

## AGENDA ITEM NO 10

REPORT NO 282/23

### ANGUS COUNCIL

#### SCRUTINY AND AUDIT COMMITTEE – 26 OCTOBER 2023

#### DETAILED RISK REPORTING TO SCRUTINY AND AUDIT COMMITTEE

#### REPORT BY CATHIE WYLLIE – SERVICE LEADER - INTERNAL AUDIT

#### ABSTRACT

This report presents detailed risk information to the Scrutiny and Audit Committee in line with the programme agreed by the Scrutiny and Audit Committee in June 2023 (Report 175/23/ refers).

#### 1. RECOMMENDATION

It is recommended that Committee scrutinise and note the information presented about the Legislation risk.

#### 2. ALIGNMENT TO THE COUNCIL PLAN

The contents of this report, and the related presentation provide the Committee with a deeper understanding of a key corporate risk that may prevent achievement of the Council Plan, and the steps being taken to mitigate the risk.

#### 3. BACKGROUND

The following timetable for individual risk presentations, based on the Corporate Risk Register at 9 May 2023, was agreed for 2023/24:

S&A meeting date	Lead officer	Risk to be presented	Risk Score May 2023	Risk Score updated	Risk Target
22 August 2023	Director of Finance	Financial Sustainability	25		9
<b>26 October 2023</b>	<b>Director of Legal, Governance &amp; Change</b>	<b>Legislation</b>	<b>9</b>	<b>6 (October 2023)</b>	<b>6</b>
28 November 2023	Chief Executive	Transforming for the Future	15		6
23 January 2024	Director of HR, Digital Enablement, IT & Business Support	IT resilience & Cyber-attack (Business Continuity)	16		8
7 March 2024	TBC	National Care Service (if included in CRR by then)	TBC		TBC
23 April 2024	Director of Vibrant Communities and Sustainable Growth	Climate Change	16		12

#### **4. CURRENT POSITION**

- 4.1 There will be a short presentation on the Legislation risk. The related information from the Corporate Risk Register is included in Appendix 1.
- 4.2 There have been no changes to the Corporate Risk scores since the last Scrutiny and Audit Committee meeting except the one noted above for Legislation.

#### **5. FINANCIAL IMPLICATIONS**

There are no direct financial implications.

#### **6. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment is not required, as this report does not impact on people. It does not impact on people because this report provides information about risks and their mitigation. Any people impact would be dealt with at other active stages of risk mitigation if applicable.

#### **Background Papers**

**NOTE:** One background paper as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) was relied on to any material extent in preparing this report.

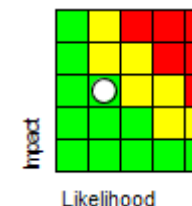
#### **Report 218/23 Corporate Risks and Risk Management**

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List of Appendices:

Appendix 1- Corporate Risk Register – Legislation

## Appendix 1



### Risk Title

CORRR0018 Legislation

### Risk Description

The council is unable to fully implement new legislative requirements on time and within budget to achieve the required outcomes.

### Likelihood

Legislation management and compliance are not matched with adequate resources including awareness in respect of superseded or new legislation. Capacity for legislative implementation work is limited given reduction in posts in recent years. Dissatisfied Groups or individuals may challenge Council decisions in respect of any compliance issue. We have a good track record of being actively engaged in the development and implementation of legislation and delivering on requirements on time. There is uncertainty on future due to EU exit.

### Potential Impact

Failure to meet legal obligations and responsibilities.  
Financial impact of legislative compliance on current budget and priorities.  
Reputational damage.  
Legal challenges.

### Existing Controls

Active engagement with the development of legislation	Through COSLA, professional associations and by responding to Scottish and UK Governments consultations as appropriate
Project management approach adopted for implementation of legislation	Led by the Director; for each piece of legislation/direction including individual risk registers
Distinguish between powers and duties when planning implementation	
Legal, Governance & Change Services Directorate leadership team	Act as project board, receiving updates and reviewing risks during implementation. Escalation to CLT if risks increase or situation changes materially
Fully trained and knowledgeable staff in place.	Regular CPD training is undertaken with all Legal staff involved.

**Risk Likelihood Score:** 2  
**Risk Impact Score:** 3  
**Overall Risk Score:** 6

**Additional Controls/Actions to Reduce Likelihood and/or Impact Scores**

Controls/Actions	Due Date	Status	Desired Outcome	Owner	Latest Update	Date
AC-COR-00058 Engage in development of workflow system with Civica (system provider)	31-Dec-2022	Complete	Process in place	Service Leader - Legal & Procurement	Process is now in place. The original intention had been to use the Legal Case Management System (Civica). However, instead the team has developed a system internally using SharePoint. This is working well and is being closely monitored to ensure the process remains effective.	2-Oct-2023

**Target Likelihood:** 2  
**Target Impact:** 3  
**Overall Target Score:** 6

<b>Risk Owner:</b>	Jackie Buchanan, Director of Legal, Governance & Change; Alison Watson, Service Leader – Legal & Procurement
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Latest Update	By	Date
Risk reviewed and likelihood score reduced. A system has been implemented for ensuring that relevant consultations on proposed new legislation are highlighted to relevant Services within the Council, consideration given to the proposed new legislation and a response submitted. The effectiveness of this system is being monitored. Regular reports will be going to CLT with updates on proposed or new legislation, which will also highlight any areas where training on new legislation may be required. CPD Training is undertaken internally by Legal staff on a regular basis.	Alison Watson	2 Oct 2023