

Boundaries Scotland Paper 011

Risk register

For discussion

1. The Commission has not considered a risk register since the conclusion of the islands reviews of electoral arrangements in 2021. The attached draft is the first to cover the forthcoming Scottish Parliament review which is expected to run from September 2022 until May 2025.
2. The Commission is invited to consider the register, the risks identified and the proposed mitigations.
3. Risks 7 and 11 are connected and the mitigations here will be particularly important. If it is considered the mitigated risk remains high then the risk policy requires escalation to the Sponsor Department.
4. Risk 3 covers the consultation portal. The Commission used CitizenSpace for the Islands reviews and it is planned to use this for the Scottish Parliament review as it offers several advantages over the alternatives (cost, ease of use, familiarity as it is widely used across the public sector including by Scottish Government).

Secretariat
April 2022

**Scottish Boundary Commissions
Risk Register**

	Type of Risk	Description	Effect	Likelihood/Impact	Mitigating Action	Target Date	Mitigated likelihood/impact	Notes
1.	T	Outside bodies not supplying necessary data or data of poor quality	Inaccurate decision making resulting from inadequate data	L/H	Maintenance of regular contact with data suppliers. Data quality checks on receipt. Alternative sources of data may be available in some cases. Consider use of NRS published data rather than ERO supplied data.	Ongoing	L/H	
2.	S	Loss of staff with appropriate skills and knowledge. Unexpected loss of Commissioner	Unable to conduct business to full level of effectiveness.	M/M	Ensure appropriate documentation of procedures, and training in key skills for staff. Ensure recording of the reasons for all decisions taken at each stage Work with SG to ensure commissioner appointments support continuity of knowledge/skills	Ongoing Ongoing	M/L	Minutes record reasons for decisions Commissioner vacancies now filled Training and development – 2021-22 training record updated.
3.	ER	Ineffective consultation processes. Consultation portal doesn't deliver clarity and effectiveness	Loss of stakeholder confidence Damage to reputation of Commission. Failure of stakeholders to engage	L/H	Actively maintain stakeholder relationships. Early engagement with stakeholders Provide clear information and guidance to the public on the Commission's work and processes. Trial Citizenspace and update staff training to ensure effectiveness	Ongoing.	L/M	The Secretariat liaises with other UK Commissions and meets regularly with political parties, the Electoral Commission, EROs and others
4.	ER	Acting outside legislation.	Damage to reputation of Commission Possibility of Judicial review	L/H	Ensure clear internal guidance on powers and duties. Consider need for external legal advice as appropriate. Ensure transparency over consideration of consultation responses to ensure no grounds for judicial review, Secure legal advice as necessary	Ongoing.	L/M	
5.	ER	Changes to, and events in, external political landscape	Delays to delivery of review milestones eg constraints around announcements.	M/M	Ensure effective liaison between Secretariat and sponsor department in order to build known events into project planning.	Ongoing	M/M	
6.	P/T	Unavailability of workplaces/theft or failure of equipment/computer systems	Inability to operate from usual workplaces including Thistle House or possible loss of access to computers, network and data.	L/H	Business Continuity Planning Data backups under SCOTS. Ensure appropriate physical security precautions. Use of SCOTS ensures technical support from Scottish Government. All staff to have effective home-working arrangements including SCOTS-enabled devices	Ongoing	L/M	BCP to be kept under continuous review, particularly in light of Covid 19. Ongoing limited access to Thistle House. Secretariat working within Thistle House guidelines.
7.	ER	Political lobbying by stakeholders	Failure of engagement	H/H	Liaison with SG to ensure clarity over position Ensure public consultation clear as to role of Commission and review purpose Ensure reports to Ministers and subsequent evidence to Parliament fully explain reasons for decisions, legislative compliance and constraints	May 2021	H/M	
8.	R	Budget	Insufficient budget undermining effectiveness of consultation	L/H	Project planning to match review process to budget availability; corporate planning to ensure SG aware of budget needs		L/M	SG allocation of £437k each year for next three expected to be sufficient
9.	R	Insufficient staff resource to conduct overlapping reviews	Risk to completion of reviews on time and to sufficient standard. Impact on staff wellbeing.	M/H	Ensure Commission awareness; flag with sponsor department need for resources to bring in temporary staff, create new posts or pay overtime. Liaise with SG recruitment agencies over provision of temporary staff	Ongoing	M/M	BCS 2023 Review commenced Jan 2021 and will finish June 2023. SP review will commence autumn 2022 and finish May 2025. No decisions have yet been taken over any reviews of electoral arrangements. Contacted ASA Recruitment who have ready supply of GIS staff – time estimate 1-2 weeks to fill a post.

	Type of Risk	Description	Effect	Likelihood/Impact	Mitigating Action	Target Date	Mitigated likelihood/impact	Notes
10.	T	Legislative change	Risk that SG planned consultation on electoral reform will cause confusion	H/M	Work with SG to ensure any consultation over changed approval procedures is clear over impact and timing	Before July 2022	M/M	
11.	ER	Political scrutiny and decision making	Risk that affirmative resolution procedure will result in unreasonable scrutiny and damage to democracy and reputation of SP/BS	H/H	Work with SG and Presiding Officer to ensure clarity over best practice scrutiny and decision making	Before September 2022	M/M	
12.	ER	Future Covid outbreaks	Risk to resources if staff sick, conduct of local inquiries if public gatherings restricted	M/H	Monitor health advice on ongoing basis Check legal position re virtual/hybrid local inquiries and seek legislative change if necessary	Ongoing ASAP	M/M	

The risk register shows the weightings of each risk for likelihood and impact, each classified as high, medium or low.

Likelihood		Potential Impact	
High (H)	High probability of occurrence	High (H)	Risks that can have a major effect on Commission operations. May result in significant financial loss, major disruption to outputs or serious damage to the Commission's reputation.
Medium (M)	Conceivable might occur	Medium (M)	Risks that have a noticeable effect on Commission operations. Each will cause a degree of disruption to outputs and may affect budgets.
Low (L)	Unlikely to occur	Low (L)	Risks where the consequences and impact will not be severe and any associated losses relatively small. As individual occurrences they will have a negligible effect on Commission operations.

These are combined to determine the risk category: Red = HH, MH or HM, Amber = MM, HL, LH, Green = LL, ML, LM.

