**CLACKMANNANSHIRE COUNCIL** 

**ON THE AGENDA** 

## **Report to Audit Committee**

Date of Meeting: 17 June 2021

## Subject: Corporate Risk Register

## Report by: Lindsay Thomson, Senior Manager Legal & Governance

#### 1.0 Purpose

1.1. This report provides the regular update on Clackmannanshire Council's Corporate Risk Log (Appendix A). An update on Audit Scotland's recommendations following their audit of 2019/20 accounts will be provided in a future report.

#### 2.0 Recommendations

2.1. That Committee notes the report, commenting and challenging as appropriate.

#### 3.0 Considerations

## Purpose of Risk Management

- 3.1. The Council has several key priorities which focus on how it will achieve the priorities set out in the Local Outcome Improvement Plan (LOIP) and how it will transform the Council under the *Be the Future* programme. In order to plan how we will achieve these goals, we must also consider the internal and external challenges with the potential to prevent or hinder their achievement.
- 3.2. An effective risk management approach ensures that the Council is aware of such factors and, where appropriate, takes action to reduce or remove risks to ensure the success of its initiatives. The purpose of risk management is not to prevent activities from taking place, but to ensure that all relevant factors are taken into account in their planning and execution so that the best possible outcomes are realised.
- 3.3. The impact of the coronavirus pandemic on the Council's services and on the local community has been significant. In recent years it has been well recognised that Council officers and services deal on a daily basis with a wide variety of operational risks to individuals, communities and internal management processes however the corporate risk management approach must take a wider, more strategic view and consider the implications of short-,

medium- and long-term concerns, as well as (often complex) interdependencies.

3.4. In light of the Council's ongoing response and recovery from the global pandemic, this approach remains critical. The hierarchy of risk logs from teams, services, directorates (and partnerships), up to the corporate log should ensure that each level has holistic oversight of the most significant issues which must be monitored and managed. In addition, consideration of risk at a Civil Contingencies and Incident Management level has been critical as has the risk assessment process which has formed a significant part of the Council's ability to respond and manage service provision safely.

## 3.5. Corporate Risk Management Process

- 3.6. The corporate risk log is owned by the Strategic Leadership Group, and the Strategic Director Partnership & Performance is responsible for the corporate Risk Management approach. The Council has a systematic risk process, reporting corporate and service risks to Committee on a regular basis although that has been impacted this year by the cancellation of some service committees.
- 3.7. Each corporate risk review involves gathering information from internal and external sources (environmental scanning) and review of the log by a range of different individuals and groups. This year this as done as part of the SLG meeting. As part of the review of the risk register this year we have:
  - I. Reviewed changes and developments in existing corporate and service risks (progress, controls and scores, and consider escalation/demotion);
  - II. Investigated emerging externally-identified risks for local relevance (local audit/inspection, other authorities and national themes);
  - III. Evaluated emerging internally-identified risks (ad hoc or through Internal Audits, self-assessments or the Annual Governance Statement process).
  - IV. Considered risks with implications across multiple services, or assessed as significant for any specific area, are considered for escalation to the corporate log, where they are managed until their severity reduces.
- 3.8. It would be impossible to remove all risk from our operations as most functions have inherent risks, as do most changes. The risk of not developing and improving would also involve other types of risk, such as failing to fulfil statutory duties, comply with new legislation or take advantage of improvement opportunities/new technologies, etc. The aim, therefore, is not to be 'risk averse' but 'risk aware'. Risks are recorded on the Pentana Performance Management System and linked to outcomes, actions (or overall plans/strategies) and existing controls (policies, procedures, scrutiny, etc.).
- 3.9. We identify our approach to managing each risk as:
  - Treat: we will take action to reduce the risk;
  - Tolerate: actions within our control have been completed and plans are in place;

- Transfer: the risk will be passed to another party, such as insurers;
- Terminate: the activity that is causing the risk will be ceased.

# 3.10. Development & Improvement

- 3.11. This report provides an update on the Corporate Risk Log and follows the previous update to committee in January of this year. A main focus of the Council's risk management has continued on the ongoing response to the pandemic. The risk log captures many of the challenges anticipated by the Council and community's response to the pandemic but there is still much work to do on risk management as the response and recover phases continue. The corporate risk log will continue to record and assess those strategic risks in terms of ongoing impact and mitigation as they develop.
- 3.12. The Corporate Risk & Integrity Forum has continued to meet approximately quarterly at the Extended Strategic Leadership Group, with updates from operational leads and the current risk profile. This strengthens focus on risk, visibility, ownership and input at a senior level, and provides flexibility to address the most significant risks at any time, ensuring timely steps are taken to minimise negative impact on the achievement of outcomes.
- 3.13. In 2020 all senior managers attended a two day course on risk management delivered by Gallagher Bassett and this has provided additional tools and approaches to managing risk which has been valuable over the last year.

# **Corporate Risk Log**

3.14. Appendix A presents the corporate risk log last reviewed by risk owners in early June 2021. No new risks have been identified or added to the log for this update and no risks have been removed. The scores for risks remain as previously reported in January 2021, with the exception of Harm to Children which has increased from a risk score of 20 to 25.

# 4.0 Sustainability Implications

4.1. None

# 5.0 **Resource Implications**

- 5.1. Financial Details
- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes □
- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes  $\Box$
- 5.4. Staffing
- 6.0 Exempt Reports

6.1. Is this report exempt? Yes (please detail the reasons for exemption below) No 🗹

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

## (1) **Our Priorities** (Please double click on the check box $\square$ )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all Our families; children and young people will have the best possible start in life Women and girls will be confident and aspirational, and achieve their full potential Our communities will be resilient and empowered so that they can thrive and flourish

## (2) **Council Policies** (Please detail)

#### 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? No ☑

#### 9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

#### 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none". Appendix A corporate risk log

#### 11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered) No x

#### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lindsay Thomson	Senior Manager Legal & Governance	2084

#### Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Thomson	Monitoring Officer	

# Appendix A - Corporate Risk Log

Clackmannanshire Comhairle Siorrachd Chlach Mhanann www.clacks.gov.uk

Summary of Changes	Distribution of Scores
At the June 2021 review (out of a total of 16 risks):	
Status	
8 risks are red	
8 risks are amber	23
No risks are green	
Approach	5 1
13 risks are being <b>Treated</b>	S S S S S S S S S S S S S S S S S S S
3 risks must be <b>Tolerated</b>	ikelihood
Change in Scores Since Last Review	Impact
1 risks has increased (Harm to Children)	
15 risks remain the same	
No risks have been newly added to the log	

Code	Title	Score	Status	Approach	Change
COU CRR 005	Impact of Poverty, Inequality & Changing Demographics	20		Treat	-
COU CRR 008	Insufficient Financial Resilience	25		Treat	-
COU CRR 011	Harm to Child(ren)	25		Treat	
COU CRR 012	Health & Safety Breach	20		Treat	-
COU CRR 022	Public Health Emergency	25		Tolerate	-
COU CRR 033	Major Governance Failure	16		Treat	-
COU CRR 034	Insufficient Pace and Scale of Organisational Transformation	25		Treat	-
COU CRR 045	Unknown Terms of EU Withdrawal	20		Treat	-
COU CRR 009	Information Not Managed Effectively	12		Treat	-
COU CRR 031	Failure to Prepare for Severe Weather Events	12		Tolerate	-
COU CRR 037	Failure to Address Serious Organised Crime	12		Treat	-
COU CRR 038	Failure to Prevent Extremism and/or Radicalisation	15		Treat	-
COU CRR 040	Failure of Public Utility Supply	12		Tolerate	-
COU CRR 046	IT System Failure	12		Treat	-
COU CRR 047	Inadequate Workforce Planning	12		Treat	-
COU CRR 048	Increasing Attainment Gap	12		Treat	-

# Approach Treat

	Insufficient Financial Resilience	Senior Manager Finance	e & Revenues		Current Score	25	Target Score	5
Risk	The Council does not have a balanced budget to meet essential service dema	ands, customer needs,	or external ag	endas.				
Potential Impact	Reputational and legal implications and severe, extended loss of service prov Care and other partners also experiencing budget pressures contributes to po					2		
Note	The cumulative funding gap to 2025 has been reduced to £13.7m as reported to Council in its Budget Setting Report March 2021. Although this has reduced, there is a continuing need for service redesign and Transformation to ensure service delivery. Given the significant savings already achieved, as well as impacts and costs relating to Covid, and challenges around national budget uncertainty, it is extremely challenging to identify new proposals. Significant priority is being given to progressing the Council's organisational redesign and transformational change.				Likelihood Likelihood		Likelihood Impact	0
	Audit of 2018/19 Accounts by Audit Scotland	C	OU EXA 189		Budget Strategy	y & N	Monitoring	
	Audit of 2019/20 Accounts by Audit Scotland	C	OU EXA 190		Procurement St	rate	ду	
Related Actions	Use the agreed strategic change framework and organisational design princip whole organisation redesign	oles to implement a	`\/^ 4^^ !	Existing Controls	Change Manag	eme	nt Board	
	Balance the drive for savings with the need for sufficient officer time and skills and consider how to make more use of external assistance to support improve		XA BVA 4F0					
								_

	Insufficient Pace and Scale of Organisational Transformation	Chief Executive		Current Score	25	Target Score	5
Risk	The Council fails to proactively drive the fundamental redesign of services a the speed required to address the funding gap due to ineffective change ma		ent with		_		
Potential Impact	Failure to maintain the required level of provision for statutory services. The does not establish sustainable service delivery and a sustainable cost base		gramme				
Note	The new Strategic Director (Transformation) is now in post and the PMO is currently being established. Work is underway to review the Be the Future Transformation Portfolio and to develop the Councils Strategic Roadmap which is being led by the Strategic Director. In addition to this work significant progress is being made on a number of workstreams including					Impact	
Related Actions	Be the Future Transformation Programme	COU BTF	Existing Controls	Be the Future B	oarc	1	

-	Impact of Poverty, Inequality & Changing Demographics	Chief Executive		Current Score	20	Target Score	5
Risk	Services are not appropriately redesigned based on changing needs in rela of care or socio-economic factors, specifically poor outcomes associated with						
Potential Impact	Inappropriate allocation of resources & assets, misalignment of corporate o Value, and possible financial and reputational consequences of responding		strate Best				
Note	The LOIP sets out partnership outcomes, based on demographic & demand & Care Strategic Plan will strengthen community & place-based services. K poverty; to develop inclusive growth and to empower families and communitare in place, or are developing, to address these key priorities, including sig Region Deal, Community Wellbeing and Community Wealth Building. Data. routinely informs decision-making and Poverty Impact Assessments are unbusiness change. The rating for this risk has been increased to reflect loca withdrawal, the impact of the Covid pandemic and the recent publications of	ey priorities are to reduce children liv ities in Clackmannanshire. Plans and prificant activity with a range of partn Research and evidence based appr dertaken for any new policy or signifi I planning assumptions arising from I	ving in actions ers on City oaches cant	Likelihood Impact		po ulio mpact	
Related	Clackmannanshire Alliance Local Outcome Improvement Plan 2017-27 Local Child Poverty Annual Report	CPP LOI	Existing	Customer Cons	sulta	tion & Engagem	nent
Actions	Implement Health & Care Partnership Strategic Delivery Plan	CRR HSC SDP	Controls	Budget Strategy & Monitoring			

-	Unknown Terms of EU Withdrawal	Chief Executive			Current Score	20	Target Score	9
Risk	The Council is unable to prepare for the potential impact of Brexit due to un relationships with European Union nations, or the timing of withdrawal (poss			ture				_
Potential Impact							(elihood	
Note	Work has been undertaken and reviewed to assess and monitor the potential impacts of EU withdrawal based on the Scottish and UK planning assumptions. This work has been carried out alongside wider resilience activities as part of a national and local all risks approach led by ScORR. Local risks and mitigations on EU withdrawal continue to be monitored and shared as part of ongoing work led by CoSLA.				impact		Impact	
Related Actions	ated onsCoordinate Major Incident ResponseP&P 20 001 P&P 20 002Existing Controls				Brexit Update R	Repo	rts to Council	
	Health & Safaty Braach	Chief Executive			Current Seere	00		

Risk	Incident or statutory breach results in injury or death of staff member or customer due to lack compliance with policies and procedures. Incidents may also arise from third parties actions				
Potential Impact	The effects on individuals and their families, financial penalties (including Health & Safety Excriminal proceedings, adverse publicity, increased insurance or damage to Council assets.	es),	elihood	celihood	
Note	H&S development work has been interrupted as the team has been heavily involved in establishing safe working arrangements in light of the Covid 19 pandemic. However a new IT system is being developed to help manage H&S risks across the Council.				Impact
Deleted	Health & Safety action plan, based on recommendations from Gallagher Bassett	CRR P&P HR1			anagement System
Related Actions	Governance improvement actions across all services	vement actions across all services CRR P&P LD1		Health & Safety Ha Managers	andbook for

	Major Governance Failure	Senior Manager Legal & Governance		Current Score	16	Target Score	8
Risk	A significant failure of compliance with statutory duties due to a lack of awar codes of conduct, lack of capacity or through non-adherence, including thro of controls.			<sub>в</sub>			
Potential Impact	Significant reputational damage, injury or loss of life, legal action, financial l changes and re-design reaffirm need to closely monitor & manage compliant			Likeliho		C	
Note	The role of the Audit Committee should be further developed in order to ens	sure appropriate levels of scrutiny		Impact		Impact	
	Audit of 2018/19 Accounts by Audit Scotland	COU EXA 189		Scheme of Dele	gati	on	
Related	Audit of 2019/20 Accounts by Audit Scotland	COU EXA 190	Existing	Governance &	٩udi	t Processes	
Actions	Annual Internal Audit & Fraud Programme	COU IAF	Controls	Is Committee Structures & Remits			
	Governance improvement actions across all services through Annual Gove	ernance Statement CRR P&P LD1					

		Failure to Prevent Extremism and/or Radicalisation	Senior Manager Partnership & Transformation	Current Score	15	Target Score	4
Risk		Radicalisation of someone from the area results in terrorist incident (or othe harm to individuals or groups (here or elsewhere), or fear of such an incider					
Potent Impact	tial :t	Casualties/fatalities, property/infrastructure damage, need for evacuation/te Financial harm to individuals, businesses or the Council. Disruption to servi	mporary housing or wider economic damage. ces or reputational/legal implications.			pood	
Note		Continue to implement CONTEST delivery plan through work with our partr Board. Prevent is the strand within CONTEST focussed on preventing rad Training for staff is provided as part of mandatory training programmes and	icalisation and extremism in communities.	Impact		impact	

	strategy. The national Prevent referral pathway has also been reviewed in 2021.				
	Actions from Internal Audit of CONTEST, Prevent & Serious Organised Crime Readiness	CRR P&P SP2		Forth Valley Local F Partnership	
Related Actions			Controls	CONTEST Delivery Groups	Plan & Working
				WRAP Training (Hig	h Priority Staff)

	Harm to Child(ren)	Chief Social Work C	Officer		Current Score	25	Target Score	8
	A lack of capacity or stability in key roles reduces the Council's ability to fulf prevent the serious harm of a child/children.	il statutory requiremen	ts and intervene	to		•		_
							p	
Note	Children's Social Work Service is experiencing acute challenges as a result of staff absence, recruitment and retention ar combination of ongoing COVID related issues affecting service delivery. Increased demand and complexity due to COVID						Likelihood Impact	
	Develop and Implement a new Corporate Parenting Strategy for 2018/2021		LOI LP1 102		Child Protection Procedures			
Related Actions	Children's Services Plan 2017-2020			Existing Controls				
	People Directorate Business Plan		PPL DBP	00111010	Child Protection Committee			
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		-	Increasing Attainment Gap	Improving Outcomes Manager - Senior Phase	Current Score	12	Target Score	8
Ri	sk		The Council fails to reduce the educational attainment gap between pupils f financial pressures, workforce issues, or wider economic, demographic and					
	oten ipac		Reputational damage, implications for inspection & funding, and continued young people reaching potential, longer-term impacts on social mobility, por					
N	ote		The educational impact of the Covid-19 pandemic, subsequent closure of se assessed now the children have returned to school. Any remedial, catch-up planned and provided, with each school having a Covid-19 recovery plan as supported by the IO Principal Teachers, specific government funding for ad resources and equipment and a greater focus on outdoor learning across al being addressed and supported by Educational Psychology and partner age	education to improve attainment will be oproved by Education Scotland. Schools will be ditional staff, provision of digital learning Il sectors. Health and wellbeing impacts are	inpact		Impact	

	People Directorate Business Plan	PPL DBP		Education Senior Management Team
Related Actions	Covid-19 Education Recovery Plan	PPL EDU CRP	Existing Controls	Scottish Attainment Challenge
	Scottish Attainment Challenge Action Plan 2020/21	PPL EDU SAC	001111010	National Improvement Framework

	-	Failure to Address Serious Organised Crime	Senior Manager Partn	ership & Transfo	ormation	Current Score	12	Target Score	8
Risk		Public bodies fail to address organised crime involving drugs, violence, frau trafficking (with women and girls particularly vulnerable), due to a lack of pro-							
Pote Impa		Physical or financial harm to individuals, businesses, communities or the Co services and associated reputational and/or legal implications.	ouncil. Direct or indirec	t disruption to Co	ouncil			elihood	
Note	Situational awareness and monitoring of significant developments or intelligence is ongoing. Web pages for staff have been updated with the latest advice on cyber crimes and keeping safe and briefings are shared with staff from Scottish Business Resilience Centre and the National Crime Agency.				Impact		Impact		
		Serious Organised Crime action plan, based on Police Scotland self-assess	sment	COU SOC		Serious Organia	sed	Crime Delivery	Plan
Rela Actio		Implement Council CONTEST Delivery Plan, based on the Government's C	CONTEST Strategy		Existing Controls				
		Actions from Internal Audit of CONTEST, Prevent & Serious Organised Crir	me Readiness	CRR P&P SP2		National Fraud	Initia	ative	

	_	Inadequate Workforce Planning	Senior Manager HR & Workforce Development	Current Score	12	Target Score	3
Risk		Due to lack of workforce planning the Council fails to ensure sufficient capa fails to adequately develop its workforce to ensure that skills, knowledge an financially viable and compatible with our corporate vision.					
Poter Impa		Loss of key staff from posts identified as single points of failure, including si key functions and lack of adequate professional advice to Council Officers/			elihood		
Note		Council approved the Strategic Workforce Plan (2019-22) in June 2019. Th priorities for the Council, and establishes a detailed plan of work for the nex development delivery plan). As we move through the implementation of this reduce.	t three years (via the annexed workforce	international			
Relat Actio		Implement the Workforce Plan 2019-22	CRR P&P HR3 Existing Controls	Strategic Workforce Plan			

	-	IT System Failure	Senior Manager Partnership & Transformation	Current Score	12 Target Score	9
Risk		Full or partial loss of network/hardware/software/telecoms technologies (ter	nporary or prolonged) due to cyber attack/other			
			50	Likelihood	Likelihood	

Impact

	emergency, failure to manage maintenance/backups/suppliers/contracts, or lack of investment in s failure of IT services to uphold priorities of Confidentiality, Integrity and Availability).	systems/staff/tra	ining (i.e.					
Potential Impact	Financial impact from loss of productivity, service disruption (inc. statutory/vulnerable groups), ina harm to staff/customers (access to records/Potentially Violent Persons register) & legal/regulatory.							
Note	The Council is progressing a programme of investment in ICT infrastructure as part of its Digital Transformation Strategy and roadmap. This will see a programme of cloud hosted services and the retirement of legacy systems over the next 4 years: implementation of m365; replacement of key ICT systems and investment in modern technology to support service							
Related	Develop & deliver the Council's Digital Transformation Strategy	CRR P&P IT1	Existing	Business Continuity	Plans			
Actions	Complete actions from IT Asset Management Plan CRR P&P IT2 Controls				ements & Contracts			

	Information Not Managed Effectively	Senior Manager Legal & Governance		Current Score	12	Target Score	8
Risk	Information is not protected due to lack of compliance with information shar principles/protocols (Confidentiality, Integrity & Availability), or poor manage (duplication across multiple systems) and decisions based on poor quality/in information to properly manage performance and plan responses	ement of information leads to inefficient	су	ikelihood			
Potential Impact	Legal/reputational/financial implications from breaches, inefficiencies costing time/money, non-completion of (possibly statutory) duties. Loss of productivity, impacting morale, or uninformed decision-making if information not available/used.					Likelihood	
Note	Opportunities arising from implementation of MS 365 but this will need an implementation plan which includes records management. Homeworking means that records management process have had to adapt.					Impact	
	GDPR Implementation Project Plan	COU GDP		Data Sharing Agreements		ements	
Related Actions	Develop & deliver the Council's Digital Transformation Strategy	CRR P&P IT1	Existing Controls	GDPR Guidance & Training			
	Develop a programme of digitisation to support redesign and service chang	e EXA BVA 1A4		Records Management Working Gro			oup

Approach Tolerate						
	Failure of Public Utility Supply	Strategic Director - Partnership & Performance;	Current Score	12	Existing Controls	
					Business Continuity Plans	
	Loss of gas, electricity, water or communications over a significant area due to failure of a provider's infrastructure as a result of a local or national event.				Major Incident Procedures	
					Emergency Response Plan	
Potential Effect	Fatality, injury or health risk, requirement to evacuate & find alternative acc Disruption to businesses, with potentially large costs, and impact on contact		Likelihood			
	Risk reduced slightly due to planning and preparations but remains a concern interdependencies, particularly black start outage recovery time (now believ Resilience community, particularly due to Councils' duty of care. Planning a learned from previous incidents and quarterly meetings with resilience part	ved to be minimum 7 days). Priority for the & work ongoing, regular testing of plans, lessons	Impact			

-	Public Health Emergency	Chief Executive	Current Score	25	Existing Controls
		· · · · · · · · · · · · · · · · · · ·			Business Continuity Plans
Risk	Significant numbers of Council staff and customers become ill due to the o a flu pandemic, with spread potentially exacerbated through failure to vacc			Pandemic Flu Plan	
				Major Incident Procedures	
Potential Effect	Short- & long-term health implications for public & staff (inc. absence if ill o line services, inc. to already vulnerable groups. Consideration required of		Impact		
Note	The Covid 19 pandemic remains an ongoing incident requiring Council's co Council's Incident Management Plan was implemented on the 9 March, 20 (MEOPs) were agreed and enacted. All Business Continuity plans have be response planning with the Forth Valley Resilience Partnership. Continuity Ongoing response and recovery work however is still required particularly a testing, vaccinations and community support for those people isolating. Council has agreed an internal debrief process will be undertaken to identifi	20 and Major Emergency Operating Procedures en reviewed and we are actively involved in of crucial services has largely been achieved. around outbreak management, community			

	and recovery work.				
	Failure to Prepare for Severe Weather Events	Strategic Director of Place	Current Score	12	Existing Controls
				Business Continuity Plans	
Risk	Inability to respond to severe weather events due to lack of appropriate planning & equipment (e.g. 4x4 vehicles). Most likely flooding from rain/coastal surge, winter weather or heatwave (increasing frequency & severity due to climate change).				Winter & Flood Management Plan
		ikelihood		Forth Valley Local Resilience Partnership	
	Widespread community dislocation, damage to property, businesses, roads or inability of staff to get to workplace. Increased workload in numerous ser				
Note	In 2020 communities in the Hillfoots were impacted by flooding requiring a Since then 2 additional flood resilience groups were established in Alva an groups. Work is also ongoing with Police Scotland on improving communit where road closures on minor roads are required.	nd Dollar and work in ongoing to support those	Impact		