East Lothian
Council

REPORT TO: East Lothian Council

MEETING DATE: 31 October 2023

BY: Chief Executive

SUBJECT: Corporate Risk Register 2023-24

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1   PURPOSE

1.1   The full Corporate Risk Register was last reported to Council in August 2023 as well as being reported to both Cabinet in May 2023 and Audit & Governance Committee in June 2023. An update of only the Very High risks within the Corporate Risk Register is being reported to Council given the continued substantial levels of heightened risk. All updates since presentation to August Council are in red font colour.

1.2   The significant economic factors driving increased financial pressures and risks for the Council continue to be incorporated into the relevant risks across the Corporate Risk Register. Any further risk developments impacting on the Council in the period from 16 October 2023, will be reported verbally at Council in presentation of this report.

2   RECOMMENDATIONS

2.1   It is recommended that Council approves the October 2023 update of the Corporate Risk Register and in doing so, the Council is asked to approve that:

- The Corporate Risk Register is maintained as a 'live' document which will be reviewed by the Council Management Team (CMT), the CMT Sub-Group on Risk Management, Service Management Teams (SMT), risk owners and the Corporate Risk Management Group on a regular basis and reported back to Council as and when required;

- agree that the relevant risks have been identified;

- agree that the significance of each risk is appropriate to the current nature of the risk;

- agree that the total profile of corporate risk can be borne by the Council at this time in relation to the Council's appetite for risk but in the context of the planned mitigations; and,

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

3   BACKGROUND

3.1   In keeping with the Council's Risk Management Strategy and reflecting upon the concurrent and constantly changing nature of risks managed by the Council, the Corporate Risk Register, although live, is being reported to Council given the continued substantial levels of heightened risk. The Corporate Risk Register takes into account the international, national and local risk factors impacting on the delivery of Council services and is also informed by the impacts of business continuity arrangements currently deployed in some services across Council.

3.2   The 2023-24 Corporate Risk Register, as of 16 October 2023, currently includes 7 Very High Risks, 6 High Risks, 6 Medium Risks and 1 Low Risk.

3.3   A CMT sub-group on Risk Management meets on a bi-monthly basis to monitor and drive Risk Management council-wide and to review the Corporate Risk Register. This group includes the Executive Directors and ensures that Risk is given prominence by CMT.

3.4   Risk CR1 on 'Managing the Financial Environment' continues to have an increased residual risk score of 25 (this is the highest risk scoring the Council has reported hitherto), due to the very significant external pressures the Council is facing, including rising utility and energy costs, an increasing and significant range of external and inflationary cost and demand pressures, significant increased cost of borrowing and consequences of national pay awards.

3.5   The Council remains in emergency response with business continuity plans invoked within nine council services at the time of this report which are Facilities, Estates, Legal, Housing, Waste, Finance, Children's Services (Support & Intervention), Sport, Countryside & Leisure (Forestry Team) and Connected Communities (Port Seton Centre and Pennypit). These services' Business Continuity Plans are invoked predominantly in response to staffing pressure arising from a very challenged employment market, limited volume and calibre of response to recruitment campaigns and increased demand for services. Activation of Business Continuity Plans for these services results in the available staffing resource being deployed to deliver 'business critical' activities as priority.

3.6   Council can be reassured that CMT, it's Sub-Group, the Corporate Risk Management Group and it's Linking Risks Sub-Group, continue to closely monitor all Corporate Risks.   Management of our risk environment is informed by global and national risks, via the annual Global Risk Report produced by the World Economic Forum in January each year, by the Scottish Government's

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

3.7   The Council's Corporate Risk Strategy is reviewed three yearly and was reported to Cabinet on 14 March 2023.

4   POLICY IMPLICATIONS

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

5   INTEGRATED IMPACT ASSESSMENT

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

6   RESOURCE IMPLICATIONS

6.1   Financial –The financial impact of the corporate risks and mitigation measures remain under close monitoring and review, aligned with the Council's Financial Strategy. Any unplanned and unbudgeted costs that arise in relation to any of the corporate risks identified will be subject to review by the Council Management Team, and if required will be reported to Council.

6.2   Personnel – There are no immediate implications impacting on the administration and oversight of the Corporate Risk Strategy and Framework.

6.3   Other – Effective implementation of this register will require the support and commitment of the risk owners identified within the register.

7   BACKGROUND PAPERS

7.1   Appendix 1 – Corporate Risk Register October 2023 Update

AUTHOR'S NAME	Scott Kennedy
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DATE	16 October 2023

Risk Ref.	Risk Category	Risk Description	Existing Risk Control Measures	Assessment of Current Risk			Planned Risk Control Measures	Assessment of Residual Risk [With proposed control measures]			Timescale for Completion / Review Frequency	Evidence held of Regular Review
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				L	I	L x I		L	I	L x I		
ELC CR 1	Financial

Service Objectives | **Managing the Financial Environment**

The Council is operating in the most challenging and complex financial operating environment it has ever faced. There remains significant immediate and future external cost and demand pressures being placed on the Council, which simply cannot be met within the resources which are now being made available.

These include:
- The level of national funding being made available to this Council to deliver local services is now at an unsustainable level, and increasingly complex.
  - An increasing proportion of funding being directed to support new policy and legislative requirements and lack of flexibility in how it can be used.
  - The increasingly complex, national short-term funding settlements create significant uncertainty and impede robust medium term financial planning and on-going sustainability.

- An increasing and significant range of external and inflationary cost and demand pressures including:
  - High inflation with rising cost of goods and services and commissioned contract services.
  - Significant challenges relating to high utility costs.
  - Meeting the total recurring costs of public sector pay awards.

- There remains a significant and increasing challenge facing this Council in supporting the resource requirements associated with the delivery of the growth agenda resulting from the approved Local Development Plan, which is driven largely by national statutory planning. This includes financing of essential infrastructure, and in particularly the revenue consequences associated with growth.

- The Council is facing significant challenges in the affordability of supporting current and future infrastructure obligations.
  - Higher interest rates resulting in increased capital financing costs which will present a risk to the sustainability of the capital programme.
  - Significantly higher costs of construction in excess of approved budget levels.
  - Increased gap between approved S75 contributions and cost of infrastructure aligned to growth, with the increased cost being placed on the Council to meet.
  - There remain continued risks around the level of national funding being made available to support planned flood protection schemes given the on-going national review of the flooding resources.
  - New financial risks posed through the identification of RACC/Siporex and subsequent costs from the implications in respect of management, remediation and or total loss of assets. | The Council has well developed medium term financial planning arrangements, which have recently been updated as part of the recent review of budget development framework.

The budget development framework now incorporates a cross party budget working group, which meets regularly throughout the year to progress budget development options.

The Council annually refreshes the Financial Strategy, Capital Strategy and Treasury Management Strategy to take cognisance of any new / emerging financial risks. These documents support the medium-term financial planning for the organisation.

The Council has approved an enhanced reserves strategy, which sets out the current level of reserves and associated commitments, including a requirement to maintain a minimum level of uncommitted reserves to support any unforeseen event.

The Council has a wide range of on-going cost control and financial management arrangements to manage in year budget performance and delivery of planned efficiencies. This includes regular management information to CMT and wider Council management, and quarterly financial reporting through political governance. This provides mitigating controls in terms of the immediate financial risk and pressures the Council is faced with.

Given the scale of the escalating levels of financial risk and pressures, the Council has already agreed to continue with an enhanced range of urgent cost control measures aimed at mitigating and limiting the scale of these rising costs. Officers across the Council are now operating enhanced financial controls within these approved mitigation parameters.

Council officers will continue to progress the delivery of planned efficiency savings aligned to Council decisions.

The Council Leader has also written to UK and Scottish Government setting out the scale of financial challenges and urgent review on how local government is funded.

The Council met with cross party-political representation with the Deputy First Minister on 23 August 2023, to set out the significance of the financial implications facing this Council aligned to supporting a growing population and national statutory housing land allocations. Officers | 5 | 5 | 25 | Officers continue to implement enhanced financial controls aligned to Council approved mitigation measures.

Given significant concerns relating to the on-going affordability of the Capital Programme as well as associated revenue costs, officers continue to review the Capital Programme with an initial update presented to Council in October. This will continue to remain under review.

Continue to support national discussions through CIPFA Directors of Finance aligned to ensuring the on-going financial sustainability of local government.

Continue to progress the delivery of an enhanced Transformational Programme and Asset Review aligned to the approved budget development principles, which will support the further transformation of services and deliver and enhanced programme of efficiencies.

On-going engagement with Scottish Government and COSLA on local government funding and distribution to support a fair and adequate allocation of resources to deliver local services.

Given the significant scale of the funding gap, on-going work with CMT and elected members to accelerate, develop and implement additional budget savings proposals, which will also include budget and service reductions and income generation opportunities aligned to the meet the scale of the funding gap over the medium term. These budget savings options will remain aligned to the principles of the budget development framework.

Continue to engage with Scottish Government and COSLA to adequately resource the funding requirements associated with population growth arising from the Local Development Plan, taking into consideration both revenue and capital costs.

Continue to support regional placed based funding discussions with City Region Deal Partners.

Continue to seek urgent national agreement with DFM for additional place-based revenue funding for East Lothian. | 5 | 5 | 25 | Actions ongoing and under continuous review while monitoring arrangements will continue to be applied. | Risk reviewed by Head of Finance and Executive Director Council Resources (CFO), October 2023, with no changes to risk scores.

Risk reviewed by Head of Finance and Executive Director Council Resources, August 2023 with residual score increased to 25 given the scale of the current financial challenge.

Risk refreshed November 2022 by CMT Sub-Group on Corporate Risks with current score increased from 20 to 25 and residual from 16 to 20 due to the current climate. |

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		• There remains on-going uncertainty relating to the proposed national capital accounting review, which could result in changes in accounting for capital infrastructure and could result in significantly increased cost to local taxpayers. This national review has been delayed by 12 months. • The 2022/23 financial accounts currently remain in draft and will not be concluded until mid-December 2023. The financial results therefore remain in draft and subject to change. Given the severity of the financial challenges facing the Council, this delay presents a further risk in forward planning given the current uncertainty relating to the 2022/23 financial position and results. The Council is operating in an extremely challenging financial environment and is current forecasting an overspend of £22.17m in 2023/24, and after applying planned reserves reduces to £10.3m. The Council's minimum level of reserves is currently £7.2m. If this level of overspend materialises this will not only remove the unallocated balances but will also require a redirection of earmarked reserves aligned to supporting critical transformation activities with a view to delivering recurring savings. This will adversely impact on the delivery of strategy and operational activities which rely on funding from these reserves and will also significantly enhance the financial risk and resilience of the Council with low levels of reserves. There remain enhanced risks relating to the ability for the IJB to meet the planned savings aligned to delegated Council budgets and wider demand. Should this materialise and the IJB remain unable to meet the wider savings gap, this will result in an additional financial pressure for the Council. The Council's approved budget for 2023/24 is supported by a requirement to deliver £6.7m planned efficiencies. Currently £0.475m is forecast as undeliverable. There remains an increased risk that the Council will not be able to deliver planned efficiencies, and this will place further increased pressure on on-going financial sustainability The projected medium term funding gap facing the Council over the next 5 years is £71 million. Whilst the Council has set a balanced budget for 2023/24 and has identified further planned savings of £9.6m, very significant additional savings proposals will need to be developed to address the scale of this funding gap. The FM has recently announced a proposed Council Tax freeze for 2024/25, and this remains the subject of national discussions. The FM has indicated his commitment to ensure Councils are compensated for the Council Tax freeze. The funding gap facing the Council for 2024/25 is equivalent to a Council Tax rise of 32%. In addition, there remains a significant funding gap in excess of £1m to support the national CTRS. Collectively this is likely to place further financial pressure on this Council, both to manage the delivery of a balanced budget for 2024/25 and the recurring impact.	continue to pursue the key asks set out in this meeting, including the urgent need to provide additional funding, and continue to support place based funding regional discussions aligned to City Region Deal. Following on from the FM announcement to freeze Council Tax for 2024/25, the Council Leader has written to the FM and DFM setting out his concerns and impact on the financial sustainability of this Council. Senior officers have also expressed significant concerns through national discussions. Senior officers continue to lobby and set out the severity of the Council's financial position in national discussions with COSLA, wider professional bodies such as CIPFA Directors of Finance and SOLACE and wider professional commentators, and professional advisers to consider the financial sustainability of Local Government and associated challenges. The Executive Director for Council Resources in her capacity as Chief Financial Officer has also written separately to the Permanent Secretary of the Scottish Government to set out the seriousness of the financial situation. COSLA and Scottish Government have recently approved a new 'Verity House' agreement which sets out a new relationship between local and national government including discussions around national funding. Senior Officers continue to feed into national discussions supporting this. Given the significance of the financial challenge facing the Council, financial reviews will now report formally to Council rather than Cabinet for wider scrutiny setting out the in-year financial performance against approved budgets. The Charging Policy has been refreshed and agreed by Cabinet and supports the recovery of costs associated with the delivery of council services where the council has discretion to charge. On-going engagement with Treasury advisers with annual treasury indicators approved as part of Treasury Strategy and mid-year review against indicators reported through political governance structures of A&G Committee. On-going discussions with the IJB Chief Financial Officer and Chief Officer around the delivery of current planned efficiencies and future resource requirements aligned to on-going strategic financial planning. Finance officers are working pragmatically with Audit Scotland with a view to concluding the 2022/23 statutory annual audit.			🟥	Continue to work with Audit Scotland to conclude the 2022/23 statutory audit.			🟥		

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		Given the enhanced range of financial pressures, wider risks and challenges, there remains a significant risk that the Council will not be able to support and meet these collective pressures alongside delivering policy and legislative obligations within current and future available resources.										
CR 2	Financial	**Maintenance of Assets** Risk of insufficient staffing and financial resource to carry out repairs and maintenance programmes to ensure buildings are maintained in a good condition. Core Facts returns to The Scottish Government confirm that this is a risk which requires to be addressed. A budgeted, programmed plan of work is required for all existing property assets to confirm how these will be improved from Condition C/D to B or maintained as Condition A/B for their lifetime. Significant additional financial and staff resource is required to achieve this. Failure to carry out repairs and maintenance programmes could result in unavailability of buildings e.g. school closure and reputational damage to the Council. Repairs and maintenance cost pressures and adoption of new facilities e.g. school extensions mean a real term reduction in resource and availability. This could ultimately result in a failure of building elements with the risk of closure or enforcement by Statutory or Regulatory authorities. Failure to carry our repairs and maintenance programmes could result in injury/loss of life of public building users and legal action against the Council. There is also a high risk to health and safety and of reputational damage. The risks posed through the identification of RACC/Siporex and subsequent costs from the implications in respect of management, remediation and or total loss of assets. Fabric issues in property assets are now having serious operational and reputational consequences – Loch Centre, Brunton Hall, Preston Lodge High School are the major ones, but there are others impacting to a lesser extent. Reinforced Autoclaved Aerated Concrete (RAAC) The Local Government Association (LGA) has recently issued advice/warnings about Reinforced Autoclaved Aerated Concrete (RAAC), which is also known as Siporex. This material has been commonly used in Public Buildings between the 1960's and late 1980's.	Annual update of programme of works based on Condition, Suitability and Statutory Compliance assessments to inform budget requirement. Building Surveyor now in post who will be working on accuracy of Asset Condition information. Team Manager – Property Asset Review now in place whose main function will be to look for opportunities to repurpose, dispose of, or rationalise assets. The Manager will also continue to look for opportunities to co-locate and share facilities to reduce the number of assets held by the Council. This work has been focused on the office rationalisation to date. A Project Initiation Document has been approved by the Executive Team and Asset Project Board, to progress a Place-Making Property Asset Review. Recruitment to two other posts in the Property Asset Review team was successful and officers are in post Reports to the Corporate Asset Group will highlight risks which identify impact on the operation or safety of the assets to enable planned action to be considered and implemented. SFT SG revenue funding on new build schools. Ongoing review and update of programme of works based on Condition, Suitability and Statutory Compliance assessments to inform budget requirement. Management and survey work to identify RACC/Siporex. A Desktop Assessment has been carried out involving: • Liaison with Officers to ascertain if they are aware of RAAC being present within any Public Building Assets. • An initial review of ELC Asset Register to identify Buildings/Extensions constructed between the 1960's and the late 1980's when RAAC was widely used. Buildings/Extensions constructed outwith this period can be excluded from a further assessment. • Where As Built Drawings are available, these have been assessed to identify if RAAC has been specified.	5	5	25	Ensure Condition and other data is maintained up to date to inform the planned delivery of works required to ensure buildings comply with statutory and legal requirements and are maintained in a good condition. Identification of survey information currently required is ongoing. Surveys of RAAC elements is ongoing. Significant issues have been identified in several buildings with options appraisals being progressed to inform decision-making regarding remedial works. This is causing major disruption to service delivery. Looking at Lifecycle Costing as part of project/business plan and review on a project basis for future capital bids and budget setting. The service continues to regularly evaluate the current situation as regards material availability and works to mitigate any adverse effects of cancelled or delayed orders for this year's major summer works programme. Review and identify staffing resource required within SACPM, Education and Engineering Services. Service review ongoing. Comprehensive Learning Estate Review programme underway with pre-consultation about to commence. Delivery and implementation programme to be directly linked to school condition and suitability. This will be supplemented by a report to PPRC in relation to this risk for other assets. There is insufficient budget for the scope of work required. The Property Renewals Budget (circa £2m/annum) doesn't cover the maintenance required for the operational estate and will severely limit improvements. The budget for the non-operational portfolio (circa £130/annum) is insufficient for maintenance and will severely limit improvements. Assess property estate against Scottish Government targets to address Climate Change. Plan programme of works to improve performance of buildings. A high level assessment, based on recent case	4	5	20	All measures are ongoing and under constant review as to when they will be in place by.	Risk reviewed by Head of Infrastructure, June 2023 and scores increased from 20 and 16 to 25 & 20 due to ongoing RACC / Siporex issues and subsequent costs. Risk reviewed by Head of Infrastructure, April 2023 with risks posed through the identification of RACC/Siporex and subsequent costs added. Risk also moved to Corporate Risk Register due to heightened issue. Current risk score increased from 16 to 20 and residual score from 12 to 16.

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		Due to the relative lightweight nature of the material and limited durability there has been a number of roof failures in the past and as a result East Lothian Council require to determine the extent and location of RAAC (Siporex) to our Public Buildings and then ensure a robust inspection process is undertaken to determine its condition, level of risk and undertake any action deemed necessary to mitigate the risk to occupants and members of the public and to avoid any catastrophic failure. Use of part of buildings subject to inspections may be restricted or unavailable for a period of time following assessment. Currently there is an uncertainty in relation to material availability and delivery times to carry out the major summer works programme. Assess property estate against Scottish Government targets and imminent changes to energy performance requirements to address Climate Change. Plan programme of works to improve performance of buildings. Significant additional finance commitment and staff resource is required to achieve this, assess the current status, and plan works to bring buildings up to the required standard. There is currently a risk in relation to the lifecycle, maintenance and repair of Council assets which are operated by children's services (i.e. Lothian Villa Meadowmill and Olivebank) The need to ensure school security is enhanced and aligned between the asset and educational practice.	• Information has been obtained from the Asset Register, Health & Safety Files, As Built Drawings, Microfiche Drawings & Condition Surveys. Visual inspections are being undertaken to determine the location/condition of RAAC within Building Assets and where desktop Assessment identifies the possible presence of RAAC, an inspection will be carried out by a Building Surveyor / Structural Engineer. Areas where further investigation is required or where there is any indication of risk to users of a building have been isolated and removed from use pending consideration of remedial works required. Procurement for a Structural Engineer to investigate RAAC issues has been completed and site inspections currently underway. Risk highlighted at ELC PPP Monthly Meetings and at Innovate Board Meetings. Areas requiring immediate action highlighted to Innovate, PPP Provider, inspections carried out and reports received. Transformational work progressing to move to a Corporate Landlord Model and a fully functional, comprehensive property asset management system, possibly by expanding the capability of the existing CIPFA modules held by Engineering Services and Finance. A cross-service Learning Estate review team is in place and carrying out a pre-consultation during 2021/22. Hub South East have been appointed by the Council to analyse the data and progress a Learning Estate Improvement Plan. Education and Strategic Asset Management teams work closely to analyse the data provided by Education and identify requirements arising as a direct result of proposed development. An enhanced and robust school roll projection and class organisation system is in place in Education, which determines the future capacity needs of schools. Regular review meetings are held between Education, Planning, Finance and Strategic Asset and Capital Plan Management. Regular engagement with Care Inspectorate re-quality of care environment. Property Inspectors and the Asset Team within Engineering Services identify priorities on a 3-year rolling programme and implement within available budgets. Work is prioritised on a risk management basis, addressing statutory			🟥	study information prepared by City Of Edinburgh Council, has been carried out and the cost to achieve 'Net Zero' targets has been estimated as between £850million and £1billion for the Council property estate, Identification and management of assets affected by RACC and Siporex with option appraisals to identify remediation and or demolition and future provision. Surveys are well advanced and continuing and have already identified remedial works, some of which have been instructed. Remedial works may involve installation of access hatches or similar to enable ongoing inspection by a structural engineer. However, it is anticipated that certain areas identified shall require replacement roofing works and significant resource & budget to address these findings. Formal notification of further inspections by consultant appointed by ELC has been issued to Innovate, PPP Provider. 'Discovery Survey' Inspections have been carried out in all eight PPP properties. Further investigation is required in a number of areas. Significant issues have been identified in Preston Lodge High School and mitigation is ongoing. Issues have also been identified at Ross High School – Further investigation is progressing to establish the required action Contingency plans are being prepared to mitigate restricted use or unavailability of parts of buildings following assessments. Council Management and Executive Team to be made aware of emergency planning proposals. Review on provision of the residential social care estate including contingency planning for re-provision of Lothian Villa (Meadowmill). The security of secondary school grounds will be reviewed with Education and will be prioritised in terms of risk and available capital and revenue budget. Work is ongoing. The security of primary school grounds will be reviewed with Education and will be prioritised in terms of risk and available capital and revenue budget.			🟥		

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			compliance matters first (fire safety, electrical, safety DDA etc.). PPP Team and Engineering team to review and align work streams related to asset security with Educational operational requirements and practice.									
ELC CR 3	Impact on Service Objectives Financial Legal	**Homelessness** New policy approach rapid rehousing requires the Council to transform homelessness services, place people quickly into permanent accommodation, negating the use of temporary accommodation and requiring a significant reduction in temporary accommodation stock. Resource allocation, further exacerbated by a series of legislative change has been insufficient for service transformation and the approach has resulted in an inability to accommodate those in need, forcing use of non-contracted B&Bs / B&Bs out-with county. Scottish Government require the implementation of a Housing First approach as a key priority, although no funding is available for ongoing revenue costs. Legislative change regarding local connection came into force on 29th November 2022 and requires the Council to accept rehousing responsibility for additional homeless cases. This adds to increased pressures posed by discretion around intentionality and change in focus to deliberate manipulation of the system Changes to local connection have been enacted without preparation of Guidance which places the Council at risk in respect of threats of judicial review. Continued levels of low stock turnover results in limited lets available and longer average time spent in temporary accommodation. Scottish Housing Regulator has noted this. There is a higher financial cost burden for the general services budget due to increased costs as a result of a retendering exercise as well as increasing demand for suitable temporary accommodation, and lengthy stays in temporary accommodation, which is likely to increase further in light of anticipated legislative change. Ongoing breaches of the Unsuitable Accommodation Order due to a shortage of 'suitable' temporary accommodation, with extension of the Order commencing October 2021 and subsequent daily breaches. Enforceable temporary accommodation standards framework implemented from 2021/22 which further reduces the existing portfolio of 'suitable' accommodation. Proposed changes to Homelessness Code of Guidance / new prevention duty pose further risk to existing practice / Homelessness Operations Policy. Implementation will result in increased referrals and a percentage increase in homeless assessments. Reduced supply of private lets due to landlords' ongoing concerns re new Private Residential Tenancy, legislative change (energy efficiency and repairing standard), welfare	Housing Options preventative approach to provision of advice. Continued monitoring of RSL nomination process (new build and routine turnover). Allocation Policy reduced number of offers for each Homeless applicant to 1, to encourage quicker throughput in temporary accommodation. Cabinet approved recommended actions to address pressures relating to a lack of affordable housing supply and address homelessness pressures through delivery of an agreed action plan. Cabinet approval of allocations targets to general needs / homeless applicants. Performance to targets kept under ongoing review. Cabinet approval of Allocations Policy Review. Open Market Acquisitions increase supply prioritising the western part of the county, where demand is highest. Housing First protocol in place and placements ongoing. Significant work complete re policies and procedures to increase flow through the rent deposit scheme. Audit of existing accommodation undertaken in advance of extension to unsuitable accommodation order. Refreshed performance monitoring framework in place to enable improved ongoing monitoring of key aspects of service. Fortnightly monitoring of voids performance to ensure turnaround times are kept to a minimum. The Council Leader has written to the Minister noting the challenges around meeting our ambitions to deliver on our RRTP as a result of both recent and planned legislative changes, the impact of Ukraine and other Resettlement schemes and the risk that if interventions don't happen timeously the adverse impacts on our local housing system are significant.	5	4	20	Further iterations of Rapid Rehousing Transition Plans (RRTP) with clear plans to transform homelessness services by 2024 and beyond, kept under regular review in context of resource allocation and changing legislation. Continue new build activity to increase housing stock, exploring potential to further increase supply within context of the growth agenda. Significant growth in mid-market rent properties coming forward. Housing Options Training Toolkit to be rolled out during 2023/24, to improve homelessness prevention and complement new Prevention Duty anticipated late 2023/24. Exploration of flat share / hosting models and shared tenancies ongoing, which could potentially make better use of existing stock. Revised Homelessness Operations Policy to be put in place, alongside comprehensive review of existing policies and procedures, to ensure service is operating efficiently and effectively. Improved partnership working with existing partners and neighbouring authorities could potentially result in new ways of working and economies of scale. Continue to engage with the Scottish Government to review and monitor the impact that legislative changes and Resettlement Schemes are having on meeting RRTP ambitions to ensure any adverse impacts are addressed quickly. Engagement will likely focus on the concerns around local connection. Significant work to improve void timescales could assist with improved flow through temporary / permanent accommodation. Project proposal for the clearance of the voids backlog in train.	5	4	20	December 2023 March 2024 March 2024 March 2024 March 2024 March 2024 March 2024 December 2023	Risk updated by Head of Housing and Service Manager - Comm Housing & Homelessness September 2023 with no changes to risk scores. Decision to move risk H1 to Corporate Risk Register following update by Service Manager – Comm Housing & Homelessness October 2022 with residual score increased from 16 to 20.

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		reform impacts and cost of living increase, resulting in increased rents. This is further exacerbated by reliance on the PRS as a suitable housing option for Ukraine households, preventing their homelessness. The cost of Living Bill (Scotland) has reduced the ability of landlords to recover tenancies extended to March 2024 and this will result in a significant number of households (currently with evictions on hold) presenting and requiring temporary accommodation, towards March 2024. Linked to this, landlords are increasingly taking action to end tenancies due to mortgage interest rates rising on their own homes and / or homes they rent out. Potential increase in service demand due to poverty and relationship breakdown associated with cost of living crisis are also likely to add pressure to the homeless team both in terms of staff and accommodation. Also likely to result in an increase in cost for temp accommodation Uncertainty over future funding of supported housing (DWP) and proposed changes in respect of restructuring the financing of temporary accommodation. A focus is required on migrant homelessness and destitution in 2023/24, an area of complexity subject to limited Scottish Government flexibility. Legislative change is likely to increase demand on homelessness services and corresponding duties to accommodate, meaning increased spend. There are ongoing concerns regarding limited flow through the housing system and inability to accommodate people in emergency accommodation, due to lack of supply. This can impact upon the ability to source emergency accommodation at times of crisis, which can be particularly stressful for staff on call and leave homeless households without adequate shelter. There is increasing homelessness and housing demand pressure arising from a number of Resettlement schemes, mainly the Ukrainian refugee schemes with host arrangements breaking down early and ongoing pressure from a range of sources to carry out homeless assessments with associated temporary accommodation and ultimately permanent accommodation duties. These demands are likely to increase with further UK and Scottish Government commitments, particularly in respect of the move in focus from a 'warm Scots welcome' to a 'warm Scots future'. There are also other humanitarian schemes including but not limited to the existing Afghan schemes and the forthcoming changes around the new asylum seeker dispersal scheme. The immediacy and fast paced change of the Ukraine crisis has required a refocus in priorities away from homelessness to Ukraine and this remains ongoing to some extent, requiring business continuity measures within the Housing Options Team. Diverted resources from across the wider housing service have resulted in service strain elsewhere including the Housing Options Team and Community Housing. The focus on Ukraine resulted in an inability to prepare an updated RRTP in June 2022.	Housing Options team provide housing options advice to all clients and try to mitigate situations of eviction and discuss housing options to assist others. Government's Mortgage to Rent Scheme is available New team in place in response to Ukrainian refugee situation from October 2022.			 	Consideration of business case/options appraisal in respect of alternative forms of accommodation in response to forthcoming legislative change. A new Consultative Draft LHS is under preparation, which will set out the challenges and actions for the next 5 years. A follow up letter is being drafted for the Housing Minister for further discussion and engagement asking for assistance to help alleviate some of these Housing Pressures, with a focus on the issues presented by legislative change regarding local connection. Ongoing conversion of tenancies to enable RRTP targets re reduction in temporary accommodation to be met. Increased focus on homelessness prevention for vulnerable groups, via transformation of Prevention / Response Teams. Joint working with Adaero is ongoing, to create an emergency accommodation project for the exclusive use of on call staff. The City Region is looking to take more of a regional holistic approach to reviewing and understanding the Housing pressures across the region, particularly in relation to Homelessness and Ukraine to help find a more joined up solution			 	December 2023 December 2023 April 2024 December 2023 December 2023 December 2023	

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ELC CR 4	Financial Service Objectives Legal & Regulatory.	**Cost of Living Pressures and Economic Volatility** **Construction Materials Supply Chain** Construction costs are now causing serious risk of non-delivery of key projects e.g. Blindwells, Craighall and Whitecraig Primary Schools, extension to Aberlady Primary School, after all mitigations have been applied. The construction materials market is currently volatile due to a number of factors including Brexit, the war in Ukraine and the Pandemic impact upon the production and supply chain. Current market uplift percentage is in the region of 15% - 20%. Moving forward we predict a quarterly uplift of 5 % over the next year. Current challenges include: • Significant / unexpected upturn in worldwide workload • Covid-19 recovery & logistical constraints • Supply from the European Union • Hedging and bulk ordering • Increase in cost of raw materials – due to Covid-19, post-Brexit trading rules and rising oil prices • Shortage of drivers of Heavy Goods Vehicles • The war in Ukraine and reduction in manufacturing These challenges have had significant impacts on construction, including: • Massive increase in demand is resulting in shortages on key products and placing strain on labour availability. • During the pandemic manufacturing facilities were closed and the world's distribution network was impacted and is still recovering. • Although there is now a trade agreement, the borders and customs processes add administration, time and cost. • Materials suppliers, main contractors and major UK projects (e.g. HS2) have stockpiled or bulk secured manufacturing and supply slots. • High percentage increases in the cost of particular materials e.g. copper, steel, timber, concrete. • The lead-in times for delivery of materials have increased. • Shortages in components e.g. for mechanical, electrical and IT. In particular networking and specialised IT equipment, which can take up to 12 weeks to be delivered. • The war has impacted on Ukrainian steel production. The main impacts are live project delays, delays to future projects, cost increases, contractors unable to submit fixed-price Tenders, higher risks for Contractors. The risks apply to capital and revenue-funded works for • Property • Roads • Housebuilding generally • Affordable housing programme • Voids and relets • Maintenance and lifecycle works in the operational / non-operational and learning estate and PPP Project. • Maintenance and repairs • Domestic compliance programmes	Regular discussions with current suppliers around market conditions, and alternative specifications / materials. Close engagement and monitoring of national frameworks and conditions through Scotland Excel. Prioritisation – deciding which works are essential, balancing time, cost and risk, possibly delaying works until the market settles. Planning – assessing project programmes and possible procurement options Reporting – providing information to funding bodies, Council management and other services Monitoring – Continuing to liaise with industry bodies, working groups, other local authorities, the Scottish Government, suppliers and contractors to keep the Council informed. The Council is aiming to pre-order and provide enhanced stock management on certain materials where appropriate. Regular discussions are taking place on the Capital and Revenue Investment Plans. Continue to apply BCIS increases, monitor acceptance of offers and continue to maintain dialogues with framework contractors. Continue further engagement with Scottish Government, Government Agencies and Professional bodies. An enhanced review and on-going monitoring of the Council's capital projects remains on-going to identify financial implications associated with the cost of construction and ensure capital investment plans remains affordable.	5	4	20	On-going review of capital projects and plans exploring options for enhanced value engineering and prioritisation of specification and design parameters. Reviewing the opportunity to phase planned works rather than deliver wholesale projects. Consideration to delaying capital and revenue projects where appropriate and possible. Enhanced partnership working with HUB and major suppliers to enable pre ordering and project budget caps to be set - whilst this carries risk of increased front loaded costs used correctly it can cap risk and enable controlled project delivery. Consideration of enhanced contract payments to transfer risk to the private sector – by paying upfront to cap project risks of escalating costs from Covid and material increases project caps can be set to limit overall risk to the Council. Wider review of approved Capital Plan and prioritisation – to ensure programme remains affordable and focussed on critical priorities. Enhanced contract management processes to drive efficiency and value.	4	4	16	The risk and all planned measures are reviewed / progressed on a weekly basis. All actions ongoing and dependant on decisions taken by UK Government	Risk reviewed by CMT, June 2023 with no change to risk scores. New risk created by Executive Director – Place, November 2022 by combining elements of previous risks on Rising Energy Costs, Brexit and Supply/Cost of Materials.

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		• Energy efficiency programmes • Regeneration projects (including grant funded and delivered by others/communities) • The majority of all other procurement related purchasing is being impacted Risks have both financial and programme implications. Higher material and labour costs are not necessarily being reflected in the building cost indices (BCIS) used to vary building framework prices in line with Procurement rules. This could result in ranked framework contractors declining offers of work or tendering for future contracts.					🟥				🟧		
		Brexit / Labour Market Impacts & Replacement EU Funding The end of European funding streams places service provision (business support and employability) at risk. The labour market post-Brexit presents substantial challenge in terms of labour availability. This is particularly evident across key sectors: • Tourism & Hospitality • Farming & Agriculture • Facilities Management • Care • Transportation	UK Government have established the shared Prosperity Fund prospectus to replace previous EU funding arrangements. The council approved a Local Implementation Plan (LIP) for year 1 investment arrangements and awaits UK Government response. The Connected Economy Group (CEG) continues to take a partnership approach to assessment of Brexit related impacts providing connected support and advice to business and ensuring as far as possible aligned collegiate understanding in a continually challenging and dynamic environment. Employability partners including Skills Development Scotland (SDS) and DWP are working in partnership with East Lothian Works and employers to address challenges.			🟥	ELC considered the LIP submission to UK Government for years 2 & 3 in February 2023. Work is ongoing to further develop regional interventions particularly in year 3.			🟧		
		Rising Energy Costs Volatility in energy markets will result in significantly higher energy costs for the foreseeable future. Increasing rates will impact on the cost to operate buildings, street lighting provision, third party users of services, electric vehicle charging rates etc. Rising energy costs will indirectly impact the cost of other goods and services e.g. materials, consumables, transportation. There is a risk that electricity, gas, and unregulated fuels (heating oil, LPG, and biomass etc.) rates could increase further in 2023/24. On 26/06/23, Scottish Government informed LAs of their intention to introduce a Management Charge to selected Procurement Frameworks: Electricity and Water & Waste Water Frameworks from April 2024 and Gas from April 2025. The Management Charge for Electricity and Gas will be based on a nominal charge applied to each meter used and the charge rate set will depend on meter type. This approach also mirrors current Industry Practice.	Electricity, gas and oil is procured through Scottish Procurement. The rates for 2022/2023 will rise significantly however Scottish Procurements purchasing strategy provided some protection throughout the volatility. It is anticipated that Suppliers will pick up the new management charges on the frameworks. However, this will, likely be, passed on to LAs. The Council's Energy Transformation Board seeks to improve energy efficiency and energy supply from renewable sources reducing reliance on fossil fuels. Energy Transformation Project Board have appointed an advisory partner to advance market development of solar, wind, gas hybrid and hydrogen opportunities. Some additional funding has been reflected in 2023/24 approved budget with the expectation that energy costs will continue to fall in future years. The Council has approved a number of existing mitigation measures aimed at controlling existing cost pressures including the need to ensure the temperature in all public buildings is maintained at 18 degrees maximum.			🟥				🟧		

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			Engagement through professional networks to support national discussions on wider market conditions and supporting interventions. Energy controls and thermostats are being used to reduce temperatures across the estate monitored to weather patterns and the Asset team are mothballing and reducing property use and portfolio where possible. The UK Government has introduced temporary arrangements to place price caps on energy supply costs for consumers and introduced and the Energy Bill Relief Scheme for businesses, although these remain under review. Community Windpower has made a £1m donation to East Lothian to support local people with energy costs and the cost of living over the winter, to 31 March 2023. The Council operated as a 'trusted partner' of the scheme being run through Advice Direct , submitting applications on behalf of clients in receipt of benefits or otherwise in financial hardship. The scheme paid up to £1,200 per eligible household to 3 March 2023.			■				■		
		Increased Financial Hardship The financial implications from COVID and subsequent concurrent economic volatility has continued to impact on the financial position of local business, local households and the Council Low income households spend a larger proportion than average on energy, food and interest payments and will therefore be relatively more affected by increases in prices. Businesses are being significantly impacted by cost base rises including energy costs, and staff shortages (often attributed to EU exit), putting pressure on margins and viability, as well as pushing up the prices charged to consumers and the availability of some goods and services. These factors continue to increase pressure on Council services in respect of welfare / poverty, employability, and business support. The council's 2022/23 budget included funding from the Local Authority Economic Recovery (LACER) Fund to provide support to low income households, as well as a one-off contribution from reserves to support low income households. No equivalent funding has been made available through the 2023/24 budget, meaning that the council's capacity to support residents experiencing financial hardship has reduced.	**Support for Residents** Some welfare benefits have changed in response to this in order to help alleviate financial hardship, and some additional national funding has been made available to support those in need. All teams are continuing to provide support and advice for EL residents and businesses struggling financially at this time and are continuing to encourage those who can continue to pay to do so. The Revenues Service has developed a new leaflet 'Helping with the cost of living crisis', which is being widely publicised by all Revenues teams and other Council services to make sure that details of the help and support available is well communicated to local residents. **Support for Businesses** The Connected Economy Group (CEG) continues to take a partnership approach to assessment and monitoring of energy related costs to business and makes representation to UK and Scottish Governments in the context of temporary and medium term mitigation measures as well as providing connected support and advice to business and ensuring as far as possible aligned collegiate understanding in a continually challenging and dynamic environment.			■	The Council is continuing to promote the 'Boost Your income' campaign. East Lothian Poverty Plan – Action Plan Update is in progress for submission to Members Library Service in June 2023. A cost of living survey of council tenants has been conducted and the outputs will be considered by the financial inclusion team and poverty working group.			■		

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ELC CR 5	Capacity	**Workforce Challenges** Maintaining a stable and skilled workforce is essential to efficient, effective and safe delivery of services. Reduction in skilled, qualified and experienced workforce would result in an inability to provide good quality services, increased pressure on existing staff and increased likelihood of poor operational performance e.g. operating below required regulatory standards, potential harm to employees and / or the public, and reputational damage. Pressures in the recruitment market are compounded by reductions in staff attendance due to sickness absence, maternity leave and annual leave – placing additional pressure on the remaining 'at work' workforce. Post-COVID-19 response, some of the Council's workforce are experiencing mental health issues, lowered resilience and fatigue. The recruitment market is challenging due to low levels of unemployment locally and a lack of specialist professional and technical within the market, exacerbated by Brexit related workforce supply issues within key sectors e.g. Facilities Management and Hospitality. The Council's salary and grading structure for the Local Government Employee Group may not be competitive compared to other employers making it more difficult to recruit qualified staff to a wide range of posts. Attractive employment opportunities in other sectors risks staff migrating out of Council service into less stressful, often better paid, employment, where terms and conditions of employment can be negotiated. The Council decision on 29 August 2023 to introduce a temporary recruitment freeze for many posts and to introduce a delay to the current recruitment process creates an additional pressure for service delivery and for staff health and wellbeing. This will also have an impact on customers and community life leading to possible reputational damage to the Council. These pressures have resulted in a reduced ability to provide the full range of services to the public and impact on the Council's ability to provide internal support services e.g. Legal services. Reflecting these workforce risks, the following services are currently operating under Business Continuity Plans: • Facilities Management • Estates • Children's Services - Support & Intervention • Waste Services – Garden Waste • Housing Options Team • Legal • Forestry Squad • Finance • Connected Communities (Port Seton Centre and Pennypit) Failure to preserve business critical activities within these services could lead to increased risks in respect of 'life and	The 2023-2027 Workforce Plan was approved by Cabinet (Jan 2023). The 2023-2027 Workforce Plan actions are being implemented. A recruitment task group has been established (August 2022) with representatives from key services and an action plan drawn up with various options being explored by HR and services. The HR service in conjunction with Corporate Communications are reviewing community based advertising methodologies e.g. poster campaigns, pro-active social media campaigns and recruitment fairs. A number of school career events in the diary over Autumn/Winter 2022. Regular assessment of staffing capacity within services enables redeployment of available resources to maintain frontline service delivery, reducing service provision when essential in non-statutory services. Staff have opportunity to work additional hours and overtime when appropriate to service needs. Essential vacancies are advertised within the approved Recruitment & Selection Policy processes. The Council has agreed the limited use of the Market Supplement Policy in difficult to recruit areas, where it can be demonstrated that the market rate makes the Council no longer competitive. (This will be considered on a case by case basis). Agency staffing is utilised within Agency procurement frameworks in extremis to meet service needs. Developing graduate intern opportunities to meet service professional requirements. Managers continue to apply the Managing Attendance Policy. Initiatives are in place to help employees manage their own stress, including Employee Assistance Programme, Listening Ears, Healthy Working Lives Organisational Development and Healthy Working Lives briefings to staff and managers on techniques etc. to support staff to maintain mental health and wellbeing. Salary placement within the Grade in Local Government Employee recruitment relevant to candidate skill and experience, rather than always on 1st point of the scale.	5	4	20	Employee Engagement Survey 2023 conducted, results analysed and action plans are in development by services. There is also a corporate action plan which will be integrated into the Workforce Plan and actions will be monitored through the Workforce Plan Action Plan.	5	3	15	October 2023	Risk updated September 2023 by Service Manager – Customer Services with no change to risk scores. Risk Refreshed November 2022 by CMT – amalgamating previous CR6, CR 15 and CR 18 – composing one 'workforce challenges' risk. Risk refreshed November 2022 by CMT Sub-Group on Corporate Risks with current score increased from 16 to 20 and residual from 12 to 15 given number of services in BC mode.

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		limb' services, finance and severe reputational damage to the Council. Certain services such as FM, Garden Waste, Housing Options and Children's Services are likely to remain within Business Continuity arrangements for some time due to absence and recruitment challenges. Insufficient staff can also lead to an inability to open facilities, or to reducing opening hours/days, impacting on local service access and reducing community programmes of activity. A lack of cross-service staff capacity to meet emergency response requirements and any other concurrent risks e.g. winter weather emergency, refugee response, avian flu outbreak, ash dieback et al., would increase risks to public safety, bringing reputational damage to the Council. The Council recognises that a large proportion of the workforce is aged over 55 years and many staff with significant knowledge and experience could leave the Council leaving the Council at risk in key areas – an inability to recruit impacts on succession planning and risks key specialist roles remaining unfilled. The Council has a duty of care to the workforce, a breach of which may affect the health, safety and wellbeing of employees leading to increased sickness absence, pressures on service delivery and added potential for employee liability claims against the Council for incidents involving employees or non-employees or enforcement action by the Health & Safety Executive. Areas which have been identified as posing a particularly high level of risk to the workforce are: • Manual Handling • Stress / Mental wellbeing • Lone Working • Unacceptable Behaviour • Risks from Public Monuments • Safe Driving at work • School Trips	Service Reviews involve inputs from HR and Finance to ensure appropriate role and grading definitions within the service and broader corporate context. Efficient deployment of Disclosure Scotland checks. Review of recruitment options, online and face to face, in progress. Induction programmes for new employees have been updated. CMT operate a Business Continuity Plan and maintain up-to-date training in Emergency Planning and Response. Business Continuity Plans activated as necessary, reducing scope and scale of service delivery to focus existing resource on business critical and statutory functions. As an example Garden Waste collections which are non-statutory will remain on a monthly cycle to protect statutory services. Contingency planning and identification of non-business critical activities and staff who may be trained to deploy to essential activities when required; including consideration of closing service areas if required. Support is provided by Amenity services to supplement the winter emergency response team. Provision of LGV licence training to increase capacity amongst drivers within services e.g. to drive gritters. Service planning and mitigations, public information issued. Emergency Response debriefs are carried out e.g. most recently into Storm Arwen noting lessons learned and promptly implementing subsequent actions. Service planning and mitigations, public information issued. Investment in apprenticeships, Graduate Trainee opportunities and targeted recruitment e.g. With schools, colleges and universities. Refresh of Flexible working Policies - Homeworking and Worksmart - maximising work options for LGE staff. Health, Safety and Wellbeing Strategy 2018 – 2021 in place. All employees receive corporate and service appropriate induction including Health & Safety.			 	Review and broaden-out leadership resilience and service capacity within all ELC Contingency Plans. Protective Services Service Review underway, taking account of H&S duties and capacity, intent on supporting refreshed programme of review of management arrangements, inspections and audits. Refresh Guidance for Head of Establishment role.			 		

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			All staff have job outlines and follow the PRD process ensuring all are role-capable and trained to perform safely in their roles. The Joint Health & Safety Committee and Joint Consultative Committee oversee joint health and safety arrangements for all staff. Management Arrangements in place outlining the responsibilities of each level of management and employees. A rolling programme of audit and inspection of management arrangements is being undertaken, covering: Manual Handling Stress Lone Working Safe Driving at Work Fire Safety School Trips Risk assessments carried out to identify significant workplace hazards and to establish suitable workplace controls e.g. safe systems of work. Any necessary training and health surveillance requirements are identified. Health Surveillance is carried out on employees where they are exposed to specific hazards. Health and Safety Training needs are identified from project plans and Risk Assessment findings. An annual programme of training is delivered. Linking-Risks Sub-Group to the Corporate Risk Management Group Management Meetings ensures effective risk management oversight between Health & Safety Service, Insurance Service, Information Governance Services and Internal Audit Service to ensure cohesive oversight of risks associated to staff and public duty of care – reporting to the Corporate Risk management Group, Chaired by Head of Communities.				Update Management Arrangements: • Legionella Management • Fire Safety • First Aid				April 2024	
ELC CR 6	Reputational	**Information Security and Data Protection** **Heightened Risk Due to War in Ukraine** Due to the current conflict in Ukraine there is a heightened risk of Nation State led cyber-attacks on the West. These could potentially affect National Infrastructure such as data and voice networks which could have an impact on East Lothian Council. Increasing Number of Cyber Attacks on Suppliers The number of cyber attacks on suppliers to Local and Central Government has increased significantly in recent months and shows no signs of abating. **Information Security** Failure to have comprehensive council wide Information Security Management (ISM) measures in place will put at risk the availability, integrity and confidentiality of the councils information and may cause a Council wide failure of central IT systems (incl. Telephony) caused by a	Continue to follow advice and guidance from the National Cyber Security Centre, UK and Scottish Governments and Local Government Digital Office and react accordingly. Programme of regular patching of systems and hardware in place. Phase out hardware and software when it reaches its end of life or out of support dates. **Information Security** The Council complies with the international standard ISO 27001:2017 as the framework for its ISM system.	5	4	20		3	4	12		Risk Refreshed by Service Manager – IT September 2023 with no change to risk scores. Risk refreshed July 2023 by Service manager – IT and Team Manager, Information Governance with no change to risk scores. Risk updated March 2022 by Team Managers – IT Security and

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		malicious attack by hackers, virus, trojan, disclosure of information or Fire/Flood event. Attacks via spam emails containing infected ransomware attachments continue to be high. Should these emails manage to break through Firewalls and Intrusion Detection Systems there is a high possibility of file encryption at both a local and network wide levels. During 2020/21 high profile attacks against supply chain and other Scottish public bodies has shown this risk has not decreased. An increase in the use of Cloud facilities and our dependence on suppliers having remote access to our networks means our security risk from external influences has increased and our security posture needs to change to meet these new challenges The Cabinet Office introduced a zero tolerance approach for all LA's connected to the Public Sector Network (PSN). Scottish LA's use the PSN to register Births, Marriages & Deaths and connection to DWP for benefit provision. We have to re-accredit to this network every year and must meet stringent requirements. Failure to do so would mean disconnection from the PSN. In 2017 the Scottish Government introduced the Cyber - Public Sector Action Plan which sets out the minimum security standards for all public bodies New ways of working and shared buildings including the proposed Collaborative Hub between the Council, Police and other parties present new risks and challenges to maintaining IT Security and Data Privacy. Procedures, appropriate design of workspaces and staff training are needed to mitigate risks. **Data Protection** Under the Data Protection Act 2018 and the UK GDPR, the Council is required to ensure that personal data is processed lawfully, fairly and securely. Breaches of the Data Protection Act / GDPR could result in: - harm to individuals; - legal action; - fines of up to £17.5 million or 4% of turnover, whichever is higher; - requirement to pay compensation; - adverse publicity; - damage to reputation The Council has a mandatory 72 hour window in which to report relevant breaches to the Information Commissioner's Office. Limited security, procedural and environmental controls at the Dunbar Road records store mean that records and personal data are at risk of security breach and/or accidental loss or destruction. The shift to home/digital working in response to COVID-19 has also placed	As part ISO27001:2017 a number of control areas are set out : IS policy; IS organisation; Human resources security; Asset management; Access controls and managing user access; Physical & Environmental security of all sites/equipment, Secure communications, Data handling and Data Protection (including paper documents); Secure acquisition, development, and support of information systems; Security for suppliers and third parties; Information Security Incident management; Business continuity/disaster recovery (to the extent that it affects information security); Annual IT health checks on the existing infrastructure. New systems are risk assessed and security checked prior to introduction to ensure they meet expected criteria. Council Information Governance and Security (IGS) Forum co-hosted by the IT Team Manager – Infrastructure and Security and the Team Manager – Information Governance / Data Protection Officer. The DPO/Team Manager-Information Governance & Team Manager – Infrastructure & Security (CISO) are members of the Collaborative Hub Working Group and the JMH User Group and provide advice and support re: compliance & Info Security. Acceptable use policy for all ELC employees has been refreshed and is now live following consultation. All employees will be expected to read, re-sign and adhere to the policy to keep themselves and the Council safe. **Data Protection** The Council has a comprehensive suite of measures to ensure compliance, including the retention of a statutory Data Protection Officer (DPO), the Data Protection Policy, Data Breach Procedure and multiple procedures governing the creation, use and disposition of records and personal data. IS, DP and Records Management Awareness training is a mandatory part of induction and must be refreshed every two years. E-learning module content was refreshed and redesigned in May 2022. The ELNet pages for Information Governance also include templates, guidance and information to support corporate compliance. A new Team Leader-Information Governance took up her post on 31 July 2023, whose brief includes leading the Information Governance training and awareness programme.			🟥	**Data Protection** <u>Training & awareness</u>: The DPO, Team Manager- IT Infrastructure & Security and Communications teams are progressing a Communications Plan including Inform briefings, e-mail updates and other training and briefings to reinforce awareness of data protection and information security across the Council; Newly recruited Team Leader is commencing consultation with Council Services to identify training gaps/needs. <u>Information Transformation Strategy</u>: the Team Manager–Information Governance and Team Manager-IT Infrastructure & Security are drafting an Information Transformation Strategy and associated Action Plan to underpin the Digital Strategy and Business Transformation agendas and 'to ensure the right information gets to the right person, at the right time, and in the right format'.			🟧	June 2024 Ongoing	Information Governance with current risk score increased from 16 to 20 due to war in Ukraine.

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		additional pressures to digitise paper records management systems and ensure new ways of working remain secure. Requests for personal data (SARs) have increased significantly in both number and complexity (50% increase on Jan-May 2022). Increase is partially attributable to the indirect impact of the Scottish Child Abuse Inquiry and the launch of the Redress Scheme. Combined impact with staffing challenges, increase in FOI requests and disproportionate impact of a number of frequent requesters, the Council is at higher risk of missing statutory timescales for responses. This gap continues to rise year-on-year. DP compliance is dependent on good records management. The Council's Records Management Plan 2014-2019 needs to be formally updated to account for GDPR/DPA18 as well as changes to recordkeeping practice across the Council. This is also a requirement of the Public Records (Scotland) Act 2011 (PRSA). Current pressures on Registration service and increased demand from Services for review of Data Sharing Agreements / Data Protection Impact Assessments are impacting capacity to address Records Management.	The Council's Records Management Plan (RMP) covers how the Council manages its records and includes links to our IS, DP policies and retention schedule. There is an annual assessment of Progress of Records Management Plan by The Keeper's office. The Council is planning formal re-submission of its RMP for the Keeper's approval (date tbc). The Council has a close working relationship with SOLAR (Society of Local Authority Lawyers and Administrators) and attends meetings regularly. These meetings are also attended by the Information Commissioners office. The Council also attends and currently chairs ASLAWG (Archivists of Scottish Local Authorities Working Group) to share best practice with other record keeping professionals. Records Management Plan: Retention schedules and BCS have been updated in line with national models. Initial phase of Digital Preservation Plan currently underway to identify/register digital information assets,and procure baseline software/hardware. A Digital Preservation Policy has been drafted and prepared for review by relevant stakeholders. 5 departments have completed reviews of the Retention Schedule to map to their own records with support from the Information Governance Team. Information Asset Register: 3 workshops have been completed with Feedback. Procurement and Economic Development to identify data flows and risk points. This is a key compliance measure under Article 30 of the UK GDPR and the Council's Records Management Plan. DSA/DPIA Process Reviews: DSA and DPIA processes have been reviewed and simplified. Team Leader now taking on new DPIA requests allowing Team Manager to address backlog. Dunbar Road Options Paper: CMT has approved proposals to contract out paper document management services, including records storage, retrievals, metadata management, scan-on-demand and secure destructions. Information Strategy Work continues to implement Microsoft 365 across corporate Council Services; consultant workshops have now been completed and migration of email to Microsoft Exchange near completion with new 5-year retention rule applied going forward. Data Protection/Records Management training delivered as needed to Asset Review Champions.				Records Management Plan: All 14 elements of the Council's RMP will be reviewed and updated, focusing particularly on secure destruction, digital preservation, application of retention schedules and changes to ways of working. DSA/DPIA Process Reviews: Full roll-out of new processes to be completed following recruitment of new Team Lead-Information Governance (start date 31 July 2023). Paper document management: Procurement exercise to identify best value for document management services for all paper records. Existing contract has been extended with supplier Oasis by six months to allow for completion amidst other service pressures.				Ongoing October 2023 March 2024	

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				L	**I**	**L x I**		**L**	**I**	**L x I**		
ELC CR 6	Reputational	**Information Security and Data Protection** **Heightened Risk Due to War in Ukraine** Due to the current conflict in Ukraine there is a heightened risk of Nation State led cyber-attacks on the West. These could potentially affect National Infrastructure such as data and voice networks which could have an impact on East Lothian Council. **Increasing Number of Cyber Attacks on Suppliers** The number of cyber attacks on suppliers to Local and Central Government has increased significantly in recent months. **Information Security** Failure to have comprehensive council wide Information Security Management (ISM) measures in place will put at risk the availability, integrity and confidentiality of the councils information and may cause a Council wide failure of central IT systems (incl. Telephony) caused by a malicious attack by hackers, virus, trojan, disclosure of information or Fire/Flood event. Attacks via spam emails containing infected ransomware attachments continue to be high. Should these emails manage to break through Firewalls and Intrusion Detection Systems there is a high possibility of file encryption at both a local and network wide levels. During 2020/21 high profile attacks against supply chain and other Scottish public bodies has shown this risk has not decreased. An increase in the use of Cloud facilities and our dependence on suppliers having remote access to our networks means our security risk from external influences has increased and our security posture needs to change to meet these new challenges The Cabinet Office introduced a zero tolerance approach for all LA's connected to the Public Sector Network (PSN). Scottish LA's use the PSN to register Births, Marriages & Deaths and connection to DWP for benefit provision. We have to re-accredit to this network every year and must meet stringent requirements. Failure to do so would mean disconnection from the PSN. In 2017 the Scottish Government introduced the Cyber - Public Sector Action Plan which sets out the minimum security standards for all public bodies New ways of working and shared buildings including the proposed Collaborative Hub between the Council, Police and other parties present new risks and challenges to maintaining IT Security and Data Privacy. Procedures, appropriate design of workspaces and staff training are needed to mitigate risks. **Data Protection** Under the Data Protection Act 2018 and the UK GDPR, the Council is required to ensure that personal data is processed lawfully, fairly and securely. Breaches of the Data Protection Act / GDPR could result in: - harm to individuals; - legal action;	Continue to follow advice and guidance from the National Cyber Security Centre, UK and Scottish Governments and Local Government Digital Office and react accordingly. **Information Security** The Council complies with the international standard ISO 27001:2017 as the framework for its ISM system. As part ISO27001:2017 a number of control areas are set out : IS policy; IS organisation; Human resources security; Asset management; Access controls and managing user access; Physical & Environmental security of all sites/equipment, Secure communications, Data handling and Data Protection (including paper documents); Secure acquisition, development, and support of information systems; Security for suppliers and third parties; Information Security Incident management; Business continuity/disaster recovery (to the extent that it affects information security); Annual IT health checks on the existing infrastructure. New systems introduced are risk assessed and security checked to ensure they meet the criteria. Council Information Governance and Security (IGS) Forum co-hosted by the IT Team Manager – Infrastructure and Security and the Team Manager – Information Governance / Data Protection Officer. The DPO/Team Manager-Information Governance & Team Manager – Infrastructure & Security (CISO) are members of the Collaborative Hub Working Group and the JMH User Group and provide advice and support re: compliance & Info Security. A new Information Security/DP Awareness Campaign was launched in Dec 21, which sends scheduled 'hot topic' awareness updates to employees. Acceptable use policy for all ELC employees has been refreshed and is now live following consultation. All employees will be expected to read, re-sign and adhere to the policy to keep themselves and the Council safe.	5	4	20	**Information Security** Upgrade of external facing systems taking place to increase security of our internet facing gateways. Due to increased use of cloud systems at ELC, we need to review our security posture & systems to ensure we are covering this area. We are reviewing all security systems to ensure protection.	3	4	12	Ongoing	Risk refreshed September 2023 by Service manager – IT and Team Manager, Information Governance with no change to risk scores. Risk updated March 2022 by Team Managers – IT Security and Information Governance with current risk score increased from 16 to 20 due to war in Ukraine.

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				L	**I**	**L x I**		**L**	**I**	**L x I**		
		- fines of up to £17.5 million or 4% of turnover, whichever is higher; - requirement to pay compensation; - adverse publicity; - damage to reputation The Council has a mandatory 72 hour window in which to report relevant breaches to the Information Commissioner's Office. Limited security, procedural and environmental controls at the Dunbar Road records store mean that records and personal data are at risk of security breach and/or accidental loss or destruction. The shift to home/digital working in response to COVID-19 has also placed additional pressures to digitise paper records management systems and ensure new ways of working remain secure. Requests for personal data (SARs) have increased significantly in both number and complexity (50% increase on Jan-May 2022). Increase is partially attributable to the indirect impact of the Scottish Child Abuse Inquiry and the launch of the Redress Scheme. Combined impact with staffing challenges, increase in FOI requests and disproportionate impact of a number of frequent requesters, the Council is at higher risk of missing statutory timescales for responses. DP compliance is dependent on good records management. The Council's Records Management Plan 2014-2019 needs to be formally updated to account for GDPR/DPA18 as well as changes to recordkeeping practice across the Council. This is also a requirement of the Public Records (Scotland) Act 2011 (PRSA). Current pressures on Registration service and increased demand from Services for review of Data Sharing Agreements / Data Protection Impact Assessments are impacting capacity to address Records Management.	**Data Protection** The Council has a comprehensive suite of measures to ensure compliance, including the retention of a statutory Data Protection Officer (DPO), the Data Protection Policy, Data Breach Procedure and multiple procedures governing the creation, use and disposition of records and personal data. IS, DP and Records Management Awareness training is a mandatory part of induction and must be refreshed every two years. E-learning module content was refreshed and redesigned in May 2022. The ELNet pages for Information Governance also include templates, guidance and information to support corporate compliance. The Council's Records Management Plan (RMP) covers how the Council manages its records and includes links to our IS, DP policies and retention schedule. There is an annual assessment of Progress of Records Management Plan by The Keeper's office. The Council is planning formal re-submission of its RMP for the Keeper's approval (date tbc). The Council has a close working relationship with SOLAR (Society of Local Authority Lawyers and Administrators) and attends meetings regularly. These meetings are also attended by the Information Commissioners office. The Council also attends and currently chairs ASLAWG (Archivists of Scottish Local Authorities Working Group) to share best practice with other record keeping professionals. Records Management Plan: Retention schedules and BCS have been updated in line with national models. Initial phase of Digital Preservation Plan currently underway to identify/register digital information assets, and procure baseline software/hardware. 3 departments have completed reviews of the Retention Schedule to map to their own records with support from the Information Governance Team. Information Asset Register: 2 workshops have been completed with Feedback and Procurement to identify data flows and risk points. This is a key compliance measure under Article 30 of the UK GDPR and the Council's Records Management Plan. DSA/DPIA Process Reviews: DSA and DPIA processes have been reviewed and simplified. Dunbar Road Options Paper: CMT has approved proposals to contract out paper document management services, including records storage, retrievals, metadata				**Data Protection** Training & awareness: The DPO, Team Manager- IT Infrastructure & Security and Communications teams are progressing a Communications Plan including Inform briefings, e-mail updates and other training and briefings to reinforce awareness of data protection and information security across the Council; currently limited by capacity within Information Governance team but expected to be progressed following the new Team Lead-Information Governance progressing this. Information Transformation Strategy: the Team Manager–Information Governance and Team Manager-IT Infrastructure & Security are drafting an Information Transformation Strategy and associated Action Plan to underpin the Digital Strategy and Business Transformation agendas and 'to ensure the right information gets to the right person, at the right time, and in the right format'. Records Management Plan: All 14 elements of the Council's RMP will be reviewed and updated, focusing particularly on secure destruction, digital preservation, application of retention schedules and changes to ways of working. DSA/DPIA Process Reviews: Full roll-out of new processes to be completed following recruitment of new Team Lead-Information Governance (start date 31 July 2023). Paper document management: Procurement exercise to identify best value for document management services for all paper records. Existing contract has been extended with supplier Oasis by six months to allow for completion amidst other service pressures.				June 2024 Ongoing Ongoing October 2023 March 2024	

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			management, scan-on-demand and secure destructions. Information Strategy Work continues to implement Microsoft 365 across corporate Council Services; consultant workshops have now been completed and migration of email to Microsoft Exchange near completion with new 5-year retention rule applied going forward. Data Protection/Records Management training delivered as needed to Asset Review Champions.									
ELC CR 7	Physical and/or Psychological Impact on People Legal & Regulatory	**Refugee/Asylum Schemes** Both the UK and Scottish Government have responded to the Ukrainian humanitarian crisis by introducing refugee schemes that are largely required to be administered by local authorities. These schemes are broader in scope and of a significantly greater scale than previous refugee schemes. Consequently, this means greater demands placed on Council services (including service areas not previously involved) in administering the schemes, supporting hosts and refugees as well as placing additional demand on schools and Health and Social Care services. Current challenges include, but are not limited to: • Complexity and variation between four different schemes (Homes for Ukraine (H4U), Scottish Super Sponsor & Family Visa& H4U Extension Scheme (UES) • Constant changing and revision of national guidance, which continues to evolve through ongoing discussion between SG, COSLA, Home Office and local authorities • Being clear on different funding arrangements, scope and operational deployment • Being clear on extent of safeguarding responsibilities and wraparound support • • Understanding the scale of and resourcing the challenge in the context of existing commitments to the global refugee scheme and the Afghan schemes, and the future proposed Asylum dispersal scheme. • Being clear on data protection requirements and which information can be shared between internal teams and with external partners • General administration of the scheme in the medium to long-term including, but not limited to: o Disclosure checks o Property and welfare visits o Wraparound support o Refugee payments o Host payments o Interface with Education and HSC • Clarity as to whether funding will continue going forward, at what level and in what form • Potential increased homeless and housing demand (where hosting arrangements break down) • Service resource demands on all affected teams but particularly Community Housing & Homelessness	Cross-Service Oversight Group meetings in place. Cross-Service Working group in place. Additional resources identified within Community Housing & Homelessness (CH&H) secured to deal with administrative tasks and casework Additional development resource identified from CH&H to provide third sector interface, assist with improvement work, address local community issues and maximisation of resources (internal and external) Regular attendance at meetings with SG, Home Office and COSLA. ELC Website page in place. ELC Ukraine enquiries contact email address set up. Initial dedication of two-full time officers from Housing Options team to set up procedures, team interfaces, casework and administration of schemes. Database of hosts and families created comprising all administrative aspects (disclosures, property checks, payments, education requirements etc.). Ongoing case management of hosts / guests, where appropriate. Resource requirements of other service areas identified and in operation, including the contribution of colleagues in HR, Protective Services, Finance, Education, Customer Services, Communications Team and HSC. Cross-Service agreement of how Disclosure checks will be undertaken, conduct of home visits, and administration of payments have been secured and procedures in place.	5	4	20	Internal processes and procedures to be reviewed to identify improvements required, going forward Quantification of Scottish Super Sponsor scheme (SSS) numbers, data integrity work, background checking to be done by CH&H resource Quantification of future resource demands to be identified and articulated through oversight and working group meetings Improvement work to ensure processes and resource deployment are as effective as they can be Working closely with SG & COSLA to inform future iterations of Guidance for clarity and confirming with SG & COSLA colleagues that ELC cannot source social housing properties as housing pressure continues to be extreme Children's services is developing a host families scheme to provide accommodation and support for UASC. Work with ALACHO, SOLACE, COSLA and others to ensure future funding arrangements are adequate, in accordance with the revised approach to a 'warm Scots future'.	4	3	12	March 2024 December 2023 March 2024 December 2023 December 2023 December 2023 March 2024	Risk refreshed by Service Manager September 2023 with no changes to risk scores. Risk created 9th May 2022 by Head of Housing.

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				L	I	L x I		L	I	L x I		
		• Capacity of Children's and Adult Social Work services, Education and HSC to cope with increased demands • Additional demands continue to emerge through extensions and variations to all the schemes – including the rise in unaccompanied minors and associated responsibilities • The disembarkation of MS Victoria, with households placed in hotels across central Scotland is creating additional service pressures in respect of homelessness and availability of temporary accommodation. • Implementation of the mandatory national transfer scheme means East Lothian must accept an allocation of unaccompanied asylum seeking young people set by the Home Office. Notification will be at short notice and the frequency is dependent on their rate of arrival in the UK. This mandatory allocation has been increased without consultation. • This presents a significant resource challenge in terms of providing accommodation, potentially a care placement, housing and social work support. • The national local crisis in fostering resources is compounding the service risk. • Some refugees and asylum seekers are reluctant to settle in East Lothian, preferring to be in bigger cities, resulting in significant aborted work around matching. • A change in Scottish Government policy focus from a 'warm Scots welcome' to delivery of a 'warm Scots future' within the context of wider homelessness and housing pressures.	Jira safeguarding system in place. Children's and adult social work undertaking wellbeing assessment visits to all families. Privacy Statement signed off. Unaccompanied Asylum Seeking Children (UASC) are currently being supported by the Aftercare Team in children's services, making use of accommodation within the My Place project. Managers attend regular national meetings to ensure we understand best practice. Clarity on funding at national level, notwithstanding ongoing changes. Successful recruitment of two Tenancy Support Officers.			🟥				🟧		