type: none"> - Potential for unsafe practice. - Inefficient use of time / duplicate workload. <p>With the increasing financial pressures we are seeing an increase in absence rates and the inability to fill vacancies which is having an impact. The impact to deliver service, poor staff moral and wellbeing.</p> <p>There is also a risk regarding training where we are unable to release nursing staff/mandatory training etc due to operating with minimal number of staff. 36% Crookston, 53% Care @ Home and 58% Day Services do not have valid M&H certificates as at February 2025.</p>	<p>Development of the workforce & action plan.</p> <p>Each service area develops own workforce plan and whether there is sufficient staffing and skills required to deliver services.</p> <p>Workforce Steering group have regular meetings to monitor workforce challenges.</p> <p>Rolling recruitment processes for some posts i.e home care / nursing. Recruitment initiatives being developed.</p> <p>Accommodation home working asset review.</p> <p>Continued work with IT partners.</p> <p>Further development of the ELHSCP organisation workforce development team.</p> <p>AHP recruitment issue improving.</p> <p>Nursing service developed and attracting new staff and aiding to recruitment.</p> <p>Adult SW operating hybrid 50% office based approach model - limited to accommodation.</p> <p>Implementation of workforce action plan (3 yr plan) reliant on fair working practices.</p> <p>all staff are instructed to complete mandatory learn pro training and this is monitored.</p> <p>A number of careers fairs have been hosted or attended.</p> <p>Increase in school leavers approaching ELHSCP for vacancies moving to ELHSCP being seen as Young Person Guarantee destination</p> <p>Links with QMU, schools and Universities.</p> <p>Improved relations and communication with HR partners and clearer processes and scrutiny to improve recruitment process in place.</p> <p>Redeployment of staff due to the closure of Blossom House and the Abbey completed - October 2024</p> <p>Absence panels in place.</p>	12	6	Wilson, Fiona M	Kerr, Laura K	Training venues - Accommodation to be identified for the specific purposes of training/recruitment activities. Identify standalone facilities for training of all HSCP staff	February 2025 update - on going – accommodation group established and added as agenda item	01/07/2025
								Development of workforce plan for 2025-2030 underway	February 2025 update - Final version to be signed off in June 2025	01/06/2025
								Explore potential SVQ assessor to improve in-house training to attract new/younger people into HSCP	February 2025 update - action paused due to lack of finance to recruit to post.	01/10/2025
			Clinical & Care Governance Committee in place to provide strategic oversight of care and support within the Partnership.					Workforce model	Continual recruitment underway for care at home with recruitment events designed and held including media, open days etc to encourage applications.	31/03/2025
			Adult Social Work Governance group in place - programme in place of self- evaluation and audit to monitor service quality. Risk register in place to identify and mitigate risks.							

3912	Duty of Care	<p>The Council has a responsibility to assess and provide care and support where appropriate for the people of East Lothian. 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 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>Concerns raised from staff that budgetary/financial constraints are impacting on service delivery and compromising social workers working to their code of practice</p>	<p>Safer Recruitment" practices and PVG checks in place. Services comply with professional registration standards.</p> <p>Adult Social Work Workforce Group in place to monitor and maintain safe staffing levels, skills and expertise to deliver statutory requirements. Working to Code of Practice regularly discussed</p> <p>Care Home Huddle monitors quality within East Lothian care homes support with: contracts, adult protection investigations and LSI process, improvement work, training, clinical knowledge and skills.</p> <p>Ongoing engagement and negotiation with third sector providers to support delivery of IJB service objectives and directions.</p> <p>External inspection, regular engagement and support from Link Inspector.</p> <p>SDS improvement plan in place. Aligned to Scottish Government's review of SDS and operational requirements</p> <p>Data monitoring systems in place: Care home hours used and people waiting on service Home First model – reduction in number of care home placements. Good response time to requests for social work and mental health officer assessment Mitigation against waiting list for AWIA incoming applications</p> <p>Management Resource Panel in place within social work to scrutinise all requests for service and ensure those most in need are prioritised.</p> <p>Multi-agency RAG rating in place to monitor need, risk and ensure those most in need are prioritised for services</p> <p>Private Guardian support programme in place</p> <p>Systems in place for regular reviews of packages of care to enable recycling of care hours that are not being used</p>	12	9	Wilson, Fiona M	Hood, David	<p>Ensure guardianship reviews are aligned with required standards</p> <p>November 2024 update - currently a significant backlog in carrying out supervision reviews (a statutory requirement and highlighted by Mental Welfare Commission). Adult SW GM has developed a plan to reduce these delays over an 18 month period. However, this requires agreement to fund from with SW budget in context of overall financial position.</p> <p>February 2025 - Plan in place and progressing</p>	31/03/2026
			<p>Oversight and Governance arrangements within ASW</p>	February 2025 update - work still ongoing with other services	31/03/2025				
			<p>CAH Huddle/Change Board</p>	Feb 25 update - Daily Care at Huddle in place, along with resource panels and reviews. Structure for Change Board currently being reviewed and CaH will form a key part of this.	31/03/2025				
			<p>Performance Framework being developed to ensure delivery of statutory social work requirements</p>	February 2025 update - framework completed February 2025 and looking at implementation from April 2025.	01/05/2025				
			<p>Develop community brokerage model</p>	February 2025 update - delay in progression	31/03/2025				
			<p>Development of clear outcome focused assessments and reviews</p>	February update - SW Governance Group in place and tracking reviews for all services.	01/08/2025				
			<p>There is a risk that demographic pressures see demand for services outstrip available budgetary and staffing resources leading to unmet client need and risk to client safety and independence, potentially generating reputational risk for East Lothian Council.</p> <p>Service Activity pressures see demand for services outstrip available</p>	<p>1. New planning structure established which will support an overall programme of change and include a number of change boards to which all projects will report. Changes boards reflect agreed priorities of the IJB and include Primary Care, Shifting the Balance of Care, Adults with Complex Needs, Mental Health, Carers and Reprovisioning and a Digital Change board.</p> <p>2. New planning structure includes Reference Groups as well as Change Boards. Reference groups are multi-stakeholder and include service users, carers, voluntary sector organisations, practitioners, community planning partners, housing colleagues and other groups.</p> <p>3. Resource Allocation System (RAS) established with additional short term practitioner capacity to accelerate pace of reviews to ensure resources are allocated according to need within financial constraints.</p> <p>4. Application of the Eligibility criteria has been reviewed and delegated authority implemented. Scrutiny of budget authorisations and analysis of trends through delegated authority.</p> <p>5. Self Directed Support (SDS) implemented and audited with action plan in place.</p> <p>6. Currently commission a range of services which fulfil an early intervention and prevention role. As part of continual planning and service redesign. Mandatory "Golden Threads" have</p>				<p>The new assessment document and process</p> <p>November update - has been implemented, further work required with staff to support it being embedded in day to day work.</p> <p>February 2025 update - ongoing work</p>	01/04/2025

3914	Service Activity Pressures	<p>budgetary and staffing resources leading to unmet client need and risk to clients safety and independence, potentially generating reputational risk for the Council as well as failing to meet statutory responsibilities.</p> <p>This risk is managed by the IJB</p> <p>Care at home external provision remain static at significantly lower levels which impacts on risks and hospital discharges.</p>	<p>been established which all change programmes and projects must evidence as having achieved as part of the proposed change. These include early intervention and prevention.</p> <p>7. Strong relations with third sector organisations etc.</p> <p>8. A three year increased investment plan was agreed at the IJB in early 2017. April 2019 will see the third year of this agreement start where day centres will be operating to a new Service Level Agreement. - REMOVE</p> <p>9. All funding of commissioned provision has undergone a Strategic Fit and Best Value review. This includes integrated Care Fund funding and services.</p> <p>10. Three year budget efficiency plans developed for implementation from 2019 - 2022.</p> <p>11. Services forecast trajectory of need across all Care Groups to inform service development and financial planning.</p> <p>12. Recovery Plan is in place.</p> <p>13. Financial overview regularly considered short, medium and long term measures for resourcing.</p> <p>14. Resource allocation system - delegated authority is in place.</p> <p>15. Community transformation approved at IJB summer 2021 - adults of carers change board overseeing.</p> <p>16. ICAT forum continues to ensure resources are deployed effectively as possible.</p> <p>Care home placements for older people restricted by third sector recruitment and retention.</p>	12	9	Wilson, Fiona M	Hood, David	Service plan template	February 2025 - Service Planning templates drafted and each team working through their templates for completion by end of March 2025	30/04/2025
		<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 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>Strategic Structure</p> <p>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 across East Lothian and Midlothian. EMPPC launched 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 with representation from the Partnership</p> <p>Critical Services Oversight Group (CSOG), Provides governance and leadership of EMPPC on a quarterly basis.</p> <p>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 					Equally Safe strategy for East Lothian	There are plans to establish an Equally Safe leadership group which will take responsibility for the development of an Equally Safe strategy for East Lothian.	30/11/2025

3915	Public Protection - Risk of Harm	<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 to be shared as per habit and practice over the past decade and in line with legislation. The Home Office are progressing a new database – MAPP5 – which will replace VISOR in 2025/26 (although this has been delayed until 2026/27) 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>Justice Social Work is currently based in the Brunton Hall in close proximity to most clients and accessible location. If a suitable alternative location can not be identified there is a risk that this will impact on their ability to implement orders, increase the likelihood of people breaching their orders and ultimately increase risks within the community and lead to reputational damage to East Lothian Council.</p>	<p>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.</p> <ul style="list-style-type: none"> •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 * CSWO/GM/JSW manager involved in PREVENT <p>The CSWO remains actively engaged in national meetings aimed at achieving a long-term solution to the MAPPA information sharing / VISOR issue ahead of the implementation of the replacement system MAPP5. 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>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>	12	8	Wilson, Fiona M	Hood, David	EMPPC VAWG services	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 Scottish Government via national network to seek urgent resolution to lack of funding arrangements. 31/12/2024	01/05/2025
5920	Gender surgery pause - staff welfare	There is a risk that staff will suffer stress and significant psychological harm, and a possible but much lower risk of physical harm because of the prolonged pause on gender affirming surgery referrals and the lack of clear information provided to patients, leading to high levels of distress, rumour and misinformation among the affected community. This has led to multiple verbal enquiries, discussions in almost every clinical consultation and criticism of named staff, expressions of intent to self harm and suggestions of organised (non-violent) protest against the service on social media.	Staff were provided with written information to share verbally with patients on 13th September 2024 and this has been updated regularly. The clinical MDT has been briefed by the Clinical Lead/CNM. Regular conversations with medical staff by Clinical Lead and nursing staff by CNM. Plans developed for formal supervision of Admin/Reception staff by MH trained nursing team members. Script in development for admin staff, referring all queries to clinical team. ELHSCP senior management have offered to attend to discuss with team.	12	6	Hood, David	Clutterbuck, Daniel	Development of and documentation of clinical pathways	February 2024 update - Ongoing concerns from staff about the impact on their wellbeing as result of the pause in surgical referrals: Staff signed posted to support within NHSL that is available and regular updates on position at team meetings. Meeting with Chief Officer arranged for early April (timing to suit team) to hear about their concerns, the NHSL approach and learning from their experiences.	01/05/2025
5921	Gender surgery pause - risk to wellbeing of patients and other community members	There is a risk of unintended harm to Trans and non-binary people, because of the extended pause on gender-affirming surgery and the lack of public facing information on the pause leading to rumour and misinformation. This affects those on the waiting list for surgery, those awaiting surgical assessment and those in the community awaiting initial assessment and referral to the service. Multiple credible reports have included significant deterioration in mental health, increased dysphoria, intent to self-harm including suicide, intent to seek private surgery/surgery abroad with attendant associated risk of harm.	Information has been provided to the clinical team to provide verbally to patients from 13th September. Responses to complaints and MP/MSP queries based on the same information has been shared on social media and through LGBTQ+ media outlets. The ability of third sector colleagues, GPs and others to support those affected is limited by the lack of public facing information. Other than providing apology, the clinical team are not able to provide mental health support, counselling or other interventions beyond what is usually provided by the GIC in relation to gender dysphoria.	12	6	Hood, David	Clutterbuck, Daniel	Development of pathways and outputs of SLWG	Feb 25 - Outputs of SLWG complete and pathways in place. Pause in referrals lifted and regular stakeholder meetings in place.	