

Risk Register

Purpose

1. To provide an updated risk register for Commission consideration.

Discussion

2. The updated risk register is in Appendix A.
3. At its meeting in October 2020 (Paper LGBCS 2539) the Commission asked for an addition to cover failure of a council to engage with consultation and this is included at risk 3.
4. The Commission also asked that the register retain reference to access to Thistle House and to access to IT systems/SCOTS network.
5. The Commission may wish to consider deletion of risk 12.
6. New risks that the Commission may wish to consider adding are:
 - name change to Boundaries Scotland – potential confusion for review stakeholders
 - rejection of our recommendations by the Scottish Parliament or a request for further review with implications for future work programme

Conclusion

7. The Commission is invited to consider the risk register and offer comments.

Secretariat
February 2021

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. Review relationship with NRS Consider local authority data for forecasts	Ongoing	L/H	Expected transfer of responsibility to Electoral Commission has not happened. Need to pursue NRS MoU.
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.	Loss of stakeholder confidence Damage to reputation of Commission. Failure of council to engage	L/H	Actively maintain stakeholder relationships. Early engagement with councils Provide clear information and guidance to the public on the Commission's work and processes. For future reviews consider SG discussion over use of s18 power in 1973 Act: 18 (2A)The Scottish Ministers may give directions to— (a)the Boundary Commission, (b)the council of any local government area affected by a review, in relation to consultation under subsection (2)(a) above.	Ongoing.	L/M	The Secretariat liaises with other UK Commissions and meets regularly with political parties, the Electoral Commission, EROs and others

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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, Consider need for solicitor read through of final reports	Ongoing.	L/M	BCS still considering with other UK Commissions implications from BCNI judgement
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	See Risk 11 for Brexit
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 review in light of Covid 19. Ongoing limited access to Thistle House. Secretariat working within Thistle House guidelines, limited access, limited mailing days (twice a week) Access to Thistle House required for printing meeting papers/setting up hardware

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7.	S	Insufficient staff resource to conduct overlapping reviews	Risk to completion of reviews on time and to sufficient standard. Impact on staff wellbeing.	H/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 Contacted ASA Recruitment who have ready supply of GIS staff – time estimate 1–2 weeks to fill a post. Once the electoral reform legislation outcome is known an assessment of resource requirements will be undertaken.
8.	ER	Decisions taken by BCS/UK parliament impacting on secretariat resources	Risk to completion of review(s) within statutory deadline	M/H	Project planning and monitoring. Ensure sufficient funding to bring in temporary staff as required	Ongoing	M/M	Future review requirements of BCS remain uncertain but 2023 review likely to run Jan 2021 to Jun 2023
9.	IR	Expectations of islands councils in light of new legislation not met	Risk to reputation of Commission and that final recommendations not accepted	M/M	Effective communication with councils and consultation with communities. Liaison with SG to keep sighted on progress and any issues arising.	Ongoing	L/M	Meetings will all 6 islands councils at Secretariat and Commission level held or planned
10.	ER	Impact of re-naming the Commission	Public confusion about who Boundaries Scotland are	L/L	Need to ensure clarity on website/social media/documentation about role of Commission for SP AND local reviews	Ongoing pending commencement of relevant section of legislation	L/L	SG has confirmed that commencement of new name Spring 2021
11.	ER	Ongoing Brexit uncertainty Independence referendum uncertainty	May result in pressures on SG and local government affecting: legislative programme; engagement with LGBCS work; budget pressures	H/L	Liaison with SG sponsor team to ensure LGBCS priorities and budget requirements are known. Project planning to ensure delivery of future review programme whether or not legislative programme is delayed.		H/L	

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12.	ER	Impact of Covid-19 on Islands reviews	Delays to the reviews result in less than normal period of public consultation and less effective consultation	H/H	Discussed at Commission meeting 12 October with a view to maximising effectiveness of public consultation; approach SG to see what the latest date for submission of review reports is		H/M	Expanded Facebook / social media advertising, newspaper adverts for consultation starting and closing
13.	ER	Political lobbying by stakeholders	Failure of engagement with councils Rejection of proposals for reasons outwith Commission control	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	We are aware of current issues with Highland Council's failure to respond to the consultation and planned approaches to Scottish Ministers

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 might occur
Low (L)	Unlikely to 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)	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.

