

REPORT TO: Audit and Governance Committee

MEETING DATE: 24 November 2020

BY: Chief Executive

SUBJECT: Communities and Partnerships Risk Register

1 PURPOSE

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

1.2 The Communities and Partnerships Risk Register is developed in keeping with the Council's Risk Management Strategy and is a live document, which is reviewed and refreshed on a regular basis, led by the Communities and Partnerships Local Risk Working Group (LRWG).

2 RECOMMENDATIONS

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

3 BACKGROUND

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

- Very High risk is unacceptable and measures should be taken to reduce, transfer or treat the risk to a more tolerable position;
- High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place;
- Medium risk is tolerable with control measures that are cost effective;
- Low risk is broadly acceptable without any further action to prevent or mitigate risk.
- 3.3 The current Communities and Partnerships Risk Register includes 3 High risks, 30 Medium risks and 13 Low Risk. As the Council's Risk Strategy only asks for the Very High and High risks to be reported to the Committee I have also included all the Medium Risks scoring 9 or above.

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 Communities and Partnerships LRWG that the recurring costs associated with the measures in place for each risk are proportionate to the level of risk. The financial requirements to support the Risk Register should be met within the proposed budget allocations. Any unplanned and unbudgeted costs that arise in relation to any of the corporate risks identified will be subject to review by the Corporate Management Team.
- 6.2 Personnel There are no immediate implications.
- 6.3 Other Effective implementation of this register will require the support and commitment of the Risk Owners identified within the register.

7 BACKGROUND PAPERS

7.1 None.

Appendix 1 – Communities and Partnerships Risk Register 2020/21

Appendix 2 – Risk Matrix 2020

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DATE	12 November 2020

Communities and Partnerships Risk Register 2020/21 Date reviewed: 12 November 2020

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Risk ID	Risk Description (Threat/Opportunity to achievement of business objective)	Risk Control Measures (currently in place)	Likelihood	Impact	Risk Rating	Planned Risk Control Measures	Likelihood	Impact	Residual Risk Rating	Risk Owner	for Completion / Review Frequency	Evidence held of Regular Review
			L	ı	LxI		L	1	LxI			
C&P	Failure of IT systems (including Telephony) • Unable to deliver services some of which are vital services i.e. community alarm/telecare services for 3 Councils and 2 Housing associations/adult and children's social work calls/out-of-hours emergency calls • Data unable to be inputted onto databases • Activation of Business Continuity plan • Customers unable to access self-service and get on-line The majority of I.T. systems are Public Sector Network (PSN) compliant with the exception of Integrated Room Booking System (IRBS) and Customer Relationship Management (CRM) Any of the above would result in the Council being unable to meet customer expectations resulting in reputational damage, poor publicity and failure to provide essential services.	Business continuity plan in place, tested annually and review actions implemented. Any short term outages/incidents test resilience and inform BC Plan. All software updated regularly. Regular meetings with staff to ensure they are aware of business needs; staff procedure up to date, staff trained and aware of outcomes and controls. 3rd party provider support and BC plans held (IRBS/Capita/Bolinda/ People's network/MODES). Manual procedures in place to support service provision, where possible: Social work service advised of any telephony problems in order that they can check on most vulnerable clients and make contacts, carers and emergency response service aware. Alternative backup solutions identified where possible e.g. CRM, Netcall 2nd server, Assure (libraries) etc. New Wi-Fi contract awarded March 2019. CRM system procurement and awarded November 2018. IRBS support contract extended to October 2020. Peoples Network and Library Booking System contracts extended to March 2020. CCTV system upgraded June 2018 and now PSN compliant with further upgrade September 2019 to further enhance compliance. Appointment, development and retention	4	4	16	IRB system (bookings) being replaced by Booking Live. This project currently being worked upon New Customer Relations Management System/Customer Services Portal/ implementation programme ongoing. Phase one implemented March 2020 and ongoing. Arrangement for live public launch in progress, planning with Waste Services as first service to go live. Netcall Call Management System contract due to expire late 2020. Looking at options to extend or move to a hosted solution. Review of CCTV network and infrastructure.	2	3	6	Service Manager - Customer Services	April 2021 January 2021 December 2020 March 2021	Risk refreshed by Head of Service October 2020 with no change to assessment of scores. Risk refreshed by Service Manager - Customer Services October 2019 with no change to assessment of scores. Risk refreshed by Customer Service Managers January 2017 with current score increased from 9 to 16 and residual score reduced from 9 to 6.
2	A major outbreak of food poisoning or a public health incident such as Covid-19 could result in serious illness or fatalities to the public. If such an incident is not adequately responded to this could: • allow the outbreak or incident to remain unidentified or continue for longer than necessary. Thereby, possibly causing additional unnecessary illnesses. • impact on public and business confidence within East Lothian.	of sufficient, development and retention of sufficient authorised officers to regulate food businesses through a food safety inspection programme including enforcement action where controls are known to have broken down or have been breached, including sampling. The Business Plan, inspection process and Business Continuity Plan overarch service delivery and are reviewed annually. Established major/ incident response arrangements with NHS Lothian.	3	4	12	and Social Care Partnership. Work in partnership with Scottish Government (Test and Protect), and NHS Lothian to help mitigate the effects of any outbreak on the community, businesses and the Council. Review of Service priorities and resource allocation. Engagement in national professional networks, promoting investment in professional capacity.	3	3	9	Manager – Protective Services	April 2021 April 2021 April 2021 April 2021	Manager - Env Health (Business Regulation) and Head of Service with current score increased from 8 to 12 and residual score increased from 6 to 9 due to current pandemic. Risk refreshed February 2017 with current score reduced from 10 to 8 due to new staffing structure Risk refreshed November 2015 with residual score reduced from 10 to 8.

			Assessmer	nt of Curre	ent Risk			nt of Resid roposed coneasures]			Timescale	
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C&P	 cause a reputational risk for the Council if the incident response was unsatisfactory attract significant media interest result in a public enquiry/formal investigation into the incident, which would affect the deployment of Council resources to carry out day-to-day work. cause a significant increase in workload as an enquiry or investigation could run for several years. cause third party insurance claims to be made against the Council. Depending upon the nature of the incident, the area may require evacuation and/or disinfection. Currently, due to our Public Health duties, reactive work is being carried out for Food Safety/Health and Safety at Work. No routine physical inspections of Food and/or Safety premises being carried out, as most interventions are being done remotely. BREXIT may also increase demand on Service for advice to business re import/export of food thereby stretching the limited resource even further. Service Capacity (Customer Services) 	Rigorous monitoring of water supplies. Service delivery is conducted by trained and competent Environmental Health Officers and Food Safety Officers. Specialist Knowledge sought from partners (NHS and HPS) if and when appropriate The Council has a Joint Health Protection Plan and major incident plan, which may be activated. Promote key public health campaigns and communicate safeguard actions as and when incidents occur. Of prime importance in an incident is the communication of the message, whether this message is primarily the responsibility of East Lothian Council, National Health Service, Scottish Government, Scottish Water, Food Standards Scotland or the Health and Safety Executive. Therefore, the ELC Corporate Communications team has a vital role in relation to both the messaging and the use of the Environmental Health App.				In anticipation of additional funding for Environmental Health, develop role profiles for compliance resources to meet COVID 19 pressures.				Service	April 2021	Risk refreshed by Head of Service
3	Breadth of service delivery across East Lothian and staffing pressures, underpinned by budgetary constraint, stretches resources leading to an inability to sustain services which may impact on the ability to meet priority frontline services e.g. Customer Service desks and libraries and Contact Centre. The workforce profile and demographic may lead to increased vacancy rate, staff absence and staff turnover. Failure to address this risk could lead to: Inability to develop service and staff skills/knowledge e.g. school librarians Inability to effectively meet stakeholder and customer demand Reduced ability to introduce legislative changes effectively. Challenge in appropriately resourcing new services (staffing and equipment) e.g. new school library Workforce capacity pressures (e.g. attendance management, role redesign) resulting from service developments embedding new ways of working to meet strategic priorities	Plans in place. Upskilling and development of staff team to respond to COVID 19 emergency service requirements and new ways of working. Partnership working with Midlothian and Scottish Borders Council expanding which expands service provision and generates service sustainability and income; continuing exploration of further business opportunities and income streams. Effective operational and staff management, deploying ongoing service review, service development and staff management, policies and procedures. Flexible deployment of staff and Locum/casual/relief posts within Local Area offices /Libraries/ Contact Centre and Museum Service and use of volunteers within Library and Museum Service demand.	4	3	12	bevelop graduate intern opportunities to meet service professional requirements e.g. graduate librarian, graduate systems staff, graduate communications interns. Online Customer Service platform will improve linkages to other systems and enable access to self-serve for customers, reducing resource demand within services. Customer Services Service Review which will include Engagement with HR and finance to ensure appropriate role and grading definitions within the service and broader corporate context. Review Customer Services physical assets in the context of the Corporate Asset Strategy as regards Asset Rationalisation. Monitoring of staffing and resource capacity leading to interim operational arrangements regarding service provision and operating hours in response to COVID 19 requirements.	2	3	6	Service Manager – Customer Services	April 2021 April 2021 March 2021 March 2021 March 2021	Risk refreshed by Head of Service October 2020 with residual score reduced to 6. Risk refreshed by Service Manager – Customer Services in the context of COVID-19 service response – 2.10.19 with current risk increased from 9 to 12. Risk refreshed by Head of Communities and Partnerships August 2018 with Current Score reduced from 12 to 9.

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	e.g. digital strategy, asset management, financial strategy, within budget allocation. Customer Services staff teams have been integral to the COVID-19 response supporting Scottish Government support for people initiatives e.g. shielding, and this has meant that staffing has been redeployed from core activities to enable this work.	Active monitoring of staffing budgets with Finance to move staffing resource to where it is needed Close monitoring of RIVO in relation to staff experiences/stress and risk assessments completed. Provision of effective staff Induction and ongoing training e.g. CSPQ, Mindfulness, Mental Health etc. Performance Indicators analysed informing service delivery and management. Provide data and analysis to support bids for additional resources or business case to reduce/withdraw resources. Knowledge software deployed within key areas and evaluated and staff trained to extract, interpret and apply knowledge. Promote alternate customer service options i.e. channel shift to increase online service delivery, and reduce face-to-face and cash handling service provision. Service Review of Facilities Management Services.				Prioritise phased reopening of Customer services and public access to enable resources to be deployed to meet priority Covid-19 response requirements.					March 2021	
C&P 4	Digital exclusion COVID 19 has forced a shift to virtual meetings and services which highlighted that there is an inequality in digital inclusion. If this is not addressed, to ensure equal access to devices, Wi-Fi and training, communities will not be fully represented. Access to community learning and skills development opportunities will be restricted to those with devices and Wi-Fi. Lack of a common IT platform is a barrier to participation and community engagement. Community organisations such as Community Councils, Area Partnerships and 3 rd sector organisations use Zoom; ELC staff are unable to host Zoom meetings and connectivity issues impede inclusion. Social isolation during COVID 19 has had an impact on many people's mental health and wellbeing and highlighted the importance of people being supported to become digitally included.	CLD staff promoting digital skills development opportunities. Maximising funding opportunities Promoting opportunities to access devices and training via community networks such as Area Partnerships and community councils. Effective management of existing public access IT stations e.g. within libraries and customer services.	3	3	9	Identification of a common accessible platform will enable optimum community access to services, participation in meetings, community learning/skills development and to reduce social isolation. Training on digital skills for Connected Communities staff to support community engagement and learning opportunities. Re-establishment of Digital Inclusion Strategy group to review the Council's existing Digital Inclusion Strategy. Implement Connecting Scotland initiative to provide devices, Wi-Fi and identify Community Digital Champions.	3	2	6	Service Manager – Connected Communities	December 2020 December 2020 November 2020 November 2020	New risk created by Service Manager – Connected Communities October 2020.

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C&P 5	Safety Incidents Safety incidents such as petroleum fireworks, sale of illicit goods (e.g. alcohol, tobacco, counterfeit goods & foodstuffs), bogus cold callers at homes and online and mail business and consumer scams may result in public safety concerns and/or major financial harm to local businesses or consumers. This would affect public and business confidence within East Lothian. There would also be a reputational risk for the Council if the incident response were unsatisfactory as there would be significant local/national media interest. With the ongoing expansion of housing in East Lothian the likelihood of this risk will increase in the future. Trading Standards staffing levels currently reduced from 2.9 FTE to 1 FTE. (0.9 FTE on maternity leave until June 2021 & 1FTE post now vacant). Combination of current COVID 19 pandemic and lack of staff has resulted in reactive risk managed visits to retail premises and intelligence led work being referred to Police Scotland or other agencies as appropriate. BREXIT may also increase demand on Service from both business and consumers for advice regarding SCAMS relating to legislative changes to a variety of consumer products and services and	Multi-agency response arrangements in place e.g. Police, Fire Service and Social Work, and good links with other agencies e.g. CTSI, Trading Standards Scotland, OPSS, HSE, SEPA, RoSPA. Reactive visits to major incidents at retail premises only. Current business plan is paused due to COVID-19. Warnings and advice to public and businesses relayed via website, social media and to Area Partnerships and Community Councils if necessary. Contact with SPoCs in the Police re-Environmental Health, Financial Harm etc. Cross-authority networking and collaboration. Participation in national awareness and promotion campaigns.	3	3	9	Review of Service priorities and resource allocation. Engagement in national professional networks, promoting investment in professional capacity. Recruitment to vacant Trading Standards post. In anticipation of additional funding for Environmental Health, develop role profiles for compliance resources to meet COVID 19 pressures.	2	3	6	Service Manager – Protective Services Principal Trading Standards Officer	April 2021 April 2021 January 2021 April 2021	Risk refreshed October 2020 by PTSO with no changes to risk scores. Risk refreshed August 2019 by PTSO with current risk increased from 6 to 9.

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C&P 6	Compliance with the Control of Dogs (Scotland) Act 2010 Failure to comply with the statutory requirements of the Control of Dogs (Scotland) Act 2010 could result in serious injury/death to a member of the public from attack by an out of control dog/s and reputational risk to the Council or prosecution of the Council for failure to comply with the Act. Dog Warden resources are limited leading to longer response times to all complaints (including dog attacks and dealing with stray dogs), monitoring Dog Control Notices and administration of the Professional Dog Walkers' scheme. COVID 19 resource constraints impacts on monitoring Dog Control Notices; it is not possible to physically attend at the home of dog owners due to COVID 19 restrictions.	More employees trained in the enforcement of the Act. Police Scotland have input into any complaints; Dog Warden has good relationship with the Police and can instruct them to assist with inquiries. Community Wardens have been directed to assist the Dog Warden in the discharge of his duties. Ongoing review of procedures by Dog Warden. Joint Protocol on the Control of Dogs with the Police approved and signed; remains in place. Creates clear demarcation lines on agency responsibilities in relation to dog attacks.	3	3	9	The receding of COVID will allow the Dog Warden to return to the discharge of his duties in the traditional way. Promotion of responsible dog ownership across communities.	2	2	4	Service Manager – Protective Services Team Manager - Safer Communities	March 2021 March 2021	Risk reviewed by Head of Service in October 2020 with residual score reduced from 6 to 4. Risk reviewed in January 2020 by Team Manager Safer Communities in light of reduction of Dog Warden service to one officer with current score increased to 9 and residual score to 6.
C&P 7	COVID 19 led to a moratorium on the raising of ELC antisocial behaviour cases at Edinburgh Sheriff Court from March 2020. Moratorium on ASBO cases completely lifted in July 2020 but only partially lifted in relation to eviction cases in September 2020. This generates an 'eviction freeze' which introduces a risk that antisocial perpetrators may act with impunity in the knowledge that they cannot be evicted. The backlog in cases being presented at Court generates significant concerns and reputational risk, placing pressure on both the Safer Communities and Legal Services teams in managing public and service partner expectations in respect of cases in the Courts back log. ELC Legal Services now have a backlog of ASBO instructions leading to increased risk in communities and negative impact on Council reputation.	ELC Solicitor in contact with the Court. ELC. Complainers being kept abreast of situation. Close monitoring of all cases.	3	3	9	Collaborative working with Legal Services to review and progress cases appropriately.	2	2	4	Service Manager – Protective Services Team Manager - Safer Communities	March 2021	New Risk added by Team Manager - Safer Communities - October 2020.

East Lothian Council Risk Matrix

Likelihood Description

Likelihood of Occurrence	Score	Description
Almost Certain	5	Will undoubtedly happen, possibly frequently >90% chance
Likely	4	Will probably happen, but not a persistent issue >70%
Possible	3	May happen occasionally 30-70%
Unlikely	2	Not expected to happen but is possible <30%
Remote	1	Very unlikely this will ever happen <10%

Impact Description

Impact of Occurrence	Score				Des	cription			
		Impact on Service Objectives	Financial Impact	Impact on People	Impact on Time	Impact on Reputation	Impact on Property	Business Continuity	Legal
							Significant disruption to building,		
			Severe impacts on budgets			Highly damaging, severe loss of	facilities or equipment (Loss of	Complete inability to provide	
			(emergency Corporate measures	Single or Multiple fatality within		public confidence, Scottish	building, rebuilding required,	service/system, prolonged	Catastrophic legal, regulatory, or
		Unable to function, inability to fulfil	to be taken to stabilise Council	council control, fatal accident	Serious - in excess of 2 years to	Government or Audit Scotland	temporary accommodation	downtime with no back-up in	contractual breach likely to result in
Catastrophic	5	obligations.	Finances)	enquiry.	recover pre-event position.	involved.	required).	place.	substantial fines or other sanctions.
							Major disruption to building,		
							facilities or equipment (Significant		
				Number of extensive injuries			part of building unusable for		
			Major impact on budgets (need for	(major permanent harm) to		Major adverse publicity	prolonged period of time,		
		Significant impact on service	Corporate solution to be identified	employees, service users or	Major - between 1 & 2 years to	(regional/national), major loss of	alternative accommodation	Significant impact on service	Legal, regulatory, or contractual
Major	4	provision.	to resolve funding difficulty)	public.	recover pre-event position.	confidence.	required).	provision or loss of service.	breach, severe impact to Council.
				Serious injury requiring medical		Some adverse local publicity,			
			Significant impact on budgets (can	treatment to employee, service	Considerable - between 6 months	limited damage with legal	Moderate disruption to building,		
		Service objectives partially	be contained within overall	user or public (semi-permanent	and 1 year to recover pre-event	implications, elected members	facilities or equipment (loss of use	Security support and performance	Legal, regulatory, or contractual
Moderate	3	achievable.	directorate budget)	harm up to 1yr), council liable.	position.	become involved.	of building for medium period).	of service/system borderline.	breach, moderate impact to Council.
				Lost time due to employee injury			Minor disruption to building,		
			Moderate impact on budgets (can	or small compensation claim from		Some public embarrassment, no	facilities or equipment (alternative	Reasonable back-up	
		Minor impact on service	be contained within service head's	service user or public (First aid	Some - between 2 and 6 months	damage to reputation or service	arrangements in place and	arrangements, minor downtime of	Legal, regulatory, or contractual
Minor	2	objectives.	budget)	treatment required).	to recover.	users.	covered by insurance).	service/system.	breach, minor impact to Council.
				·					
						Minor impact to council reputation	Minimal disruption to building,	No operational difficulties, back-up	
		Minimal impact, no service	Minimal impact on budgets (can	Minor injury to employee, service	Minimal - Up to 2 months to	of no interest to the media	facilities or equipment (alternative	support in place and security level	Legal, regulatory, or contractual
Minimal	1	disruption.	be contained within unit's budget)	user or public.	recover.	(Internal).			breach, negligible impact to Council

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

Key

Risk Low Medium High Very High
