

Governance, Risk, and Best Value Committee

10.00am, Tuesday, 23 March 2021

Corporate Leadership Team Risk Register as at 23 February 2021

Item number

Executive/routine

Executive

Wards

Council Commitments

1. Recommendations

- 1.1 It is recommended that the Committee:
- 1.2 notes the Council's current strategic risk profile;
- 1.3 notes that six strategic risks are currently outwith agreed risk appetite ranges, mainly due to the ongoing impacts of the Covid-19 pandemic; notes that the current strategic risk profile is likely to increase in the event of further individual or concurrent resilience events in the current Covid-19 operating environment; and,
- 1.4 notes progress with the design and implementation of the refreshed operational risk management framework.

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Corporate Leadership Team Risk Register as at 23 February 2021

2. Executive Summary

- 2.1 The purpose of this paper is to present the Council's current strategic risk profile, and highlight those risks where further action is required (where realistic and possible) to ensure that they are brought within approved strategic risk appetite levels.
- 2.2 It is important to note that this paper currently presents a 'top down' Corporate Leadership Team (CLT) view of the Council's current strategic risk profile.
- 2.3 5 of the Council's 11 strategic risks are currently outwith approved risk appetite ranges, mainly due to the ongoing impacts of Covid-19, with Health and Safety (including public safety) remaining the most significant current risk for the Council, which continues to be assessed as critical.
- 2.4 The Council's financial and budget management risk has decreased from critical to moderate, reflecting the Council's ability to deliver a balanced outturn for 2021/22, and a balanced budget for 2022/23, whilst there have been increases in the programme and project delivery; technology and information; and regulatory and legislative compliance current risk assessments.
- 2.5 This paper also highlights that the Council's current strategic risk profile is likely to further increase in the event that 5 (potentially likely) resilience events occur either individually or concurrently in the current Covid-19 operating environment. This outcome is based on the consolidation of individual assessments performed by each Council directorate.
- 2.6 Good progress is evident with the design and implementation of the Council's refreshed operational risk management framework in line with the Azets 2019/20 internal audit recommendations and the implementation plan detailed in the Operational Risk Management Framework paper presented to the Committee in November 2020.

3. Background

Covid-19 impacts

- 3.1 Quarterly CLT and Directorate risk committees were paused during Covid-19 to enable focus on the Council's Covid-19 resilience response. Both CLT and Directorate risk quarterly committees have now been reinstated.
- 3.2 Appropriate risk management arrangements have been established to support ongoing identification; assessment; recording; and management of the new Covid-19 risks faced by the Council. These new risks are recorded together with mitigating actions in the Covid-19 Risk Management Plan (RMP) that is regularly reviewed and refreshed and presented monthly to the Council's Incident Management Team (CIMT) for review and discussion.

Refreshed Operational Risk Management Framework

- 3.3 Plans for the phased implementation of the Council's refreshed operational risk management framework across the next three years were also presented to GRBV in November 2020. This report highlighted the need to implement the following actions to ensure effective alignment with the 'Three Lines' model:
 - 3.3.1 ensure that all relevant strategic; operational; and thematic risks flow effectively and consistently through relevant risk registers and into the CLT risk register;
 - 3.3.2 implement a refreshed thematic risk hierarchy that supports assessment and identification of the Council's most significant original (inherent) and current (residual) risks for inclusion in the CLT risk register by consolidating lower level sub-risks across directorates and divisions using a simple scoring methodology; and,
 - 3.3.3 further embed risk appetite by adopting target risk as a proxy for setting risk appetite at a more granular level; discussing and assessing target risk at divisional, directorate and CLT risk and assurance committees; and recording target risks (where possible) in risk registers.

Directorate and Divisional Risk Registers

- 3.4 Following the Risk Management Review recently performed by Azets, Directorate and CLT risk registers will be updated on an ongoing basis to reflect new and emerging risks escalated from divisions and directorates and more widely across the Council in line with refreshed operational risk management process by June 2021.
- 3.5 Whilst Directorate and divisional 'business as usual' operational risk registers require to be updated in line with the Azets' audit recommendations, the Council's most current significant risks have also been recorded and are currently managed through the Covid-19 RMP; Adaptation and Renewal; and the refreshed CLT risk registers.

Refreshed Risk Management Arrangements

- 3.6 The Council's Enterprise Risk Management Policy (ERMP) and Risk Appetite Statement were refreshed and approved by the Policy and Sustainability Committee in October 2020, and presented to the Governance, Risk, and Best Value (GRBV) Committee in November 2020.

4. Main report

Current Strategic Risk Profile

- 4.1 As noted above, this paper currently presents a 'top down' Corporate Leadership Team (CLT) view of the Council's current strategic risk profile. Refreshed risk hierarchies; risk accumulation; and escalation processes that will support combined 'top down' (CLT) and 'bottom up' (service delivery; Divisional; and Directorate) reporting are currently being designed, and will be implemented as part of the refreshed operational risk management framework. Consequently, there may be some risk exposures across the Council that have not been reflected in this current assessment of the Council's most significant risks.
- 4.2 Details of strategic risk descriptions and their potential impacts are included at Appendix 1.
- 4.3 A summary of the Council's current strategic risk profile, and its movement in comparison to quarter 3, is included at Appendix 2. This assessment includes all current Covid-19 strategic risks; Adaptation and Renewal Programme risks; and other relevant current risks identified by the CLT, and is based on management's view of the effectiveness of thematic controls established to manage these risks, and consideration of relevant assurance outcomes.
- 4.4 The current strategic risk profile highlights that five strategic risks (health and safety; resilience; technology and information; governance and decision making; and regulatory and legislative compliance) are presently outwith approved risk appetite ranges. This is mainly due to the ongoing impacts of Covid-19, with the remaining six risks being within the set risk appetite range. Supporting rationale for those risks outwith appetite is noted below, and details of actions currently being taken (where possible) to address these risks is also included at Appendix 2.
- 4.5 The current strategic risk heatmap included at Appendix 3 illustrates the significance of each of the Council's eleven strategic risk, and confirms that the Council's most significant current risks are health and safety (including public safety); strategic delivery; and resilience.
- 4.6 The rationale supporting the current risk assessment ratings for the Council's eleven strategic risks currently is detailed below, together with their current risk ratings (critical ●; high ●; moderate ●; low ●) and confirmation of whether they are currently within (↔) or out with (↓) agreed risk appetite ranges:

- 4.6.1 ● ↔ **Strategic delivery** – the Medium rated current strategic delivery risk assessment reflects the ongoing impacts of Covid-19, as it is not yet possible to determine when the Council and the City will return to a normal operating environment. Consequently, the Council continues to prioritise the safety of employees and citizens whilst continuing to deliver vital services during the pandemic, and it is acknowledged that this could potentially impact progress with strategic delivery.
- 4.6.2 The Council has clearly defined its post Covid-19 strategy with finalisation of approval of the new 3-year Council Business Plan, Revenue and Capital Budget, and the Digital and Smart City strategy; and is currently refreshing the People Strategy, Strategic Workforce Plan and the underpinning Planning and Performance Framework to support ongoing progress monitoring of key strategic deliverables when focus can be directed to support their delivery. This is in addition to considering all potential opportunities for service and operational redesign as part of the Adaptation and Renewal programme.
- 4.6.3 ● ↔ **Financial and budget management** – the Medium rated financial and budget management current risk assessment reflects that, whilst it is not yet possible to fully determine final Covid-19 financial costs and the extent to which these costs can be recovered, the Council has confirmed that a balanced outturn can be achieved for 2020/21, and a balanced budget for 2021/22. It is acknowledged that ongoing focus is required to address the Council's 2022/23 and longer-term financial position, and to ensure that forecast timeframes for both revenue and capital budgets are more closely aligned.
- 4.6.4 Additionally, positive assurance on the future financial feasibility of arms-length external organisations (ALEOs) (for example, Transport for Edinburgh and Edinburgh Leisure) that normally have a significant financial impact on the Council has been confirmed, and processes established to support ongoing monitoring of their respective financial positions.
- 4.6.5 ● ↔ **Programme and project delivery** – the High rated programme and project delivery current risk assessment mainly reflects the Covid-19 impacts on delivery of major projects as a number of these were put on hold as part of the Council's pandemic response. Additionally, extended delivery timeframes and costs associated with capital projects that were paused during the March 2020 lockdown are reflected in this risk assessment.
- 4.6.6 Actions in progress to mitigate these risks include consolidation of all major projects (including the capital programme) into the Adaptation and Renewal Programme, and ongoing review by the CLT to ensure that all projects being delivered across the Council remain aligned with the Council's business plan.
- 4.6.7 This risk assessment also reflects the requirement to address assurance outcomes highlighting the need to consistently and effectively manage first line projects delivered outwith the major projects portfolio.

- 4.6.8 ● ↓ **Health and safety (including public safety)** - the Critical current health and safety risk is directly attributable to the impacts of Covid-19 and reflects a number of the risks included in the Covid-19 risk management plan that relate to the health, safety, and wellbeing of citizens living in the City and / or in Council care, and our employees. This risk also reflects the potential impacts of both local and national decisions implemented to manage the Covid-19 infection rate.
- 4.6.9 A significant number of mitigations have been implemented to address this risk (for example resident and employee testing in care homes; implementation of social distancing measures and deep cleaning across open Council buildings; increased support provided to homeless citizens; out of hours support arrangements to manage positive cases in schools; and ongoing engagement with Police Scotland and other partners), however it is important to note that public protection and safety is also largely dependent on the adoption of relevant Scottish Government and Health Protection Scotland guidance by citizens.
- 4.6.10 ● ↓ **Resilience** – the current High resilience risk reflects that the Council is likely to continue to operate in the current Covid-19 operating environment for the foreseeable future, and the potential requirement to respond to additional resilience events that have a strong likelihood of occurrence, whilst continuing to manage Covid-19.
- 4.6.11 In response, the Council is focusing on scenario planning at both CLT and Directorate level with scenario action plans being redesigned to align with the new Scottish Government Covid-19 Strategic Framework (the Framework); is designing a suite of Covid-19 protocols to support directorates and divisions resilience decisions and provide supplementary information; and developing a suite of generic corporate resilience protocols that incorporate lessons learned from multi agency resilience tests for use by directorates and divisions to support their decision making in the event of an incident. There is also ongoing focus on implementation of open resilience assurance findings.
- 4.6.12 ● ↔ **Supplier, Contractor and Partnership Management** – the High supplier, contractor, and partnership management current risk assessment reflects the potential for ongoing Covid-19 supply chain risks that could potentially impact upon service delivery; the need to understand the potential impacts of the Brexit legislation on the Council's most significant suppliers; and the potential risks associated with open assurance findings that still require to be addressed by Divisions and Directorates.
- 4.6.13 ● ↓ **Technology and information** – the high rated technology and information current risk assessment reflects the increased technology and information risks associated with remote working, notably cyber and data security risks including the risks associated with manual records; and

network connectivity and speed challenges associated with the learning and teaching network supporting remote learning for schools.

- 4.6.14 A number of actions are currently being implemented by Digital Services in partnership with CGI to further enhance the security of the Council's networks, and work to address learning and teaching network connectivity and speed challenges is in progress.
- 4.6.15 ●↓ **Governance and decision making** – the Moderate governance and decision making current risk reflects the requirement for timely decision making in response to both Scottish Government and Health Protection Scotland Covid-19 regulations and guidance; the risks associated with safe delivery of the Scottish Parliament elections in May 2021; and the need to refresh established governance and assurance arrangements across the Council to support improvements in both service delivery and assurance outcomes.
- 4.6.16 Mitigations established to address this risk include ongoing engagement with the Scottish Government, COSLA, the NHS, and other partner organisations to discuss any planned changes; regular Council Incident Management Team meetings to discuss and agree responses and actions required; and ongoing engagement and reporting to relevant Council executive committees. The Corporate Risk Management team has also been engaged to support review of the design of the planned elections process to confirm whether all potential risks have been identified and addressed. Additionally, plans to refresh established governance and assurance arrangements across the Council are currently being designed.
- 4.6.17 ●↔ **Service delivery** – the High rated current service delivery risk assessment reflects the ongoing Covid-19 impacts on the Council's ability to deliver services due to employees shielding; responsibility for designing, implementing and managing allocation of Scottish Government grant funding in addition ongoing service delivery responsibilities; and the impact of the current Covid-19 requirements on delivery of education.
- 4.6.18 Consequently, is it also considered likely that a number of 'business as usual' service delivery operational controls are not being consistently and effectively applied.
- 4.6.19 ●↓ **Regulatory and Statutory Compliance** – the Moderate rated current risk assessment reflects that, whilst no significant breaches have occurred, it is not possible in the current Covid-19 resilience environment to confirm that all regulatory and statutory compliance obligations are being consistently and effectively achieved.
- 4.6.20 ●↓ **Reputational** – the Moderate rated current risk assessment again mainly reflects the impacts of Covid-19 and alignment of the Council's response with both political and public expectations, although it is acknowledged that with some exceptions the Council's response to Covid-19

has generally been positively received. This assessment also reflects the requirement to improve the controls supporting use of social media across the Council to engage with citizens.

Risks Associated with Concurrent Resilience Events

- 4.7 An assessment of the risks associated with five potential resilience events that have a strong likelihood of occurring either individually or concurrently during the ongoing Covid-19 pandemic confirmed that their impacts are likely to further increase the Council's current strategic risk profile.
- 4.8 The five scenarios detailed below were considered by each directorate, and the outcomes consolidated to provide both individual and concurrent risk impact assessments. Actions to mitigate these risks are being considered as part of the ongoing scenario planning activities outlined above.
1. further Covid-19 wave or local outbreak
 2. winter flu epidemic
 3. severe weather
 4. care for displaced people
 5. civil disorder
- 4.9 A further two resilience events (a 'no deal' Brexit, and potential death of the Monarch in Scotland) were also considered, however the risk of a 'no deal' Brexit did not crystallise, and the death of the Monarch in Scotland is currently considered unlikely. The likelihood of a winter flu epidemic and severe weather resilience events occurring has also significantly decreased, and no new potentially concurrent resilience events have been identified.

Refreshed Operational Risk Management Framework

- 4.10 Good progress is evident with the design and implementation of the refreshed framework, with the most significant elements currently being designed, with implementation and training scheduled for April 2021.
- 4.11 Following this, the Corporate Risk Management team will support directorates and divisions with a refresh of their service delivery and project risk registers by June 2021, enabling a combined 'top down' and 'bottom up' approach to be fully applied to future assessments of, and reporting on, the Council's most significant current risks.
- 4.12 Further detail on progress with the design and implementation of the refreshed framework is included at Appendix 4. The activities included in the appendix have been mapped to both the findings raised in the Azets internal audit report and the plans outlined in the Operational Risk Management Framework paper presented to committee in November 2020.

5. Next Steps

- 5.1 Ongoing design and Implementation of the refreshed operational risk management arrangements as outlined at Appendix 3.

6. Financial impact

- 6.1 There are no direct financial impacts directly arising from this report, although effective management of risks is part of good financial management and failure to manage them appropriately may have financial consequences.

7. Stakeholder/Community Impact

- 7.1 Effective risk management will support achievement of strategic objectives; effective service delivery; and appropriate responses to resilience events.

8. Background reading/external references

- 8.1 [Enterprise Risk Management Policy – Policy and Sustainability Committee October 2020 – item 7.11](#)
- 8.2 [Risk Appetite Statement - Policy and Sustainability Committee October 2020 – item 7.12](#)
- 8.3 [Operational Risk Management Framework – Governance, Risk, and Best Value Committee November 2020 – item 8.6](#)

9. Appendices

- 9.1 Appendix 1 Strategic Risk Descriptions and Impact Statements
- 9.2 Appendix 2 Current Strategic Risk Summary and Trends
- 9.3 Appendix 3 Current Strategic Risk Heatmap
- 9.4 Appendix 4 Refreshed Operational Risk Management Framework – Progress with Design and Implementation

Appendix 1: Strategic Risk Descriptions and Impact Statements

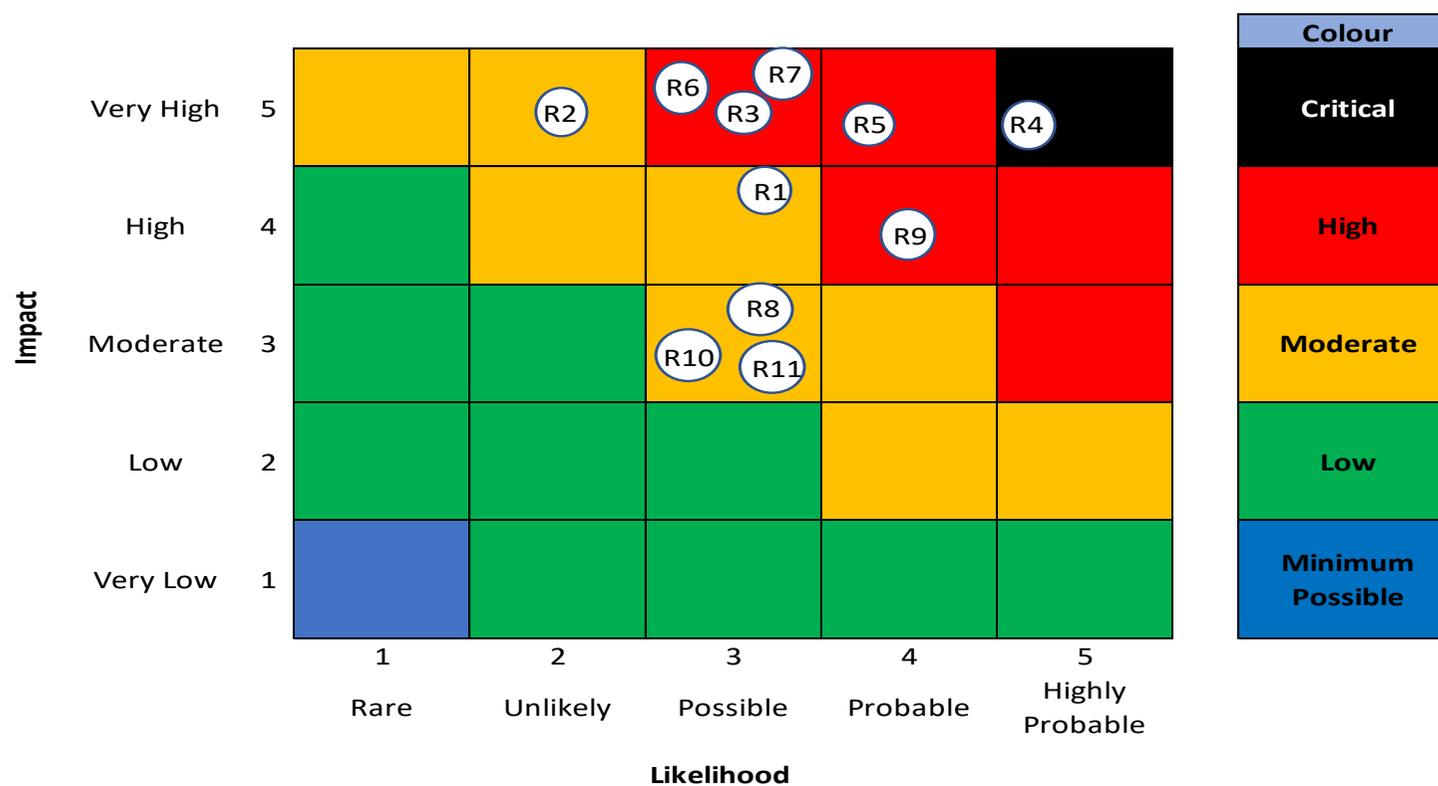
Ref	Risk	Risk Description	Impact Statment
R1	Strategic Delivery	Inability to design and / or implement a strategic plan for the Council.	Lack of clarity regarding future direction and structure of the Council impacting quality and alignment of strategic decisions
R2	Financial and Budget Management	Inability to perform financial planning; deliver an annual balanced budget; manage cash flows; and confirm ongoing adequacy of reserves	Council is unable to continue to deliver services and implement change in line with strategic objectives; inability to meet EIJB financial directions; adverse external audit opinion; adverse reputational consequences
R3	Programme and Project Delivery	Inability to delivery major projects and programmes effectively, on time and within budget	Inability to deliver Council strategy; achieve service delivery improvements; and deliver savings targets
R4	Health and Safety (including public safety)	Employees and / or citizens (including those in the Council's care) suffer unnecessary injury and / or harm	Legal; financial; and reputational consequences
R5	Resilience	Inability to respond to a sudden high impact event or major incident	Disruption across the City; to service delivery; and serious injury or harm to employees and / or citizens.
R6	Supplier, Contractor, and Partnership Management	Inability to effectively manage the Council's most significant supplier and partnership relationships	Inability to deliver services and major projects within budget and achieve best value
R7	Technology and Information	Potential failure of cyber defences; network security; application security; and physical security and operational arrangements	Inability to use systems to deliver services; loss of data and information; regulatory and legislative breaches; and reputational consequences
R8	Governance and Decision Making	Inability of management and elected members to effectively manage and scrutinise performance, and take appropriate strategic and operational decisions	Poor performance is not identified, and decisions are not aligned with strategic direction
R9	Service Delivery	Inability to deliver quality services that meets citizen needs effectively and in line with statutory requirements	Censure from national government and regulatory bodies; and adverse reputational impacts
R10	Regulatory and Legislative Compliance	Delivery of Council services and decisions are not aligned with applicable legal and regulatory requirements	Regulatory censure and penalties; legal claims; financial consequences
R11	Reputational Risk	Adverse publicity as a result of decisions taken and / or inappropriate provision of sensitive strategic, commercial and / or operational information to external parties	Significant adverse impact to the Council's reputation in the public domain

Appendix 2 – Current Strategic Risk Summary and Trends

Risk	Original Risk	Current Risk Trend		Risk Appetite Range		Action Required	Actions In Progress	Target Date
		Q3	Q4					
R1. Strategic Delivery	●	●	●	●	●	↔	Development and implement new performance framework	April 21
		●	●	●	●		Post Covid service redesign and implementation of new ways of working	Ongoing
		●	●	●	●		Monitor alignment between budgets and business plan	Ongoing
R2. Financial and Budget Management	●	●	●	●	●	↔	Ongoing monitoring of the financial position with focus on financial years 2023/2024 onwards.	Ongoing
		●	●	●	●		Continue to explore all potential externally available funding sources	Ongoing
R3. Programme and Project Delivery	●	●	●	●	●	↔	Consolidation of all major projects into the A&R Programme	Ongoing
R4. Health and Safety (including Public Safety)	●	●	●	●	●	↓	Implementation of Life Safety audit actions	
		●	●	●	●		Improved asbestos management	
		●	●	●	●		Covid-19 employee response including focus on wellbeing	Ongoing
		●	●	●	●		Corporate (2nd Line) Health and Safety recruitment	June 20
R5. Resilience	●	●	●	●	●	↓	Refresh of Corporate Resilience Framework, with focus on concurrent risks, and clarity on responsibility and accountability	
R6. Supplier, Contractor, and Partnership Management	●	●	●	●	●	↔	Understand impacts of the new Brexit legislation on significant (Tier 1 and 2) contracts	
		●	●	●	●		Monitor potential price inflation and reflect in budgets	
		●	●	●	●		Monitor supplier sustainability and reflect in procurement frameworks.	
		●	●	●	●		Refreshed ALEO governance and oversight framework	
R7. Technology and Information	●	●	●	●	●	↓	Resolution of vulnerability scanning outcomes	
		●	●	●	●		Implementation of ongoing phishing wide simulation	
		●	●	●	●		Restricted access to personal e mail via Council networks	
		●	●	●	●		Review of flexible VPN arrangements	

Risk	Original Risk	Current Risk Trend		Risk Appetite Range		Action Required	Actions In Progress	Target Date
		Q3	Q4					
							Protection of established Council domain names	
							Enhanced data loss prevention through Office 365	
							Prevent use of non-approved devices on Council networks	
							Enhanced network password controls	
							Implementation of Council wide refreshed user access management framework	March 21
R8. Governance and Decision Making	●	●	●	●	●	↓	Risk assessment for Scottish Parliament May 2021 elections	March 21
R9. Service Delivery	●	●	●	●	●	↔	Design of first line governance and assurance model	June 21
							Implementation of first line governance and assurance model	Sept 21
							Transition planning for VERA leavers	Ongoing
							Workforce monitoring and planning	Ongoing
R10. Regulatory and Legislative Compliance	●	●	●	●	●	↓	Actions currently being defined.	
R11. Reputational	●	●	●	●	●	↔	Implementation of Social Media assurance actions	Ongoing

Appendix 3 - Current Strategic Risk Heatmap



Strategic Risks			
R1	Strategic Delivery	R7	Technology and Information
R2	Financial and Budget Management	R8	Governance and Decision Making
R3	Programme and Project Delivery	R9	Service Delivery
R4	Health and Safety (including Public Safety)	R10	Regulatory and Statutory Compliance
R5	Resilience	R11	Reputational
R6	Supplier, Contractor, and Partnership Management		

Appendix 4 - Refreshed Operational Risk Management Framework – Progress with Design and Implementation

Ref	Activity	Target	Status	Completion	Comments
		Date		Date	
1	High Level Operational Risk Management Framework Design Approved by CLT	Sep-20	Complete	Jun-20	
1a	Refresh First and Second Line Risk Management Responsibilities	Sep-20	Complete	Jun-20	
1b	High Level Operational Risk Management Framework Design approved by GRBV	Nov-20	Complete	Nov-20	
1c	High Level Operational Risk Management Framework Shared Across the Council	Nov-20	Complete	Nov-20	
2	CLT Risk Committee Terms of Reference	Oct-20	Complete	Jan-21	Includes requirement for quorum to ensure attendance across all Directorates
3	Head of Legal and Risk attendance at CLT and Change Board	Oct-20	Complete	Dec-20	
4	Refresh Enterprise Risk Management Policy	Sep-20	Complete	Sep-20	
5	Refresh Risk Appetite Statement	Oct-20	Complete	Oct-20	
5a	Wider Leadership Team (WLT) Risk Appetite Training	N/A	Complete	Jan-21	
5b	Elected Member Risk Appetite Training	N/A	Complete	Oct-20	
6	Corporate Risk Team Attendance at HSCP Risk Committees	Dec-20	In Progress		
7	Identification and Escalation of Risks through Risk Forum	Dec-20	In Place	Apr-20	
8	Publish quarterly Risk Matters newsletter	Dec-20	In Place	Jan-21	
9	Design and Implement Refreshed Operational Risk Management Framework	Mar-21	In Progress		
9a	Risk hierarchy / library - consistent definition of risks across the Council	Mar-21	In Progress		
9b	Standard risk register structure for divisions and directorates				
9c	1st Line guidance /criteria to assess and score risk incl target risk /risk appetite	Mar-21	In Progress		
9d	Risk accumulation and escalation process	Mar-21	In Progress		
9e	Risk management methodology for projects	Mar-21	In Progress		
9f	Identify training attendees	Mar-21	In Progress		
9g	Deliver operational risk management framework training	Apr-21	Not Started		WLT training scheduled for 12 April 2021
9h	Refresh structure of CLT and GRBV risk reports	Mar-21	In Place	Mar-21	Refreshed March report presented to GRBV.
10	Refresh Divisional and Directorate Risk Registers (incl target risk)	Jun-21	Not Started		
11	Implement 2nd Line Risk Management Assurance across 1st Line Risk Activities	Oct-21	Not Started		
12	Risk Management System	Mar-23	In Progress		
12a	Specification	Sep-21	In Progress		
12b	Procurement	Dec-21	Not Started		
12c	Implementation	Jun-22	Not Started		
13	Assurance Mapping	Mar-23	Not Started		