

Risk Register

For discussion

1. The Commission last considered the risk register at the December 2023 meeting. It was agreed that a risk relating to electoral reform should be added. Also, the Commission agreed that corporate and review risks should be recorded separately.
2. Both sponsor departments for the Secretariat appear to understand that a proportionate approach to risk management should be adopted by the Commissions. With this in mind – the risk management policy and risk register have been updated (see Appendices A and B).
3. The risk register applies to both Commissions with the second column specifying what Commission the risk applies to (BCS, BS or both) and whether the risk is review specific. As the core function of the Commissions is to carry out reviews, this approach is suggested rather than overseeing two separate risk registers which are likely to have interdependencies. A new column has also been added to record whether the risk is increasing/decreasing or remains the same.
4. It is good practice for the Commission to consider and agree its risk appetite ie the amount of risk the Commission is prepared to accept, tolerate, or be exposed to at any point in time. The following table may assist: -

Very High/Eager	Eager (or required) to be innovative and to choose options based on maximising opportunities and potential higher benefit even if those activities carry a very high residual risk.
High/Open	Willing to consider all options and choose one most likely to result in successful delivery while providing an acceptable level of benefit. Seek to achieve a balance between a high likelihood of successful delivery and a high degree of benefit and value for money. Activities themselves may potentially carry, or contribute to, a high degree of residual risk.
Medium/Cautious	Preference for safe options that have low degree of inherent risk and only limited potential for benefit. Willing to tolerate a degree of risk in selecting which activities to undertake to achieve key deliverables or initiatives, where we have identified scope to achieve significant benefit and/or realise an opportunity. Activities undertaken may carry a high degree of inherent risk that is deemed controllable to a large extent
Low/Minimalist	Preference for very safe business delivery options that have a low degree of inherent risk with the potential for benefit/return not a key driver. Activities will only be undertaken where they have a low degree of inherent risk.
Very low/Averse	Avoidance of risk and uncertainty in achievement of key deliverables or initiatives is key objective. Activities undertaken will only be those considered to carry virtually no inherent risk

5. The Commission is invited to: -
 - Consider and approve the updated risk management policy.
 - Discuss and agree the Commission's appetite to risk
 - Consider the register and provide comments on the risk identified and the proposed mitigations.
6. General feedback on the approach to risk and the style of the register is also welcome.

Secretariat
May 2024

Scottish Boundary Commissions Risk Management Policy

Background

1. Boundaries Scotland and the Boundary Commission for Scotland are two separate advisory non-departmental public bodies, the former sponsored by Scottish Government and the latter by the Office of the Secretary of State for Scotland (OSSS). Collectively this paper refers to them as the Scottish Boundary Commissions.
2. A shared Secretariat, staffed by employees assigned from Scottish Government, supports the Scottish Boundary Commissions in their work. Commission meetings are usually held monthly during a review and quarterly or less frequently when there is no open review.
3. This policy sets out the approach to be taken to Risk Management within the Scottish Boundary Commissions.
4. On an annual basis, the Scottish Boundary Commissions will review the operation of the Risk Management Policy, ensuring that the policy is supporting the effective and efficient operation of the Scottish Boundary Commissions, that it helps the business respond to business risks, and that adequate controls are implemented.
5. Any material changes to the Risk Management Policy should be agreed with the sponsor teams in Scottish Government and Scotland Office.

Risk Register

6. The Secretary is responsible for preparing a risk register following guidance set out in the Scottish Government Public Finance Manual, and the HM Treasury Management of Risk - Principles and Concepts (the "Orange Book").
7. The Secretary and the Scottish Boundary Commissions are responsible for identification of risks and their inclusion on the risk register and for agreeing the risk appetite. The register and the risk appetite should be updated at the start of each review and agreed with the Scottish Boundary Commissions and shared with the sponsor teams as necessary
8. The risk register shows the weightings of each risk for likelihood and impact, each classified as high, medium or low.

	Likelihood
High (H)	High probability of occurrence
Medium (M)	Conceivable, but not likely to occur
Low (L)	Unlikely to occur

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

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	individual occurrences they will have a negligible effect on Commission operations.
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These are combined to determine the risk category: Red = HH, MH or HM, Amber = MM, HL, LH, Green = LL, ML, LM.



9. When considering the risk register, each Commission has the opportunity to :
- flag up at an early stage any areas of concern;
 - identify and agree any significant change to the risk register
 - agree appropriate mitigating actions

10. The risk register should be reviewed at least quarterly during a review to ensure that appropriate mitigating actions are in place for any risks in the red or amber categories. Scottish Boundary Commissions should review the risk register annually when there is no open review.

11. The risk register lists for each risk mitigating actions, target timescales and any residual risk after these measures are carried out. Where a residual risk remains categorised as red, or where the mitigating actions require additional resource implications not included in the allocated budget, the Secretariat should escalate the risk to the sponsor teams in Scottish Government and Scotland Office for their consideration.

12. The Secretary is considered the risk owner for all risks and may delegate responsibility to individual staff members as appropriate within the context of normal operations.

Other risks

13. Lower level risks (i.e. those not included on the risk register) will be managed as appropriate by the Secretariat as part of its normal operation.

Further Guidance

14. Further guidance on risk management is available in the Scottish Government Public Finance Manual, and the HM Treasury Management of Risk - Principles and Concepts (the "Orange Book").

No.	Type	Description	Effect	L/I	Mitigating Actions	Mitigated L/I	I/D/Same	Comments
1	ER BS	Political interference/lack of support from Ministers	Unreasonable scrutiny increases likelihood of proposals failing Damage to reputation of Commission, Parliament and democratic process	H/H	Liaison with SG and SPPA (Standards, Procedures and Public appointments Committee) to clarify position Public consultation comms clarifying role of BS and review purpose Reports to Ministers and subsequent evidence to SP fully explain reasons for decisions, legislative compliance and constraints	H/M	-	To arrange meeting between Chair and Convener of SPPA To arrange meeting with Minister
2	ER BS/BCS Review	Lack of understanding about role of Commissions and reviews	Misunderstanding of statutory role of Commissions Low level stakeholder engagement in consultation process Ineffective consultation. Spread of misinformation	H/M	Actively maintain stakeholder relationships. Early engagement with stakeholders Provide clear information and guidance to the public on the Commission's work and processes. Continue to explore functionality of Citizenspace consultation site and update staff training to ensure effectiveness Raise online/hybrid/in person inquiries with SG in context of electoral reform	M/M	-	
3	ER BS	Legislative change/ delay in introduction of automaticity	Impact of planned electoral reform work on Commission Impact of SG review into work of BS Impact on staff resources, dual reviews	H/M	Liaise with SG to clarify position and resource impact Continue to state Commission's position	M/M	↑	
4	ER BS/BCS Review	Changes to political landscape	Delays in completion of review Impact on relevance of review	M/M	Effective liaison between Secretariat/sponsor department to build known events into project planning Communications to stakeholders	M/M	↑	
5	R BS/BCS Review	Insufficient staff resource and/or loss of staff/Commissioner with appropriate skills and knowledge.	Impact of dual review Unable to conduct business to full level of effectiveness and delay to review. Damage to reputation of Commissions	M/M	Liaise with SG to ensure commissioner appointments support continuity of knowledge/skills. Liaise with SG over vacancy management including temporary staff Ensure appropriate induction and ongoing training of staff and Commissioners	L/M	↑	
6	T BS/BCS Review	Outside bodies not supplying necessary data or data of poor quality	Impact on quality and accuracy of decision making	L/H	Liaise regularly with data suppliers Data quality checks on receipt and establish if there are other forms of data.	L/M	-	Electoral reform process to clarify access to electoral registers
7	R BS/BCS	Failure to maintain and apply robust governance systems	Act outside legislation Increase likelihood of Judicial review Damage to reputation of Commission and democratic process Business Continuity Data breach/GDPR	L/H	Maintain and update internal policy and processes Ensure appropriate documentation of procedures, and reasons for decisions External legal advice Business Continuity Planning Use of SCOTS- technical support from Scottish Government.	L/M	-	Review Business Continuity Plan
8	R BS/BCS	Insufficient budget	Insufficient budget undermining effectiveness of consultation Potential of dual review	L/M	Project planning to match review process to budget availability Corporate planning and liaise with sponsor team to ensure aware of budget needs	L/L	↑	

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Likelihood	
High (H)	High probability of occurrence
Medium (M)	Conceivable might occur

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



- ER External Relations
- R Resources (including staff)
- T Technical