



Governance and Risk Committee

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

23 September 2025

A hybrid meeting of the **Governance and Risk Committee** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston** on **Monday 29 September 2025 at 2:00pm**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members must declare any interests they have in the items of business for consideration at the meeting, identifying the relevant agenda items and the nature of their interests.
3. Order of Business, including notice of urgent business, declarations of interest in any urgent business and consideration of reports for information.

The Chair will invite members to identify any such reports they wish to have fully considered, which failing they will be taken as read and their recommendations approved.

4. Confirm Draft Minutes of Meeting of Governance and Risk Committee held on Monday 16 June 2025 (herewith)

Public Items for Information

5. High Risks - Report by Head of Finance and Property Services (herewith)
6. Strategic Risks - Report by Head of Finance and Property Services (herewith)
7. Risk - WLC020 Failure to Prevent and Detect Fraud or Theft - Report by

DATA LABEL: Public

Head of Finance and Property Services (herewith)

8. Management of Health and Safety - Report by Head of Corporate Services (herewith)
9. Management of Health & Safety Risk
 - (a) Report by Head of Education (Primary, Early Years and Resources) and Head of Education (Secondary, Inclusion and Community Learning) (herewith)
 - (b) Presentation by Head of Education (Primary, Early Years and Resources) and Head of Education (Secondary, Inclusion and Community Learning) (herewith)
10. Business Continuity Planning - Operational Services
 - (a) Report by Head of Operational Services (herewith)
 - (b) Presentation by Head of Operational Services (herewith)
11. Individual High Risk - HCBS004 - Overspend of Allocated Housing Need Budgets - Report by Head of Housing, Customer and Building Services (herewith)
12. Strategic Risk WLC023 West Lothian Leisure Financial Plan 2025/26 - Report by Head of Finance and Property Services (herewith)
13. Workplan (herewith)

NOTE **For further information please contact Anastasia Dragona on tel. no. 01506 281601 or email anastasia.dragona@westlothian.gov.uk**

CODE OF CONDUCT AND DECLARATIONS OF INTEREST (2021)

This form is a reminder and an aid. It is not a substitute for understanding the Code of Conduct and guidance.

Interests must be declared at the meeting, in public.

Look at every item of business and consider if there is a connection.

If you see a connection, decide if it amounts to an interest by applying the objective test.

The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection does not amount to an interest then you have nothing to declare and no reason to withdraw.

If the connection amounts to an interest, declare it as soon as possible and leave the meeting when the agenda item comes up.

When you declare an interest, identify the agenda item and give enough information so that the public understands what it is and why you are declaring it.

Even if the connection does not amount to an interest you can make a statement about it for the purposes of transparency.

More detailed information is on the next page.

Look at each item on the agenda, consider if there is a “connection”, take advice if necessary from appropriate officers in plenty of time. A connection is any link between the item of business and:-

- you
- a person you are associated with (e.g., employer, business partner, domestic partner, family member)
- a body or organisation you are associated with (e.g., outside body, community group, charity)

Anything in your Register of Interests is a connection unless one of the following exceptions applies.

A connection does not exist where:-

- you are a council tax payer, a rate payer, or a council house tenant, including at budget-setting meetings
- services delivered to the public are being considered, including at budget-setting meetings
- councillors’ remuneration, expenses, support services or pensions are being considered
- you are on an outside body through a council appointment or nomination unless it is for regulatory business or you have a personal conflict due to your connections, actions or legal obligations
- you hold a view in advance on a policy issue, have discussed that view, have expressed that view in public, or have asked for support for it

If you see a connection then you have to decide if it is an “interest” by applying the objective test. The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection amounts to an interest then:-

- declare the interest in enough detail that members of the public will understand what it is
- leave the meeting room (physical or online) when that item is being considered
- do not contact colleagues participating in the item of business

Even if decide your connection is not an interest you can voluntarily make a statement about it for the record and for the purposes of transparency.

The relevant documents are:-

- [Councillors’ Code of Conduct, part 5](#)
- [Standards Commission Guidance, paragraphs 129-166](#)
- [Advice note for councillors on how to declare interests](#)

If you require assistance, contact:-

- Lesley Montague, Interim Monitoring Officer and Governance Manager, 01506 281613, lesley.montague@westlothian.gov.uk
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, carol.johnston@westlothian.gov.uk
- Committee Services Team, 01506 281604, 01506 281621
committee.services@westlothian.gov.uk

December 2024

MINUTE of MEETING of the GOVERNANCE AND RISK COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 16 JUNE 2025.

Present – Councillors Damian Doran-Timson (Chair), Harry Cartmill, Lynda Kenna and Pauline Orr; Appointed Member Ann Pike

Absent – Councillor Danny Logue

1 DECLARATIONS OF INTEREST

Ann Pike stated that she was a member of the West Lothian IJB and involved in COSLA.

2 ORDER OF BUSINESS

The Chair ruled, in terms of Standing Order 11, that agenda item 7 (*Internal Audit Annual Report*) would be considered immediately following agenda item 4 (*Minutes*).

3 MINUTES

The committee approved the minute of its meeting held on 3 March 2025. The minute was thereafter signed by the Chair.

4 INTERNAL AUDIT ANNUAL REPORT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing members of the internal audit annual report for 2024/25 and the Audit, Risk and Counter Fraud Manager's opinion on the council's framework of governance, risk management and control.

It was recommended that the committee note the annual report and the Audit, Risk and Counter Fraud Manager's conclusion that the council had a sound framework of governance, risk management and control.

Officers then advised that internal controls of *Building Services – Plant/Hand Tools in APPENDIX C Risk Based Audits 2024/25* had been found to be unsound as the procedures currently in place were not up to date and not followed, and assured members that an action plan was in place with appropriate action taken to implement mitigating actions. A report would be presented to the Audit Committee on 27 June 2025.

Regarding the finding that *Procurement* required improvement, in the same appendix, officers confirmed that this had been presented in a report to the Audit Committee in October 2024.

It was also noted that *Information Governance – Policy and Risk Assessment / Training* would be reviewed and followed up in the next financial year to ensure measures had been implemented. The Governance Manager then advised that there were statutory requirements for committee members to attend certain training sessions, and any decision to make further training mandatory would have to be made by West Lothian Council.

Officers assured members that all results ranked as high were monitored via the council's monitoring software Ideagen, with follow-ups scheduled and results reported to Audit Committee in due course. They also confirmed that the internal Audit Team's resources are sufficient to deliver the internal audit plan.

Decision

To note the terms of the report.

5 CORPORATE GOVERNANCE 2024/25

The committee considered a report (copies of which had been circulated) by the Governance Manager / Monitoring Officer presenting the draft annual governance statement for approval.

It was recommended that the committee:

1. Consider and note the information in the annual review of the system of internal control (separately reported), the annual compliance statements (Appendix 2), Local Code of Corporate Governance (Appendix 3), and progress on governance issues (Appendix 4);
2. Note the conclusion and assurance that the council's corporate governance standards have been substantially met in 2024/25;
3. Approve the annual governance statement in Appendix 1, which would form part of the council's accounts;
4. Authorise officers to update the statement where appropriate to reflect changes in circumstances prior to its approval for signature in September 2025; and
5. Note that the table in Appendix 4 would be updated to reflect any issues raised at the meeting and to incorporate the new issues identified for 2025/26, with progress reported to committee at its meeting in December 2025.

Officers advised that the council was piloting the use of Artificial Intelligence and a draft policy was being prepared for approval in the future.

It was clarified that open issues would be removed from the list of

governance issues, while remaining issues would be taken forward into 2025/26.

The West Lothian Leisure triennial review was ongoing as a strategic options appraisal would be required due to a variation to the ALEO delivery model; progress would continue to be reported to the West Lothian Leisure Advisory Committee and an options appraisal report would be presented to Council Executive in due course.

Officers then confirmed that HR was working with services to ensure appropriate succession planning arrangements.

Decision

To approve the terms of the report.

6 HIGH RISKS

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services informing members of the council's high risks.

It was recommended that the committee note the council's high risks and provide feedback to officers on the risks, controls and mitigating actions.

During discussion, statistics for empty properties were discussed.

Officers confirmed that risk *HSBC 24 002 – Improving housing options* was a tool continually used by the service and was therefore left at 50% as ongoing.

The due date on action *RRTP201.6 under risk HCBS012 Breach of statutory homeless duty* would be updated to December 2025.

It was then agreed that risk *SPCC005 Increasing expenditure on commissioned care services for adults and older people resulting in significant budgetary overspend* would be updated to reflect consideration of impact of TEC to carers and negative impact of relevant stories in the press. The controls would also be updated to show actions taken for anyone not benefitting from the council's transition policy.

Decision

To note the terms of the report.

7 RISK MANAGEMENT ANNUAL REPORT

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services informing members of the risk management annual report for 2024/25.

It was recommended that the committee note the progress made on risk

management and business continuity planning during 2024/25.

Regarding risk SPCC005 Increasing expenditure on commissioned care services for adults and older people resulting in significant budgetary overspend, officers advised that National Insurance costs were being closely monitored to understand the impact of the National Insurance increase.

Regarding risk ED004 Mainstream Schools: physical or verbal incidences towards staff, officers assured members that approaches were continually reviewed to ensure mitigations and controls remained effective.

Regarding risk D005 Additional Support Needs (ASN) schools and units: physical or verbal incidences towards staff, officers advised that the service continued to adapt to significant challenges and growing need.

Regarding risk WM005 Failure of waste disposal contractor, officers advised that following a previous contractor entering administration, a new company was established and related price and business continuity risks were currently being managed.

Decision

To note the terms of the report.

8 MANAGEMENT OF HEALTH AND SAFETY

The committee considered a report (copies of which had been circulated) by the Head of Corporate Services presented at the request of the Governance and Risk Committee as a standing report providing information on Health and Safety incidents reported across all service areas. The report also contained annual incident statistics and a breakdown of physical and verbal incidents reported within Education.

It was recommended that the committee note the content of the report.

During discussion, clarifications were provided as to the nature of falling objects causing incidents. It was also clarified that most verbal incidents tended to be towards employees. A substantial increase on verbal incidents was recorded and officers advised that procedures were in place for prompt and effective de-escalation and resolution. Finally, it was noted that reporting of near misses was encouraged to ensure measures were taken to avoid incidents in the future.

Decision

To note the terms of the report.

10 COMMITTEE SELF-ASSESSMENT FEEDBACK 2024/25

The committee considered a report (copies of which had been circulated) by the Governance Manager informing members of the results of the committee's self-assessment exercise.

It was recommended that the committee note the results of the self-assessment questionnaire completed by members, identify any areas of concern, and recommend appropriate actions to address them.

Decision

To note the terms of the report.

11 ZURICH BUSINESS CONTINUITY REVIEW

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing members of the findings and agreed actions following Zurich's review of the council's business continuity arrangements.

It was recommended that the committee notes the findings and the agreed actions following Zurich's review of the council's business continuity arrangements.

Decision

To note the terms of the report.

12 HIGH RISK - WLC025 ECONOMIC DOWNTURN

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration providing information regarding the management and overview of the risk concerning potential impacts of an economic downturn.

It was recommended that the committee note the report.

Decision

To note the terms of the report.

13 BUSINESS CONTINUITY PLANNING

The committee considered a report (copies of which had been circulated) by the Head of Corporate Services advising members of the approach taken to business continuity planning within Corporate Services.

It was recommended that Governance & Risk Committee consider and provide comments on the approach taken by Corporate Services to business continuity planning.

Officers confirmed that the council had a detailed business continuity plan. Officers also confirmed that mailing arrangements by an external provider were in place in case of an incident during crucial periods when the council would need to send out bulk mail.

It was also noted that some of the findings from the previously presented Zurich report would allow the council to build and improve on arrangements already in place in certain areas. Members were assured that a new template was being prepared to introduce findings and recommendations from Zurich.

Decision

To note the terms of the report and presentation.

14 WORKPLAN

A workplan had been circulated for information.

Decision

To note the workplan.

15 CLOSING REMARKS

The Chair thanked Kenneth Ribbons for his support and his contribution to the committee and wished him well in his retirement.

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

HIGH RISKS

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To inform the Governance and Risk Committee of the council's high risks.

B. RECOMMENDATION

It is recommended that the Governance and Risk Committee notes the council's high risks and provides feedback to officers on the risks, controls and mitigating actions.

C. SUMMARY OF IMPLICATIONS

I Council Values	Open, honest and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Risk Management Policy requires the council to effectively manage risks.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	Failure to effectively mitigate risks may have an adverse impact on performance.
V Relevance to Single Outcome Agreement	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
VI Resources - (Financial, Staffing and Property)	None.
VII Consideration at PDSP	None.
VIII Other consultations	Executive Management Team, Corporate Governance Board.

D. TERMS OF REPORT

D.1 The council maintains its corporate risk register on the Ideagen system. Risks are scored for original risk, which is the assessed risk without controls in place, and represents the potential impact if controls are absent or fail; and current risk, which assumes that current controls are in place and are effective.

Risks are assessed using a five by five grid of likelihood and impact, so the lowest possible score is one and the highest is 25. The council's high risks are defined as risks that have a current risk score of 12 or more.

D.2 The council's high risks are detailed in appendix one. There are a total of 14 high risks, the same number reported to the Committee in June.

D.3 The council's highest risks, scoring 25, are:

- Risk 'SPCC005 - Increasing expenditure on commissioned care services for adults and older people resulting in significant budgetary overspend'.
- Risk 'HCBS004 - Overspend of allocated Housing Need budgets'.

D.4 In relation to appendix one:

- the traffic light icon in the top left corner of each risk represents the risk ranking. As this is a report of high risks only, this icon is either high or medium high. The traffic light icons are explained in the table at the start of appendix one;
- there is a code, title and description for each risk;
- the original risk score represents the risk without controls in place, and provides an appreciation of the potential impact if controls are absent or fail;
- the current risk score represents the current risk, i.e. assuming that current controls are in place and effective;
- the internal controls are those processes which are currently in place to reduce the risk from the original risk score to the current risk score;
- the risk actions are those measures which are intended to further reduce the current risk.

D.5 The risk actions have a code and title, an original due date, a revised due date, a progress bar which is an assessment of their percentage completion, and a description. The report only contains risk actions which are in progress. Once marked as complete, risk actions should be included as internal controls and will be taken into account when assessing the current risk score.

Appendix two sets out the council's standard risk assessment methodology.

The council's high risks are reported quarterly to the Corporate Governance Board, which exercises oversight over the council's governance and risk management arrangements, and every two months to the Executive Management Team.

E. CONCLUSION

Regular review by the Governance and Risk Committee will assist in ensuring that the council's risks are effectively managed.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: (1) High Risks
(2) Risk Assessment Methodology

Contact Person: Stuart Saunders, Audit, Risk and Counter Fraud Manager,
Stuart.Saunders@westlothian.gov.uk, Tel No. 01506 281574

Lynda Ferguson
Acting Head of Finance and Property Services

Date of meeting: 29 September 2025



Appendix 1 High Risks

Report Author: Stuart Saunders




Generated on: 19 September 2025 10:32


Report Layout: .. 10 (previously R09b) Original Score, Current Score, Internal Controls with linked Actions (outstanding only)

Key to Risk Scores

Icon	Score	Meaning
	16-25	High
	12-15	Medium High

Key to Action Status

Icon	Status
	Overdue
	Approaching Due Date
	In progress

	<p>HCBS004 Overspend of allocated Housing Need budgets</p>	<p>Increased demand for homeless services leading to overspend of allocated Housing Need budgets resulting in unplanned financial pressures requiring budget savings measures, adverse impact on service delivery and achievement of homelessness statutory duties to provide services and accommodation, potential reputational damage.</p>
<p>Current Controls:</p>		<p>The specific controls to reduce housing needs budget include:</p> <ul style="list-style-type: none"> Continue to utilise PSL scheme as a means to avoiding B&B usage Continue to aim to allocate temporary accommodation in school catchment areas to reduce transport costs Continue to monitor length of stay in temporary accommodation Continue rolling programme of case audit of homeless decisions and case management to ensure robust decision making Continue on site hotel presence by officers ensure occupancy and utilisation of rooms Continue to monitor numbers of people in hotel accommodation Continue to support homeless applicants access the private rented sector where suitable Continue upstream early intervention model in two secondary schools Mainstreaming Young Persons Emergency Prevention service Continue with Addictions worker supporting homeless households in hotels Continue with targeted arrears and income management measures to increase income from people living in B&B Continue with void improvement programme <p>West Lothian Council has declared a Housing Emergency on 28/05/2024 due to the specific pressures around housing and homelessness, and the ability to meet statutory duties. The announcement by Council Executive also included writing to the Minister for Housing to discuss the issues and what support/funding can be provided to reduce pressures on the council.</p> <p>Council Executive approval on 5th November 2024 for spend of Affordable Supply Programme grant funding of £2.002</p>


- 14 -

million to bring void properties back into use and further accommodation acquisitions

Council Executive approval on 14 January 2025 for the 2024/25 RRTP plan and associated priorities of prevention, supply and specialist support

Council Executive approval on 14 January 2025 for a new framework of temporary accommodation rents and service charges


Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
25		25		▶	RRTP201.6 New build supported accommodation	30-Nov-2021	31-Jan-2026		Deliver the new build supported accommodation provision for young people.

	<p>SPCC005 Increasing expenditure on commissioned care services for adults and older people resulting in significant budgetary overspend</p>	<p>Increasing costs in relation to providing care services for adults and older people leading to expenditure exceeding available budget.</p>
<p>Current Controls:</p>		<p>This risk relates to the increasing financial pressure in supporting adults and older people in residential and housing with care settings - including learning disabilities and specialist mental health provision.</p> <p>A Resource Panel is now established, meeting fortnightly, co-chaired by senior managers for Adults and Older People services. The remit of this group is to consider all high cost care packages (greater than £20,000) ensuring that all alternatives to the provision of formal care have been considered, such as the use of Technology Enabled Care (TEC) or specialist aids. This group meets on a fortnightly basis.</p> <p>Robust review & approval process in place for all care requests by senior managers to further ensure that alternatives to formal care have been fully considered.</p> <p>A monthly review meeting with the service accountant and members of the learning disability management team reviews all existing high cost care placements and considers the opportunity for formal care provision to be supplemented through the use of TEC.</p> <p>The service is reviewing financial assessment processes to ensure the process is as efficient as it can be and that all income is recovered without any undue delay.</p> <p>Oversight groups for care at home and care homes closely monitor demand data, including levels of unmet need, to inform projected levels of spend.</p> <p>Robust assessment and review process for new/existing packages of care to ensure these are targeted at appropriate level.</p> <p>Good conversations training implemented across key service areas to promote strength based approach to assessment and ensure commissioned care is target ant most appropriate level.</p> <p>All non staffing expenditure is also being reviewed by the service to establish any safe opportunity to reduce expenditure to mitigate the risks of overspend in other areas. A project board is established to maximise the use of TEC to ensure that formal care is only provided when there is no safe alternative to support service users.</p> <p>Alongside this the service is reviewing the current Resource Allocation System & Self Directed Support processes, in</p>


reviewing how indicative budgets are allocated and used which will also support in ensuring the level of care provided is in keeping with assessed needs and outcomes. There is a project board chaired by senior manager for Adults Services which is supporting this work.

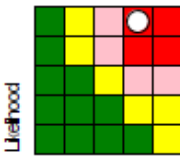
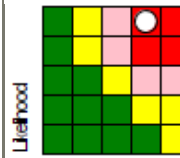


Clear transition policy in place to support those moving from children's social work services into adult's social work services. A multiagency group with comprised of Education and NHS Lothian has been established which supports earlier identification of those who are likely to require ongoing social work support and analysis of future demand.


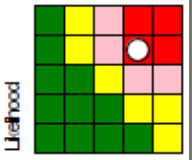
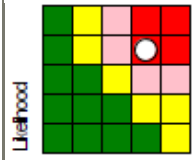
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
25		25							


	<p>SPCF004 External placements - inability to reduce reliance on external placements for looked after children resulting in budget pressure</p>	<p>The risk concerns the extent children are looked after in foster care and residential placements external to council resources. These placements are purchased and result in budget pressures due to higher costs. These placements are relied on when there is no availability of internal placements or due to complex needs that cannot be met through internal resources.</p> <p>Some of these placements are underpinned by statutory orders, with conditions of residence there or by a right to remain resident there through Continuing Care statutory requirements.</p>
<p>Current Controls:</p>		<p>All requests for external placements are under significant scrutiny and require senior management authorisation. All external placements are reviewed monthly by senior, group and team managers and FMU. The current placements and future plans are combined into a forecast position for the year, which is updated as part of the monthly review. Resources Panel is established for an earlier intervention approach for cases to be presented that are seeking resources or at risk of being accommodated, with the primary role to quality assure the assessment and support care planning.</p> <p>The Scotland Excel Children's Residential framework provides a structured approach to the procurement of residential children's care and supports local authorities in delivering value for money in the services purchased.</p> <p>Early intervention and intensive supports aim to prevent children/young people being accommodated (provided by Inclusion and Support Service, Education supports, Families Together and practice teams).</p> <p>Family Group Decision Making is an approach promoted within the service to build on resilience within wider family networks and to prevent children requiring alternative care.</p> <p>Kinship Care is the preferred option when alternative care is necessary and supports for Kinship Care have been strengthened to promote and sustain these placements.</p> <p>Family based care and social work teams support foster carers and children to prevent placement breakdown and sustain care within internal foster caring arrangements whenever possible, avoiding external placement costs.</p> <p>The family-based care service is seeking to have intensive foster carers through recruiting new carers and developing existing carers to allow children/young people with complexities to be cared for internally. Enquiries in relation to foster care overall have increased by 381%, approvals by 100% with all recruitment opportunities maximised.</p> <p>Other developments in the Family based care service are plans to provide respite, which will support children to remain within their family setting by providing a break in care. This includes respite for children with a disability, which is identified as an area of risk due to complex, multiple needs impacting on caring relatives and recent placements.</p> <p>Outreach one to one support and personal care service for children with a disability has increased from April 2025 with the aim of preventing or reducing use of external residential resources.</p> <p>Prior to placement, there are negotiations with external providers on placement costs which have been increasing nationally. This includes seeking agreement for costs to reduce after an initial period of assessment.</p> <p>Senior management have oversight of placements and ongoing review so there can be a move to a placement in West Lothian if suitable when an internal placement is identified.</p> <p>Redesign of accommodation and supports for young people leaving care has increased capacity of moving on options and is having direct positive impact on supporting transitions and timely exits from placements to supported</p>

				independent living in West Lothian. Group manager oversight of all young people who may require supported accommodation, providing management and planning for all access to these resources.					
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
25		20							

	<p>HCBS012 Breach of statutory homeless duty</p>	<p>Lack of adequate accommodation due to increased demand leading to Housing, Customer and Building Services (HCBS) breaching our statutory duties to accommodate unintentionally homeless people in suitable accommodation, resulting in legal challenge, judicial review requests from legal advocacy organisations, reputational damage, or inability to achieve homelessness objectives.</p>
<p>Current Controls:</p>		<p>Reduce use of B&B accommodation through increasing the number and capacity of temporary tenancies through Private Sector Leasing and sharing accommodation to 60 spaces. Reduce expenditure on homeless transport by ensuring where possible homeless families are allocated temporary tenancies within school catchment. Monitor length of stay in temporary accommodation, ensuring people move on to permanent accommodation as quickly as possible. Rolling programme of audit of homeless decisions and case management On site hotel presence by officers, ensuring rooms that are not utilised are cancelled Monitor numbers of people in hotel accommodation and reduce length of stay. prevention approach to homelessness to reduce demand. This is achieved through a wider housing options approach More targeted approach to achieve sustainable housing options in the private rented sector Targeted educational support for young people at risk of homelessness through the Upstream project Youth Housing Team to cover a wider age range to under 25's Mainstreaming the crisis intervention service for young people Addictions workers to support homeless people and also to assist people with addictions sustain their tenancies. Indexation of all emergency and temporary accommodation related charges that can be claimed against national limits to ensure WLC reclaims the full extent of funding available.</p> <p>West Lothian Council has declared a Housing Emergency on 28/05/2024 due to the specific pressures around housing and homelessness, and the ability to meet statutory duties. The announcement by Council Executive also included writing to the Minister for Housing to discuss the issues and what support/funding can be provided to reduce pressures on the council.</p> <p>Council Executive approval on 5th November 2024 for spend of Affordable Supply Programme grant funding of £2.002 million to bring void properties back into use and further accommodation acquisitions</p> <p>Council Executive approval on 14 January 2025 for the 2024/25 RRTP plan and associated priorities of prevention, supply and specialist support</p> <p>Council Executive approval on 14 January 2025 for a new framework of temporary accommodation rents and service charges which is now implemented</p>

Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
20		20			RRTP201.6 New build supported accommodation	30-Nov-2021	31-Jan-2026		Deliver the new build supported accommodation provision for young people.

 WLC004 Political uncertainty - impacting on service delivery		Political uncertainty relates to activity or changes in respect of: local government, Scottish government, UK government, or international political circumstances which may impact on the council leading to an inability to plan effectively for major changes. Resulting in an adverse impact on service delivery, financial performance and reputational damage.							
Current Controls:		Timely response to government consultation. Lobby via COSLA and other appropriate forums. Plans / strategies in place for major anticipated changes. Performance management system. Quarterly horizon scanning reports to Policy Development and Scrutiny Panel. Quarterly risk reporting to the Governance and Risk Committee.							
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
16		16							

	<p>SPCC001 Insufficient availability of beds to meet service demands - care homes</p>	<p>Insufficient supply of care home beds for individuals assessed as requiring this type of provision. Currently this risk is highest in respect to older people services. The risk is also linked to pressures associated with delayed discharge (one of the sources of pressure), also noted as a risk for the IJB (IJB006).</p>
<p>Current Controls:</p>		<p>Assurance arrangements, with senior management representation, are in place for care home provision where provider risks and issues are highlighted and actioned as required.</p> <p>There are twice weekly resilience meetings involving heads of service/senior managers to review any emerging issues with bed capacity that impact upon wider system issues such as delayed discharge.</p> <p>Delayed Discharges are closely monitored and reported on a daily basis.</p> <p>Close links between community teams and Integrated Discharge Hub to ensure effective quality assurance processes are in place to confirm care home placement is necessary to support hospital discharge.</p> <p>Collaborative care home link officers identified for each care home to provide support, advice guidance regarding any emerging issues that affect client care or overall provision.</p> <p>Review of reablement and REACT being progressed to identify opportunities to support assessment at home where possible i.e. ensure all community provision is considered prior to concluding care home placement is required.</p> <p>Links with St John's hospital ward staff to establish potential options to support discharge arrangements for individuals with complex care needs.</p> <p>Care home link officers maintain regular contact with care homes to establish occupancy rates and bed availability. This is shared with relevant HSCP staff to identify emerging issues that may impact upon service delivery.</p> <p>Bed base reviewed on a daily basis to inform availability of care home provision across independent and internal providers.</p> <p>Regular engagement with care home providers to identify any issues that impact upon bed capacity.</p> <p>Regular contact maintained with individuals and their families, residing at home and awaiting a care home placement - to ensure all necessary supports are in place and/or any significant change in circumstances are understood.</p> <p>Care home review team established to consider best use of internal care home provision to support capacity demands. This will also consider wider provision within independent sector, delayed discharge position and community unmet need.</p>

Contracted services have an identified contract Link Officer who will undertake contract monitoring activities which includes financial assessment and organisation viability which is included in the wider contract monitoring framework.


Provider contract monitoring information is reported to the Contracts Advisory Group on a quarterly basis highlighting RAG status of each provider and necessary controls applied.

Close links with planning to identify any emerging care home planning applications to support decision making and local planning.

Close links with care home developer(s) with approved planning permission to ensure capacity for West Lothian residents (especially National Care home Contract) are maximised.

Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked Risk Actions	Original Due Date	Due Date	Progress	Description
25	<p>Liethood Impact</p>	12	<p>Liethood Impact</p>					

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	<p>WLC048 Failure to deliver annual revenue budget 2026/27</p>	<p>Unanticipated external events such as higher than expected inflation, lower economic growth, challenging financial settlements, or social or demographic changes, or internal factors such as deficient project management, leading to a potential increase in demand and delivery of council services and inability to deliver the revenue budget 2026/27. Resulting in unplanned budget savings measures, an adverse impact on service delivery, and reputational damage.</p>
<p style="text-align: right;">Current Controls:</p>		<p><u>Wider Economic Risks</u> Updates on the economic context at UK, Scottish and West Lothian level are presented quarterly to the Corporate Policy & Resources PDSP through Horizon Scan report. Regular review and update of UK and Scottish government funding announcements and wider economic data used to inform budget planning assumptions. Current assumptions include requirement to maintain teacher numbers. Close monitoring of monthly inflation rates and assessment of any resulting impacts on council costs and budget assumptions.</p> <p><u>Local Government Finance Settlements</u> Regular review and update of commentators, such as Fraser of Allander Institute, assumptions regarding public sector funding and potential impact on budget assumptions Well established processes for financial planning, which external auditors have assessed as a sound approach to medium and longer term financial planning to manage ongoing financial challenges. Reports to committee on Chancellor's Budget, Spending Reviews, Scottish Budget and Local Government Finance Settlements.</p> <p><u>Effective manage the financial plan</u> Comprehensive Standing Orders and Financial Regulations in place. Approval of five year financial plan and three year detailed revenue budgets, including approval of recurring budget savings. Assumptions in plan and budgets kept under review and reported regularly to members. FMU works with the Corporate Transformation Team and HR to help implement service changes and monitor the delivery of savings across the council which are required to balance the revenue budget. The outcome of this monitoring is included in quarterly monitoring reports to Council Executive and includes a review of progress on delivery of approved budget savings. Well established RAG analysis processes in place to monitor delivery of savings agreed for the three year budget period, which are updated on a quarterly basis. Updates on the council's future budget model are presented quarterly to the Corporate Policy & Resources PDSP. FMU budget liaison officers are provided for each political group to provide regular engagement with elected members throughout the budget setting process. Monitoring and budget strategy reports go to officer meetings and committee on a regular basis. Update of financial plan expenditure and funding assumptions as part of annual budget setting process</p>


Unbudgeted and Emergency Budgetary Pressures

Robust financial planning and budgetary framework in place which aims to properly provide for expenditure pressures when setting the budget and to identify at as early as stage as possible emerging budget pressures to enable appropriate action to be taken.


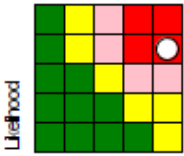
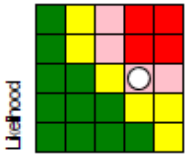
The council has a level of committed and uncommitted reserves which can be reprioritised to help address emerging pressures. The level of reserves is reviewed as part of the revenue budget setting process and will continue to be subject to a specific recommendation in the annual revenue budget report.


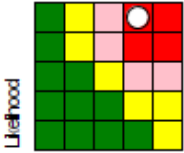
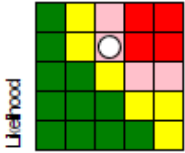
Reporting of emerging and recurring pressures to CMT and Council Executive within quarterly revenue budget monitoring reports. Reports prepared for discussion at extended meeting of CMT to determine further actions to be taken to mitigate specific pressures and where required, reports prepared for elected members to discuss and agree recommendation to manage spend, at relevant PDSPs and committees for approval.

Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
25		12							


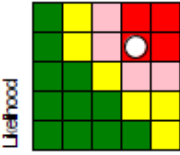
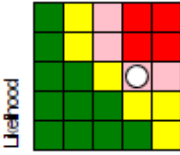
	<p>APS005 Failure to meet child poverty targets set by the Scottish Government</p>	<p>Failure to effectively co-ordinate with national government or community planning partners (CPPs) and local child poverty figures increasing rather than decreasing, leading to failure to meet child poverty targets set by the Scottish Government and outcomes within our local CPP Tackling Poverty Strategy, resulting in continued financial and social hardship for children and families, limiting children’s life chances and restricting their future choices. It could also result in potential loss of essential funding, increased scrutiny, negative impacts on service delivery and the achievement of Tackling Poverty Strategy outcomes, greater demand on other council services such as social work, and potential reputational damage to the council.</p>
<p>Current Controls:</p>		<p>The Better Off West Lothian Tackling Poverty Strategy 2023- 2028 is centred around addressing the drivers of child poverty as set out by the Scottish Government. A scorecard of key performance indicators is monitored quarterly and reported to the Tackling Poverty Taskforce</p> <p>An annual action plan is developed to monitor progress toward strategic outcomes. The action plan includes actions to be carried out during the coming year for each strategic outcome, and progress is reported quarterly to the Tackling Poverty Taskforce.</p> <p>Tackling Poverty Taskforce meets four times per year to provide strategic oversight over the strategy and action plan.</p> <p>An annual Poverty Profile of West Lothian is produced which includes reporting on progress toward the Child Poverty outcome target level.</p> <p>An update report on the Tackling Poverty scorecard and annual action plan is reported annually to the CPP Board.</p> <p>There is a statutory requirement to publish a Local Child Poverty Annual Report (LCPAR) in partnership with NHS Lothian.</p> <p>The Child Poverty Reference group develop, monitor and report on their 2 year action plan through the agreed governance structures.</p> <p>The Child Poverty Reference Group meets quarterly to monitor progress on the LCPAR, and reports progress to the Tackling Poverty Taskforce for month 6 and year-end.</p> <p>Scottish Government’s Tackling Child Poverty Delivery Plan 2022-26 includes actions which aim to deliver national Child Poverty levels which are in line with the Child Poverty target level as stated in the Tackling Poverty Strategy.</p> <p>Child Poverty self assessment process has been undertaken by Community Planning Partners, Council and Third Sector to reflect on progress, challenges and areas for improvement which are reflected within the Child Poverty action plan.</p>

Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
20		12							


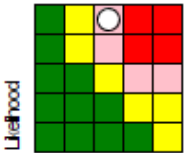
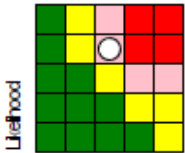
	EH006 Food safety and public health impacts of food supply chain disruption			This considers potential impacts on food supply chain. Any disruption to the supply chain could lead to increased risk of food crime and food fraud, increased opportunity for food incidents and unsafe food being provided. Imported food controls could create increased demand on checks for safety and quality and deferring of inspection from port authorities to inland authorities.					
	Current Controls:			Currently part of ongoing Environmental Health surveillance and inspection plan, but increased opportunity if food chain becomes vulnerable. Officers will consider issues of potential concern during routine inspection of premises, and the annual food sampling plan will also consider any issues requiring closer surveillance. Priority will be given to issues which present a significant risk to public health. The service has a prioritised approach to service delivery. Depending on the scale and nature of incident or activity it may require multi-agency involvement. The service will work closely with Food Standards Scotland, and other local authority colleagues to address any concerns. There are procedures in place for dealing with such incidents. There are local procedures and national incident management procedures in place. Priority will be given to inspection of imported foods to ensure the protection of public health within West Lothian and other parts of the UK. Staff resource issues are being pursued. Current vacancies and resource demands for food safety work present a challenge to service delivery, but measures are being followed to recruit, and / or train new and existing staff. Other resource requirements will also be pursued. The service budget will be adapted to ensure any risks to public health and safety can be addressed. Level of service will be determined by staff, resources and other demands. An annual food service plan is approved by Council Executive and it sets out the approach and the challenges to delivering statutory obligations.					
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
20		12							

	WLC025 Economic Downturn			<p>An economic downturn, defined as an increase in the unemployment rate on 5 months from a rolling six month period, an economic recession extending for six months and / or the loss of a single employer with greater than 1,000 employees, could lead to pressure on business activity and an increased rate of business failure, increased unemployment, lower than anticipated house build completions, together with wider social impacts including poor health. This would place stress on the council's ability to continue to deliver services due to increased demand, and conflict with the council's objective of improving the employment position in West Lothian.</p>					
<p>Current Controls:</p>				<p>Monitor impact on key sectors including housebuilding and those businesses with an EU focus in terms of market share. Monitor unemployment rates on a monthly basis including on age bands and employment sector to give advance indication of potential problems. Monitor changes to business start-up and failure rates on a monthly basis to give advance notification of potential problems.</p> <p>Monitor West Lothian house completions on a monthly basis to give advance notification of potential problems</p> <p>On-going horizon scanning including with national partners such as Department of Work and Pensions and Scottish Enterprise and Skills Development Scotland together with local partners such as the West Lothian College.</p> <p>Continue to liaise and collaborate with other councils to ensure efficiency of response.</p> <p>Continue to liaise and collaborate with Scottish Local Authorities Economic Development Group (SLAED).</p> <p>Ongoing review of response arrangements including PACE (Partnership Action for Continuing Employment) to ensure that the remain effective and appropriate in responding to any emerging challenges.</p> <p>Quarterly horizon scan reports are prepared jointly by the Financial Management Unit and the Economic Development Service and are reported to Corporate Policy and Resources PDSP. These reports detail a range of economic data at local and national level, and assess the implications for the council.</p> <p>Economic data is reviewed on an ongoing basis by the Financial Management Unit to determine if the council's medium-term financial planning assumptions need to be updated.</p> <p>The council has a well-established budget monitoring and reporting framework which identifies emerging service budget pressures for action, including any pressures resulting from adverse economic conditions.</p> <p>Risks which are influenced by adverse economic conditions, together with associated controls and actions, are identified in the council's risk register, for example risk WLC019 - failure to deliver the agreed medium-term financial plan.</p> <p>Review of economic strategy will look at local economic resilience</p>					
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
20	 <p>Likelihood</p> <p>Impact</p>	12	 <p>Likelihood</p> <p>Impact</p>						

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	LS001 Professional errors and omissions			Failure to provide correct or timeous advice leading to the council acting unlawfully or in a way that is prejudicial to the council. This could result in the council breaching legislation, being subject to litigation, incurring financial penalties, and suffering reputational damage.				
	Current Controls:			Compulsory continued professional development In house training and ADR Regular management, team meetings and 1-2-1 meetings Access to online sites for legal developments Imminent legal changes are identified and appropriate training is arranged Periodic review of specialities/skill sets for solicitors to identify areas of strength and weakness. Skill sharing/transfer arrangements have been initiated e.g. in-house training. Where strengths have been identified, work is allocated accordingly. Where weaknesses have been identified, options are being developed with procurement to secure the necessary skills. Subscriptions to external legal firm law update bulletins				
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked Risk Actions	Original Due Date	Due Date	Progress	Description
16		12						

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	ED004 Mainstream Schools: physical or verbal incidences towards staff			<p>Physical or verbal incidences towards staff from pupils or parents/carers of pupils, to members of staff working in schools, leading to injury or stress. Key impact would be on the ability for education services to achieve outcomes within the 'Raising Educational Attainment strategy 2023/28'.</p> <p>In particular to the below outcomes: ensuring every child and young person experiences varied, vibrant and challenging learning experiences which are built on the provision of high quality and inclusive learning, teaching and assessment. Improving wellbeing, inclusion and attendance for all children and young people, promoting confidence, independent thinking and resilience.</p>					
	<p>Current Controls:</p>			<p>Promoting Positive Behaviour Policy in place and applied/staff aware of policy. Restricted access to schools for parents e.g. reception area only during the school day. Risk assessment to consider security factors when meeting with parents/carers e.g. more than 1 member of staff present or alternative meeting locations considered. 4 weekly monitoring of incidents recorded in Sphera in schools by the Education Senior Management Team. Raise awareness of staff on how to deal/report violent incidents in Sphera, annual reminder at August in service day. compulsory Maybo training modules were introduced and launched from August 22 to all Education staff Education Services Health and safety committee in place and meets on a quarterly basis (membership management /professional associations / trade unions). Heads of Service review weekly health and safety reports on incidents reported at school/establishment level'</p>					
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
15		12							

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ED005 Additional Support Needs (ASN) schools and units: physical or verbal incidences towards staff.


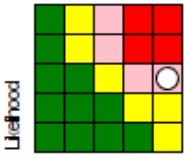
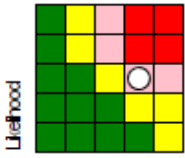
Physical and/or verbal incidences towards staff from pupils or parents/carers, leading to injury or stress.

Due to the nature of the needs of the pupils placed in ASN schools and classes attached to a mainstream school such occurrences maybe as result of a pupil's specific, identified additional support need. Key impact would be on the ability for education services to achieve outcomes within the 'Raising Educational Attainment strategy 2023/28'. In particular to the below outcomes: ensuring every child and young person experiences varied, vibrant and challenging learning experiences which are built on the provision of high quality and inclusive learning, teaching and assessment. Improving wellbeing, inclusion and attendance for all children and young people, promoting confidence, independent thinking and resilience.

Current Controls:

Education Service have a 'Promoting Positive Behaviour Policy' in place for school which all staff are aware of. annual reminder at August in service day.
 Four weekly monitoring of incidents in schools by the Education Senior Management Team.
 Raise awareness of staff on how to deal/report violent incidents in Sphera, annual reminder at August in service day.
 All ASN school staff have received training on how to deal with violent /aggressive incidents by young people.
 Restricted access to schools for parents e.g. reception area only during the school day.
 Risk assessment to consider security factors when meeting with parents/carer e.g. more than 1 member of staff present or alternative meeting locations to be considered.
 Education Services Health and safety committee in place and meets on a quarterly basis (membership management / professional associations / trade unions).
 Heads of Service review weekly health and safety reports on incidents reported at school/establishment level'

Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
15		12							

	WM005 Failure of waste disposal contractor			<p>Failure of the waste disposal contractor leading to an inability to transport and treat waste. Resulting in an impaired waste collection service, reputational damage, and increased costs to the council.</p> <p>There are ongoing discussions with the Energy from Waste provider to access other contingency facilities should the need arise. This is a difficult risk to manage as other Energy from Waste suppliers will not keep a capacity for a "just in case" scenario. There is also a lack of capacity in the Scottish Waste resource market for Energy from Waste providers.</p>					
	<p align="center">Current Controls:</p>			<p>BCP is in place which could assist in the remove of waste to a contingency facility. However if the primary company fails there is no plan B. Service Manager and Leadership team working on contingency with SEPA and Scottish Government.</p> <p>All contracts are written with a contingency and back up plan, however the recent failure of the primary company entering administration proved there is not backup plan in place. This is currently being investigated and work on by the Service Manager and Leadership team.</p> <p>Service manager currently working on the Thermal Treatment Derogation certification which would open the Scottish Market on Energy from Waste plants to West Lothian Council.</p>					
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
15		12							



RISK ASSESSMENT METHODOLOGY

RISK MATRIX

LIKELIHOOD	Almost Certain 5	5 Low	10 Medium	15 High	20 High	25 High
	Very Likely 4	4 Low	8 Medium	12 High	16 High	20 High
	Likely 3	3 Low	6 Low	9 Medium	12 High	15 High
	Possible 2	2 Low	4 Low	6 Low	8 Medium	10 Medium
	Unlikely 1	1 Low	2 Low	3 Low	4 Low	5 Medium
		Insignificant 1	Minor 2	Significant 3	Major 4	Catastrophic 5
		IMPACT				

LIKELIHOOD TABLE

Score	Description	Estimated Percentage Chance
1	Unlikely	0-10
2	Possible	10-50
3	Likely	50-70
4	Very Likely	70-90
5	Almost Certain	90-100

Each risk is scored 1-5 for likelihood.

In assessing likelihood consider a three year time horizon and use your knowledge and experience of previous issues, both within the council and elsewhere.

IMPACT TABLE

Each risk is scored 1-5 for impact. In assessing impact each column is independent. Use the highest score.

Hazard / Impact of Risk	Personal safety	Property loss or damage	Regulatory, statutory or contractual	Financial loss, penalties, or costs	Impact on service delivery	Data Subject privacy infringement	Community / environmental	Impact on Reputation
Insignificant 1	Minor injury or discomfort to an individual	Negligible property damage	Breaches contained within the service	Less than £10k	No noticeable impact	None	Inconvenience to an individual or small group	Contained within service unit
Minor 2	Minor injury or discomfort to several people in one incident	Minor damage to one property	Breaches reported within the council no external action	£10k to £100k	Minimal disruption to services	Non special category personal information for several or less individuals revealed or lost	Impact on an individual or small group	Contained within service
Significant 3	Major injury or harm to an individual	Significant damage to small building or minor damage to several properties from one source	Adverse comment or censure by government, courts, auditors, or regulators	More than £100k to £500k	Noticeable impact on service performance.	Non special category personal information for a substantial number of individuals revealed or lost	Impact on a local community	Local social media or press interest
Major 4	Major injury or harm to several people in one incident	Major damage to critical building or serious damage to several properties from one source	Government, court or regulator sanction, including action which impairs our ability to deliver a service	More than £500k to £2m	Serious disruption to service performance	Special category personal information for several or less individuals revealed or lost	Impact on several communities	National social media or press interest
Catastrophic 5	Death of one or more people	Total loss of critical building	Government, court or regulator action resulting in an inability to deliver key services	More than £2m	Non achievement of key corporate objectives	Special category personal information for a substantial number of individuals revealed or lost	Impact on the whole of West Lothian or permanent damage to site of special scientific interest	Officers and/or members dismissed, sent to prison or forced to resign

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

STRATEGIC RISKS

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To inform the Governance and Risk Committee of the council's strategic risks.

B. RECOMMENDATION

It is recommended that the Governance and Risk Committee notes the council's strategic risks.

C. SUMMARY OF IMPLICATIONS

I Council Values	Open, honest and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Risk Management Policy requires the council to effectively manage risks.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	Failure to effectively mitigate risks may have an adverse impact on performance.
V Relevance to Single Outcome Agreement	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
VI Resources - (Financial, Staffing and Property)	None.
VII Consideration at PDSP	None.
VIII Other consultations	Executive Management Team

D. TERMS OF REPORT

D.1 The council maintains its corporate risk register on the Ideagen system. Risks are scored for original risk, which is the assessed risk without controls in place, and which provides an appreciation of the potential impact if controls are absent or fail, and current risk, which assumes that current controls are in place and are effective.

Risks are assessed on the basis of a five by five grid of likelihood and impact, and therefore the lowest possible score is one and the highest is 25.

Strategic risks may be defined as those risks which, if they occur, could have a major impact on the ability of the council to achieve its objectives. This would include serious failures of a regulatory or compliance nature. For example, in relation to death of employees or customers.

D.2 Appendix one therefore details all of the risks in the corporate risk register with an original risk score of 25; that is, if internal controls fail, the risk is considered almost certain to be catastrophic.

There are 19 strategic risks in total, the same number reported to the Committee in March, but with the following compensating changes:

- Risk 'WLC019 - Failure to deliver the financial plan 2024/25' materialised and was subsequently deactivated.
- Risk 'WLC046 - Failure to set sustainable revenue budget 2025/26' did not materialise and was therefore deactivated.
- Risk 'WLC049 - Unauthorised access to council operational building' is a new risk and is considered to be a strategic risk.
- Risk 'WLC014b - Cyber-attack on the Education Network' is a new risk and is considered to be a strategic risk.

D.3 The strategic risks fall in to a small number of categories of those which:

- arise from economic uncertainties, financial constraints or pressures;
- relate to demographic changes;
- relate to health and safety, including statutory compliance;
- relate to business continuity.

Appendix two sets out the council's standard risk assessment methodology.

The council's strategic risks are reported every two months to the Executive Management Team.

E. CONCLUSION

Regular review by the Governance and Risk Committee will assist in ensuring that the council's strategic risks are effectively managed.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: (1) Strategic Risks
(2) Risk Assessment Methodology

Contact Person: Stuart Saunders, Audit, Risk and Counter Fraud Manager,
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Lynda Ferguson
Acting Head of Finance and Property Services





Date of meeting: 29 September 2025

Appendix 1 Strategic Risks





Generated on: 19 September 2025 10:50





Report Layout: .. 03 Original Risk Score and Current Risk Score with Description and CMT member







Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likelihood	Current Risk Score	Current Traffic Light Icon	CMT Member
HCBS004 Overspend of allocated Housing Need budgets	Increased demand for homeless services leading to overspend of allocated Housing Need budgets resulting in unplanned financial pressures requiring budget savings measures, adverse impact on service delivery and achievement of homelessness statutory duties to provide services and accommodation, potential reputational damage.	25		5	5	25		.Head of Housing, Customer and Building Services (J Whitelaw)
SPCC005 Increasing expenditure on commissioned care services for adults and older people resulting in significant budgetary overspend	Increasing costs in relation to providing care services for adults and older people leading to expenditure exceeding available budget.	25		5	5	25		.Head of Social Policy (J MacPherson)
SPCF004 External placements - inability to reduce reliance on external placements for looked after children resulting in budget pressure	The risk concerns the extent children are looked after in foster care and residential placements external to council resources. These placements are purchased and result in budget pressures due to higher costs. These placements are relied on when there is no availability of internal	25		5	4	20		.Head of Social Policy (J MacPherson)





Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likelihood	Current Risk Score	Current Traffic Light Icon	CMT Member
	placements or due to complex needs that cannot be met through internal resources. Some of these placements are underpinned by statutory orders, with conditions of residence there or by a right to remain resident there through Continuing Care statutory requirements.							
SPCC001 Insufficient availability of beds to meet service demands - care homes	Insufficient supply of care home beds for individuals assessed as requiring this type of provision. Currently this risk is highest in respect to older people services. The risk is also linked to pressures associated with delayed discharge (one of the sources of pressure), also noted as a risk for the IJB (IJB006).	25		4	3	12		.Head of Social Policy (J MacPherson)
WLC048 Failure to deliver annual revenue budget 2026/27	Unanticipated external events such as higher than expected inflation, lower economic growth, challenging financial settlements, or social or demographic changes, or internal factors such as deficient project management, leading to a potential increase in demand and delivery of council services and inability to deliver the revenue budget 2026/27. Resulting in unplanned budget savings measures, an adverse impact on service delivery, and reputational damage.	25		4	3	12		.Head of Finance and Property Services (Acting) (L Ferguson)

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Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon
HCBS011 Death or injury due to house fire	Injury or death due to failure to comply with legislative standards in relation to fire protection/detection, or due to action / inaction by a tenant.	25	
OPSHQ005 Loss of operator licence for all vehicles over 3.5 Tonnes GVW	Failure to comply with the terms, conditions and undertakings of the Goods Vehicle Licensing of Operators act 1995 resulting in regulatory action including the revocation, suspension or curtailment of operators' licence(s). Regulatory action would prevent the operation of vehicles over 3500kg GVW which would have a serious impact on services reliant on these type of vehicles.	25	
WLC014a Cyber-attack on the Corporate Network	Failure of internal control measures to detect, deter and repulse a cyber-attack, leading to successful penetration of the council's corporate network. Resulting in loss of private and sensitive information, disruption to essential services, financial loss and recovery costs, legal and regulatory implications and reputational damage.	25	
WLC014b Cyber-attack on the Education Network	Failure of internal control measures to detect, deter and repulse a cyber-attack, leading to successful penetration of the council's education network. Resulting in loss of private	25	

Current Impact	Current Likelihood	Current Risk Score	Current Traffic Light Icon	CMT Member
5	2	10		.Head of Housing, Customer and Building Services (J Whitelaw)
5	2	10		.Head of Operational Services (D Maule)
5	2	10		.Head of Corporate Services (Lesley Henderson)
5	2	10		.Head of Corporate Services (Lesley Henderson)


Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likelihood	Current Risk Score	Current Traffic Light Icon	CMT Member
	and sensitive information, disruption to essential educational services, financial loss and recovery costs, legal and regulatory implications and reputational damage.							
HCBS002 Increase in rent arrears as a result of external factors	UK Government led Welfare reforms may result in an increase in arrears unless the council can effectively mitigate the impact on those on low incomes. Other external factors such as cost of living price increases and energy poverty can also impact on the ability to pay for our tenants.	25		3	3	9		.Head of Housing, Customer and Building Services (J Whitelaw)
WLC008 Failure to prepare, or effectively deploy, up to date corporate occupational health and safety policies and procedure	If corporate policy is not up to date, or is not effectively deployed, for example due to the lack of: corporate procedures; provision of advice and support from corporate health and safety team; provision of training; this may lead to a breach of the council's statutory obligations. In extreme cases this may result in an injury or a fatality to council staff, customers, or members of the public. This could also lead to criminal prosecution, fines and reputational damage.	25		4	2	8		.Head of Corporate Services (Lesley Henderson)
WLC023 West Lothian Leisure - failure to deliver financial plan 2025/26 with a resultant financial	Failure by West Lothian Leisure (WLL) to deliver their financial plan and a balanced annual budget each year could lead to unplanned WLL	25		4	2	8		.Head of Finance and Property Services (Acting) (L Ferguson)


Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likelihood	Current Risk Score	Current Traffic Light Icon	CMT Member
impact on the council	service reductions, failure to deliver key services, and additional demands on WLC resources. There could also be a reputational risk to the council. The ongoing impact of a number of combined risks in the wider economy, including continuing high inflation, has increased financial risk and uncertainty for future years.							
WLC045 Pandemic - failure to maintain critical services	An outbreak of infectious disease which leads to staff absences and / or a reorganisation of working practices of a scale sufficient to result in a failure to maintain critical council services.	25		4	2	8		.DCE Alison White; .DCE Dr Elaine Cook
WLC047 Failure to deliver annual revenue budget 2025/26	Unanticipated external events such as higher than expected inflation, lower economic growth, challenging financial settlements, or social or demographic changes, or internal factors such as deficient project management, leading to a potential increase in demand and delivery of council services and inability to deliver the revenue budget 2025/26. Resulting in unplanned budget savings measures, an adverse impact on service delivery, and reputational damage.	25		4	2	8		.Head of Finance and Property Services (Acting) (L Ferguson)

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Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likelihood	Current Risk Score	Current Traffic Light Icon	CMT Member
WLC005 Disaster or incident - failure to maintain critical services	Major event such as explosion, flood or fire, leading to loss of property and / or IT and resulting in an inability to maintain critical services, including designated WLC1 activities. There is a separate risk WLC014 relating to cyber attack and WLC045 relating to pandemic.	25		3	2	6		.DCE Dr Elaine Cook
WLC049 Unauthorised access to council operational building	Inadequate physical security controls or failure to enforce building security procedures leading to unauthorised individuals gaining access to non-public areas of council operational buildings (non-school buildings) resulting in potential theft, damage to property, compromise of sensitive information, service disruption, threats to staff safety or reputational damage.	25		2	3	6		.Head of Finance and Property Services (Acting) (L Ferguson)
WLC037 Death or illness due to legionella outbreak in operational buildings	Failure to effectively implement controls to prevent a legionella outbreak, leading to illness or death of staff, customers, or members of the public. This risk relates to operational buildings (non-housing).	25		5	1	5		.Head of Finance and Property Services (Acting) (L Ferguson)
WLC039 Death or injury due to fire within operational buildings	Failure of fire prevention / detection / mitigation controls leading to a fire which results in injury or death to council staff, customers, or member of the public. This risk relates to operational buildings (non-housing).	25		5	1	5		.Head of Finance and Property Services (Acting) (L Ferguson)

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Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon
WLC043 Failure to effectively manage asbestos	Failure of controls to prevent exposure to asbestos, leading to exposure of staff, customers, or members of the public, and resulting in illness or death. This risk covers both operational and domestic buildings as well as public land/ locations (e.g. in the event of fly tipping or similar) but not the council's tenanted non-residential property (TNRP) portfolio.	25	

Current Impact	Current Likelihood	Current Risk Score	Current Traffic Light Icon	CMT Member
5	1	5		.Head of Finance and Property Services (Acting) (L Ferguson)



RISK ASSESSMENT METHODOLOGY

RISK MATRIX

LIKELIHOOD	Almost Certain 5	5 Low	10 Medium	15 High	20 High	25 High
	Very Likely 4	4 Low	8 Medium	12 High	16 High	20 High
	Likely 3	3 Low	6 Low	9 Medium	12 High	15 High
	Possible 2	2 Low	4 Low	6 Low	8 Medium	10 Medium
	Unlikely 1	1 Low	2 Low	3 Low	4 Low	5 Medium
		Insignificant 1	Minor 2	Significant 3	Major 4	Catastrophic 5
		IMPACT				

LIKELIHOOD TABLE

Score	Description	Estimated Percentage Chance
1	Unlikely	0-10
2	Possible	10-50
3	Likely	50-70
4	Very Likely	70-90
5	Almost Certain	90-100

Each risk is scored 1-5 for likelihood.

In assessing likelihood consider a three year time horizon and use your knowledge and experience of previous issues, both within the council and elsewhere.

IMPACT TABLE

Each risk is scored 1-5 for impact. In assessing impact each column is independent. Use the highest score.

Hazard / Impact of Risk	Personal safety	Property loss or damage	Regulatory, statutory or contractual	Financial loss, penalties, or costs	Impact on service delivery	Data Subject privacy infringement	Community / environmental	Impact on Reputation
Insignificant 1	Minor injury or discomfort to an individual	Negligible property damage	Breaches contained within the service	Less than £10k	No noticeable impact	None	Inconvenience to an individual or small group	Contained within service unit
Minor 2	Minor injury or discomfort to several people in one incident	Minor damage to one property	Breaches reported within the council no external action	£10k to £100k	Minimal disruption to services	Non special category personal information for several or less individuals revealed or lost	Impact on an individual or small group	Contained within service
Significant 3	Major injury or harm to an individual	Significant damage to small building or minor damage to several properties from one source	Adverse comment or censure by government, courts, auditors, or regulators	More than £100k to £500k	Noticeable impact on service performance.	Non special category personal information for a substantial number of individuals revealed or lost	Impact on a local community	Local social media or press interest
Major 4	Major injury or harm to several people in one incident	Major damage to critical building or serious damage to several properties from one source	Government, court or regulator sanction, including action which impairs our ability to deliver a service	More than £500k to £2m	Serious disruption to service performance	Special category personal information for several or less individuals revealed or lost	Impact on several communities	National social media or press interest
Catastrophic 5	Death of one or more people	Total loss of critical building	Government, court or regulator action resulting in an inability to deliver key services	More than £2m	Non achievement of key corporate objectives	Special category personal information for a substantial number of individuals revealed or lost	Impact on the whole of West Lothian or permanent damage to site of special scientific interest	Officers and/or members dismissed, sent to prison or forced to resign

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

RISK - WLC020 FAILURE TO PREVENT AND DETECT FRAUD OR THEFT

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

To inform the Governance and Risk Committee about the management and overview of the risk related to the failure to prevent and detect fraud or theft.

B. RECOMMENDATION

It is recommended that the Governance and Risk Committee notes the content of the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Open, honest and accountable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Risk Management Policy requires the council to effectively manage risks. Investigations into allegations of fraud, corruption or money laundering are undertaken in accordance with the council's Anti-Fraud and Corruption Policy and where relevant the council's Whistleblowing Policy and Anti Money Laundering Policy.
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	Failure to effectively mitigate risks may have an adverse impact on performance. Effective counter fraud arrangements are an essential component of effective performance management.
V Relevance to Single Outcome Agreement	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
VI Resources - (Financial, Staffing and Property)	None.
VII Consideration at PDSP	None.
VIII Other consultations	None.

D. TERMS OF REPORT

D.1 Background

The council has an approved Anti-Fraud and Corruption Policy and has a zero tolerance approach to all forms of fraud, theft and corruption. To uphold this commitment, a dedicated Counter Fraud Team has been established within the Audit, Risk and Counter Fraud Unit.

In accordance with the council's financial regulations, the Audit, Risk and Counter Fraud Manager must prepare an annual counter fraud plan which is taken to the Audit Committee for approval. The Counter Fraud Plan 2025/26 was approved by the Audit Committee on 21 March 2025 and included the following main planned activities of the Counter Fraud Team:

- maintaining the council's whistleblowing hotline;
- conducting investigations into allegations of fraud and money laundering;
- administering the biennial National Fraud Initiative (NFI) data matching exercise;
- raising fraud awareness and providing fraud prevention advice to officers.

Financial regulations also require the Audit, Risk and Counter Fraud Manager to prepare an annual counter annual report which sets out the Counter Fraud team's performance for the year. The Counter Fraud Annual Report 2024/25 was reported to the Audit Committee on 27 June 2025 and included details of:

- the volume and type of fraud referrals;
- fraud investigation outcomes;
- fraud prevention and awareness measures undertaken;
- five year trend analysis of fraud referrals.

Fraud referrals are reported directly to the Counter Fraud Team from management and staff. In addition, the council has in place multiple whistleblowing channels (hotline, mailbox, e-form) through which staff may confidentially report fraud concerns. In total, 102 new referrals were received by the Counter Fraud Team in both 2023/24 and 2024/25.

D.2 Controlling and Managing Risk

Risk WLC020 is currently assessed as a medium risk at this time. The likelihood is assessed as a score of 4 (very likely) as fraud remains a persistent and evolving threat across all council services. Accordingly, to ensure a high level of fraud awareness among both management and staff, the council has in place mandatory e-learning training covering both fraud and whistleblowing.

The current impact of fraud is assessed as a score of 2 (minor). Where incidents of fraud occur they involve relatively low financial values, primarily due to the council's sound framework of governance, risk management and control.

During all fraud investigations, a key objective of the Counter Fraud Team is to identify any weaknesses in internal controls and make recommendations for improvement. Follow-up audits are subsequently conducted by Internal Audit to ensure that agreed actions are implemented, thereby strengthening controls and supporting fraud prevention.

A detailed list of current controls currently in place is provided in appendix one to this report.

D.3 Challenges

The volume of new referrals each month presents a challenge; however, this is managed against Counter Fraud Team resources by using a priority based approach. Each new fraud referral is assessed, based on the information available, and all cases assessed as being high priority are progressed to a conclusion.

As a provider of wide ranging and essential public services, the council is also faced with broad and diverse fraud risks. Examples of the various types of fraud that impact the council include:

- payroll frauds (e.g. fictitious overtime, mileage claims, sickness absence fraud);
- procurement frauds (e.g. corrupt procurement, billing or bank mandate fraud);
- thefts and embezzlement (e.g. stolen materials, equipment, cash);
- tenancy frauds;
- fraudulent claims and applications;
- Blue Badge frauds;
- Computer Misuse Act offences;

As the nature and types of fraud against the council continue to evolve, it will be critical to maintain high levels of staff engagement and awareness to ensure that red flags are identified and reported at the earliest possible opportunity.

To keep pace with emerging threats, the Counter Fraud Team will continue to work closely with Police Scotland, the National Anti-Fraud Network (NAFN), and other local authorities to share fraud alerts, case studies, and best practices, and to remain informed about new fraud risk areas as part of the Scottish Local Authorities Investigators Group (SLAIG).

E. CONCLUSION

The council continues to effectively manage risk WLC020 through the internal controls in place to prevent, detect, and respond to the persistent threat of fraud and theft.

F. BACKGROUND REFERENCES

Report to the Audit Committee on 21 March 2025: Counter Fraud Plan 2025/26.

Report to the Audit Committee on 27 June 2024: Counter Fraud Annual Report 2024/25

Appendices/Attachments: (1) Extract from Ideagen Risk Register - WLC020 Failure to Prevent and Detect Fraud or Theft

Contact Person: Stuart Saunders, Audit, Risk and Counter Fraud Manager,
Stuart.Saunders@westlothian.gov.uk, Tel No. 01506 281574

Lynda Ferguson
Acting Head of Finance and Property Services

Date of meeting: 29 September 2025


Appendix 1 - WLC020 Failure to Prevent and Detect Fraud or Theft

Data Label : OFFICIAL

Report Author: Stuart Saunders

Generated on: 18 September 2025 15:59

Report Layout: .. 10 (previously R09b) Original Score, Current Score, Internal Controls

	<p>WLC020 Failure to prevent and detect fraud or theft</p>	<p>Failures in internal control (e.g. inadequate procedures, segregation of duties, or management checks) or fraud prevention measures (e.g. ineffective fraud policies, fraud awareness training or whistleblowing processes) leading to a failure to prevent or detect fraud or theft resulting in physical asset losses, financial losses, potential liability under the “Failure to Prevent Fraud” offence, and reputational damage.</p>
<p>Current Controls:</p>		<p>Anti Fraud and Corruption Policy and Procedures for the investigation of allegations of fraud, corruption and irregularity.</p> <p>Whistleblowing policy and procedure.</p> <p>Whistleblowing hotline, mailbox, intranet and online form and posters.</p> <p>A dedicated Counter Fraud Team is in place, consisting of Counter Fraud and Compliance Officers who are qualified as CIPFA Accredited Counter Fraud Specialists (ACFS).</p> <p>Priority based approach to fraud investigations ensuring that the council's limited fraud resources are focused on high priority areas first.</p> <p>Internal audit service and risk based internal audit plan (including follow up of fraud reports).</p> <p>Induction process includes mandatory e-learning module covering both Fraud and Whistleblowing. The module is also mandatory for all staff on a biennial basis.</p> <p>Employee Code of Conduct. Financial Regulations. Standing Orders for Contracts. Disciplinary policy and procedures.</p> <p>Annual corporate governance compliance statement completed for the Anti Fraud and Corruption Policy by every service manager.</p> <p>Mandatory participation in the National Fraud Initiative (NFI) data matching exercise (biennial).</p>

Anti Money Laundering training (biennial - select staff).

Fraud Guidance on Intranet and promoted to Services (e.g. Bank Mandate, Computer Misuse, Refund Fraud).

Ad hoc fraud awareness sessions delivered to targeted services (e.g. Computer Misuse, Tenancy Fraud).

Fraud Awareness Week (November annually) - Tenancy Fraud Focus 2024.

Local Authority related fraud news shared with service management teams on ad hoc basis.

Procurement fraud awareness included in procurement training. In addition, a procurement fraud checklist has been created and embedded in procurement training and processes.

Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked	Risk Actions	Original Due Date	Due Date	Progress	Description
20		8							

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DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

MANAGEMENT OF HEALTH & SAFETY

REPORT BY HEAD OF CORPORATE SERVICES

A PURPOSE OF REPORT

This report is presented at the request of the Governance and Risk Committee and is a standing report providing information on Health and Safety incidents reported across all service areas. This report also contains annual incident statistics and a breakdown of physical and verbal incidents reported within Education.

B RECOMMENDATIONS

It is recommended that the Committee note the content of the report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable, making best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Risk Management Policy requires the council to effectively manage risks. Legal requirements for Health and Safety made under statutory obligations in the Health and Safety at Work Act 1974 and Fire Scotland Act 2005 and associated regulations
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	Ineffective risk management arrangements may adversely affect performance.
V	Relevance to Single Outcome Agreement	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
VI	Resources - (Financial, Staffing and Property)	None.
VII	Consideration at PDSP / Executive Committee	None.
VIII	Other consultations	None.

D. TERMS OF REPORT

D.1 Background

The Health and Safety at Work Act, 1974, the Fire Scotland Act 2005 and legislation made under the Acts outline statutory obligations in relation to health and safety. The appropriate and measured control of risk also supports the strategic and operational aims of the council-wide health and safety policy and service health and safety plans.

D.2 Health & Safety Management

The management of health and safety aims to create and maintain safe and healthy workplaces. The HSE recommends the Plan, Do, Check, Act approach to managing health and safety. This approach provides balance between creating and implementing systems and procedures, and behavioural aspects of safety management to maintain safe and healthy workplaces.

Health and safety is monitored by services using reactive and proactive measures to provide indicators of health and safety performance to support the continued implementation and monitoring of the health and safety management system.

Performance indicators are also used to monitor actions and control measures in place that mitigate identified risks. They provide objective information that is measurable and easily collected. They also provide reliable indicators of performance relating to monitoring the deployment of policies and procedures and service health and safety objectives.

It was reported in June 2025 that the annual corporate health and safety performance indicators for the period 2024/25 remained on target with exception of the number of reportable incidents to the Health and Safety Executive which monitors the aim to reduce the number of reportable incidents on an annual basis. More information on these incidents can be found in section D.4.

Service Annual Health and Safety plans are a requirement of the Corporate Health and Safety Policy and is a monitored action of the 2023-2028 Corporate Governance Strategy. The plans detail required key actions and responsibilities to manage the risk profile of each service and completion of actions are monitored by services.

Health and safety is a standing item at service management team meetings. It is also a standing item for meetings of the Corporate Management Team. A comprehensive report in relation to health and safety legislation, guidance and incidents across all council services is considered with a view to learning lessons, making any required improvements, identifying emerging risks and sharing good practice. The report includes the provision of key statistical information. Statistical information in Appendix 1 of this report covers the reporting period of 01st April 2025 to 31st August 2025.

D.3 Enforcement & HSE- Notices / Visits / Inspections/ Correspondence/ Enforcement/ Fee for Intervention (FFI) –

The Health and Safety Executive are currently carrying out an investigation following an incident in May 2025 reported under the requirements of the RIDDOR Regulations. We are cooperating fully with their enquires.

The HSE have provided details on actions they will be taking in 2025/2026 as part of their 10-year strategy, Protecting People and Places, currently in its fourth year. This year they intend to review key regulatory tools to target work-related ill health, especially stress and mental health. Actions include:

- A review of their risk-based decision-making model in determining which reportable non-fatal incidents to investigate.

- Targeted inspections relating to the management of risks to health, including asbestos, noise, MSDs and hazardous dust. A focus of these inspections will be to consider if appropriate Occupational Health arrangements are in place and being managed by employers.
- Review key guidance across a number of pieces of legislation – Workplace (Health, Safety and Welfare) Regulations, Lifting Operating and Lifting Equipment Regulations (LOLER) and the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations (RIDDOR)
- Continue work on reducing work-related stress and the identification of practical measures for addressing work related stress and build an understanding of the complexities of mental health at work.
- A review of the Fee for Intervention (FFI) cost recovery scheme.
- Continue to develop their regulatory approach to the use of Artificial Intelligence (AI) in sectors that they regulate. The approach will be based around the central principle of health and safety law, that those who create risks are best placed to manage and control that risk in a sensible and proportionate way.

Any actions required by services will be supported by the health and safety team. The Corporate Health and Safety committee will be monitoring any proposed changes to guidance and consultation requirements.

D.4 Incidents Reportable to the Health and Safety Executive

To ensure a consistent approach to the reporting and recording of incidents across all services incidents are recorded in Sphera, an online safety platform. Managers monitor and investigate recorded incidents unless it meets criteria to be investigated by Health and Safety. The reporting of incidents and completion of investigations are monitored within services, by the Corporate management team on a monthly basis, at Health and Safety Committees and by the Governance Board.

Health and Safety act as the Council's statutory reporter of accidents that require to be reported to the Health and Safety Executive. This is to ensure accuracy of information being passed to the HSE.

Of the 1109 incidents reported between 01st April 2025 and 31st August 2025 eighteen were reported to the Health and Safety Executive under the requirements of the Reporting of Injuries, Disease and Dangerous Occurrences Regulations (RIDDOR).

All of these incidents have been thoroughly investigated and any required remedial action identified and detailed in an action plan. Completion of actions detailed in an investigation action plan are monitored by services and Health and Safety. All RIDDOR reportable incidents are considered on a monthly basis by the Corporate Management Team.

The main causes of the reportable incidents on the whole reflect HSE published statistics for the UK with the most common causes for non-fatal injuries to employees being identified as slip, trip and fall on the same level, handling, lifting or carrying injuries, being struck by a moving object, fall from height and acts of violence. A summary table of the reportable incident category types from April 2025 – August 2025 can be found in Appendix 1.

The main causes of RIDDOR reportable incidents in April- August 2025 were:

- Slip, trip and fall – Eight incidents
- Struck by a moving, falling object – Two incidents
- Fall from height - Two incidents
- Injured whilst moving/ handling/ lifting an object – Two incidents

The other reported incidents related to a burn/ scald, loss of control of a piece of equipment, a physical incident (violence) and a dangerous occurrence (uncontrolled release of asbestos fibres).

All of these incidents have been thoroughly investigated and any required remedial actions identified and detailed in an action plan. Completion of actions detailed in an investigation action plan are monitored by services and Health and Safety. All RIDDOR reportable incidents are considered on a monthly basis by the Corporate Management Team.

D.5 Corporate Health and Safety Committee

The Corporate Health and Safety Committee last met on the 23rd June 2025. Representatives from Council Services attended along with representatives from recognised Trade Unions. The Committee were provided an update on the work of the Trauma Board, considered discussions that had taken place at service health and safety committees, reviewed health and safety statistics for the previous quarter, considered recent regulatory updates and reviewed joint health and safety inspections that had taken place. The next meeting of the committee is scheduled take place on 02nd October 2025.

D.6 Employers Liability Insurance Payments

Appendix 1 details claims settled in relation to Health and Safety Incidents between April – August 2025.

E. CONCLUSION

The council has implemented robust risk management and monitoring processes with the aim of ensuring that risks are mitigated as far as possible.

F. BACKGROUND REFERENCES

Health and Safety at Work Etc. Act 1974 and related statutory regulations

West Lothian Council Health and Safety Policy – <https://www.westlothian.gov.uk/article/29157/WLC-Health-and-Safety-Policy>

Appendices/Attachments:

(1) Health and Safety Statistics 01st April 2025 - 31st August 2025

Kim Hardie, Health and Safety Manager 01506 281414 kim.hardie@westlothian.gov.uk

Lesley Henderson, Head of Corporate Services

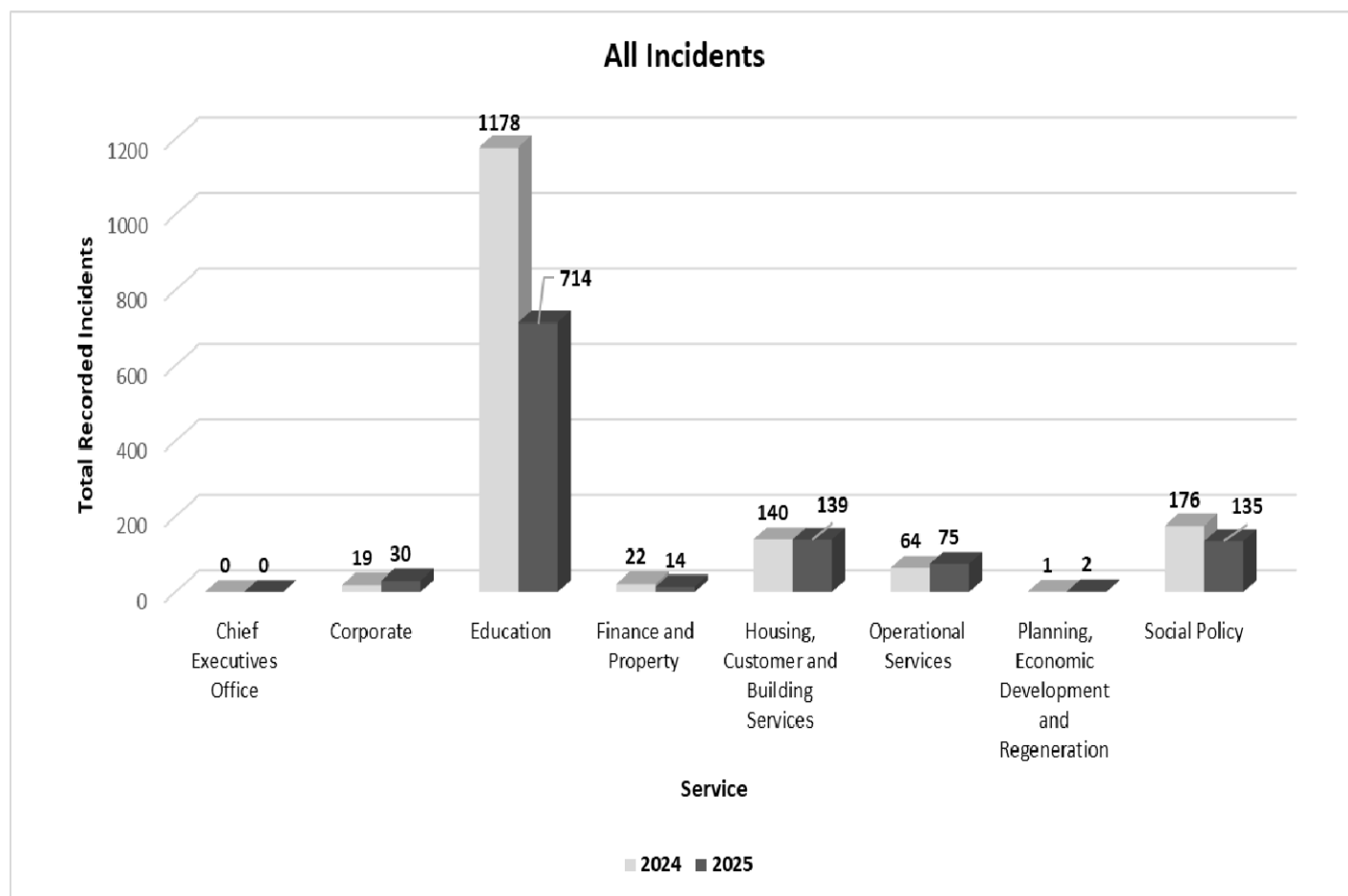
Date of meeting: 29 September 2025



GOVERNANCE AND RISK COMMITTEE
APPENDIX 1 HEALTH AND SAFETY STATISTICS

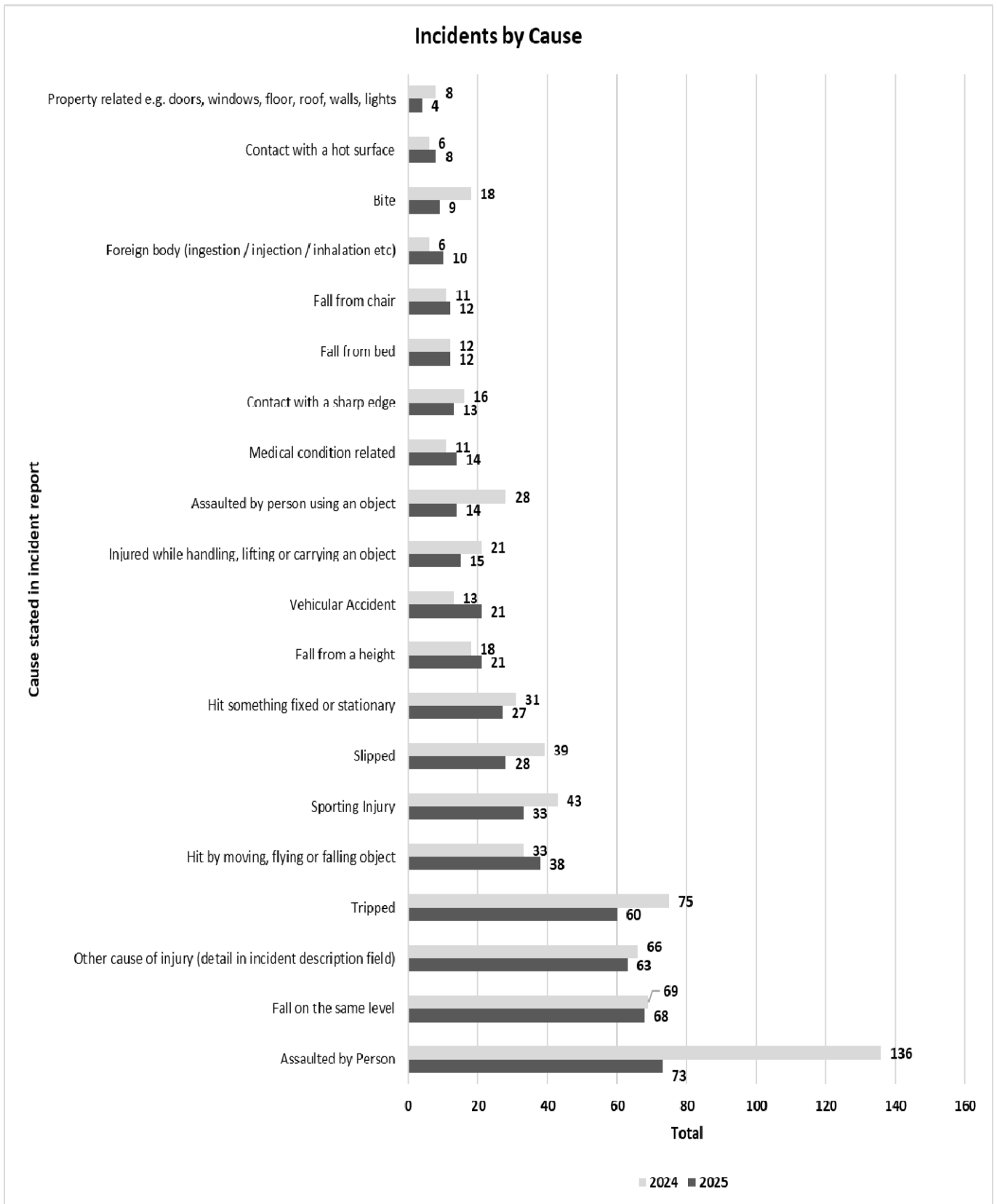
ALL RECORDED INCIDENTS – April 2025 – August 2025

	CEO	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy	TOTAL
April	0	11	167	3	26	10	0	17	234
May	0	8	131	3	33	13	2	14	204
June	0	4	161	2	24	21	0	29	241
July	0	1	10	3	29	19	0	25	87
August	0	6	245	3	27	12	0	50	343
2025/26	0	30	714	14	139	75	2	135	1,109
2024/25	0	19	1178	22	140	64	1	176	1,600



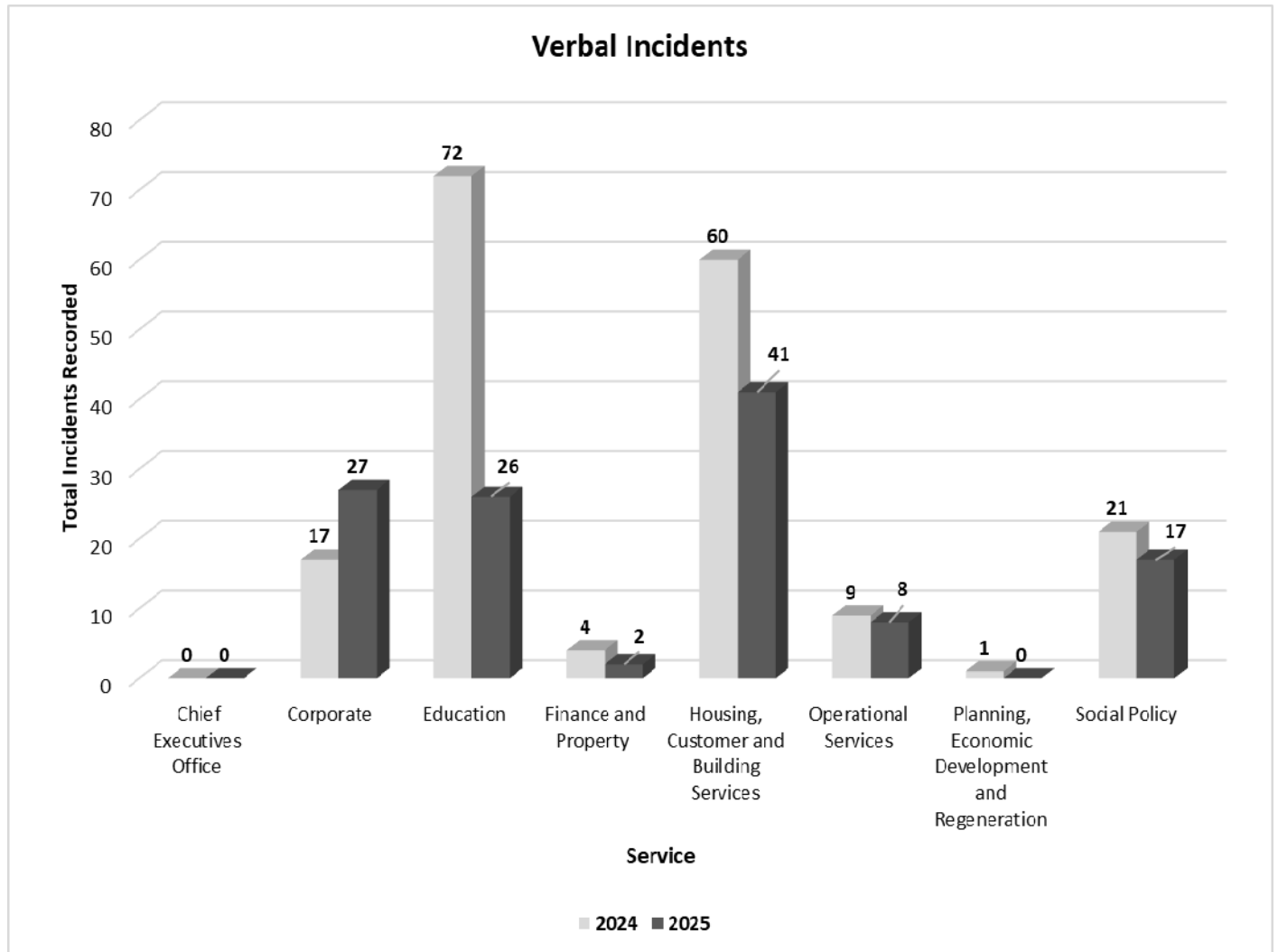
INCIDENTS BY CAUSE April 2025 – August 2025

Top causes of reported incident from April 2025 to August 2025 against the same time period in 2024.



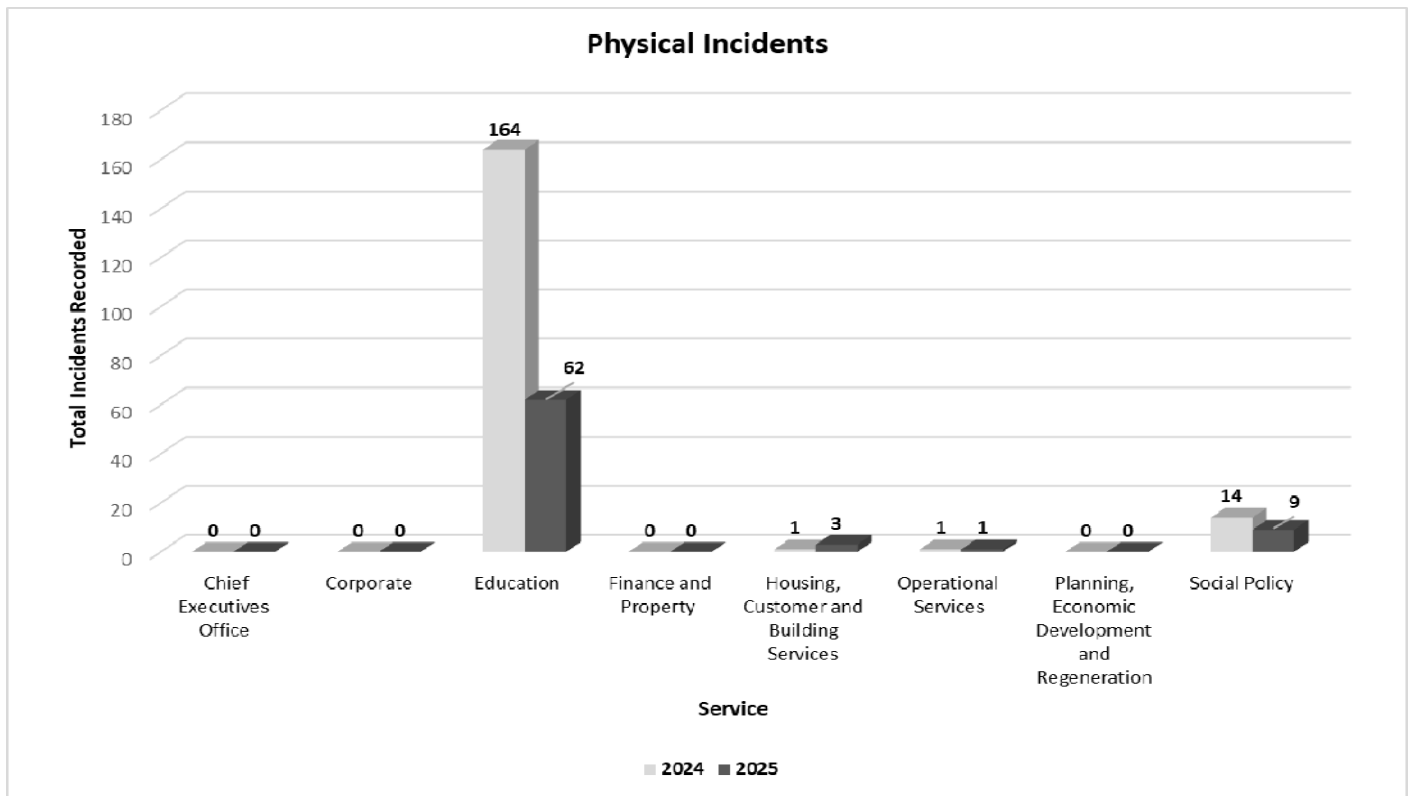
REPORTED VERBAL INCIDENTS – April 2025 – August 2025

Month	CEO	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy	TOTAL
April	0	11	6	0	9	0	0	2	28
May	0	7	7	0	10	2	0	2	28
June	0	3	7	0	5	3	0	5	23
July	0	0	0	0	9	3	0	4	16
August	0	6	6	2	8	0	0	4	26
2025/2026	0	27	26	2	41	8	0	17	121
2024/2025	0	17	72	4	60	9	1	21	184



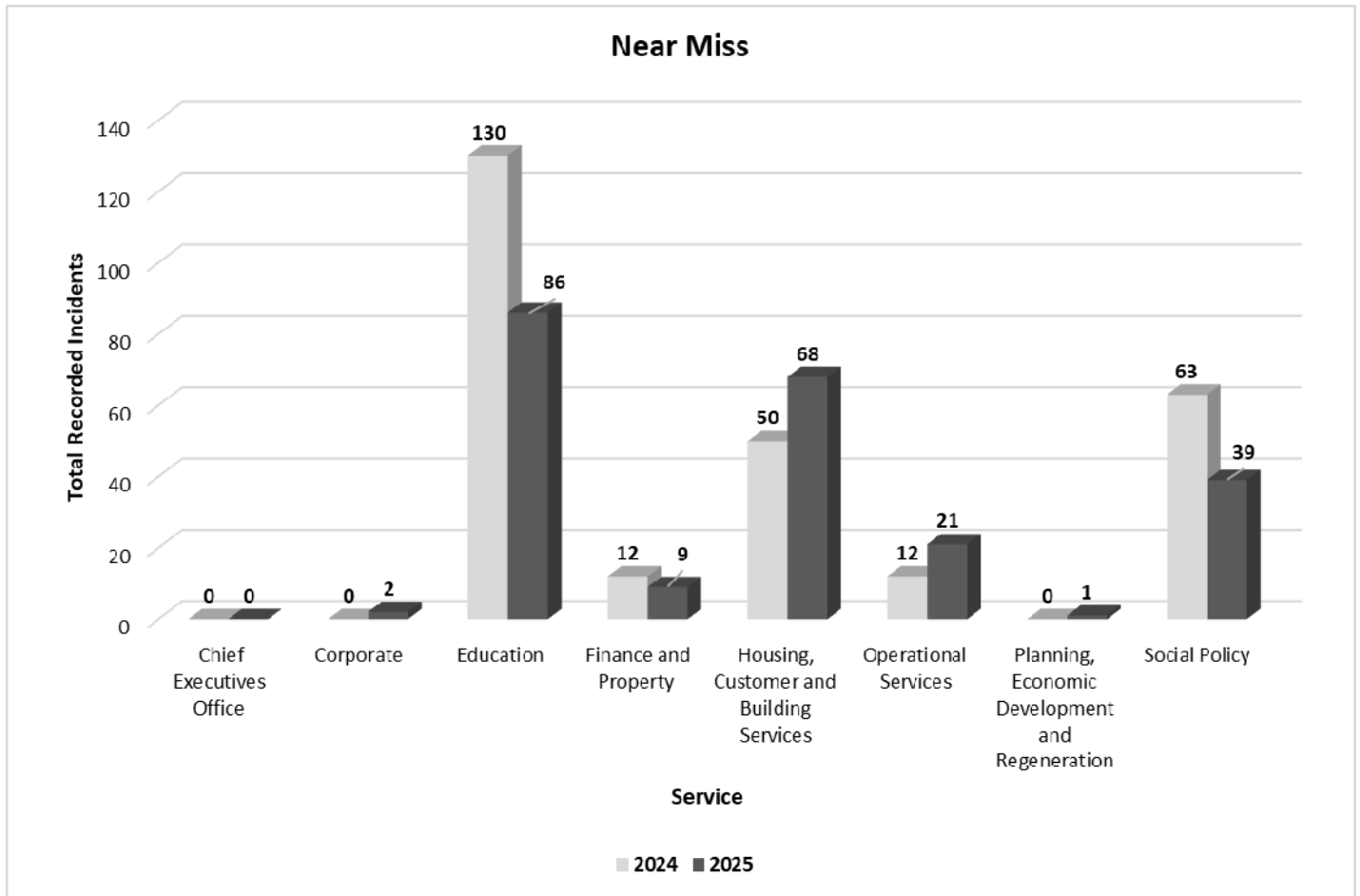
REPORTED PHYSICAL INCIDENTS – April 2025 – August 2025

Month	CEO	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy	TOTAL
April	0	0	12	0	1	0	0	2	15
May	0	0	11	0	0	0	0	0	11
June	0	0	15	0	0	0	0	1	16
July	0	0	0	0	2	0	0	3	5
August	0	0	24	0	0	1	0	3	28
2025/2026	0	0	62	0	3	1	0	9	75
2024/2025	0	0	164	0	1	1	0	14	180



NEAR MISS INCIDENTS – April 2025 – August 2025

Month	CEO	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy	TOTAL
April	0	0	14	1	12	0	0	5	32
May	0	1	24	3	15	4	1	2	50
June	0	1	16	2	11	7	0	7	44
July	0	0	0	3	14	6	0	4	27
August	0	0	32	0	16	4	0	21	73
2025/2026	0	2	86	9	68	21	1	39	226
2024/2025	0	0	130	12	50	12	0	63	267



RIDDOR REPORTABLE INCIDENTS – April 2025 – August 2025

HSE Reportable	Specified	O7D	MoP	Dangerous Occ	Disease	Fatality	Total	HSE Notices	HSE Visits/ Enquiry
Education	3	2	4				9		
Housing Customer and Building Services		2	1	1			4		
Operational Services		3	1			1	5		1
Totals	3	7	5	1		1	18		1

YOUNG PERSON INCIDENT FORM - April 2025 – August 2025

Where an incident occurs that can be attributed to an additional support need or a specific need of a young person, then the young person incident form is used by Education and Social Policy staff. The following table provides a breakdown of young person incident forms recorded for the period 1 April 2025 to the 31 August 2025.

	Physical & Verbal	Physical Only	Physical & Other (Not Verbal)	Verbal Only	Verbal & Other (Not Physical)	Property Damage	Absconding	Other / Not Specified	Total
April 2025	6	77	9	2	2	2	4	3	105
May 2025	9	32	0	1	1	0	3	5	51
June 2025	13	54	4	2	4	3	4	4	88
July 2025	1	4	0	0	0	0	0	0	5
August 2025	12	90	2	5	4	3	6	5	127
Total	41	257	15	10	11	8	17	17	376

EMPLOYERS LIABILITY INSURANCE PAYMENTS – April 2025-August 2025

Details of closures made in this reporting period are detailed in the table below.

Accident year	Location	Service	Detail	Injury	Payment to employee/volunteer	Other costs	Total Claim	Cause	Incident Description
2021/22	Blackburn	Building Services	Manual handling	Sprains/strains	35,000*	7,662	42,662	Injured wrist moving materials.	Breach of statutory duty
2023/24	Livingston	Building Services	Fall from Height	Sprains/strains	8,000	3,231	11,231	Ladder set gone through floor causing fall.	Breach of statutory duty
2023/24	Broxburn	Education	Assault	Cuts/laceration	0	0	0	Poked on elbow with pencil by pupil.	No Fault
2023/24	Whitburn	FM Services	Manual handling	Burn	0	0	0	Sustained burns while filling hot water bottle.	No Fault
2023/24	Livingston	FM Services	Manual handling	Sprains/strains	0	0	0	Injured while moving tables.	No Fault

Accident year	Location	Service	Detail	Injury	Payment to employee/volunteer	Other costs	Total Claim	Cause	Incident Description
2024/25	Bathgate	FM Services	Furniture/ Premises Defect	Cuts/ laceration	0	0	0	Injured by collapsed shelving.	No Fault
1972/73	West Lothian	Building Services	Exposure to harmful substance	Asbestosis	0	874	874	Alleged exposure during early employment.	No Fault
2020/21	East Whitburn	Social Policy	Assault	Sprains/ strains	300,000	92,263	392,263	Employee assaulted by resident.	Breach of statutory duty
2021/22	Armadale	Education Services	Slip/Trip	Fracture	40,000	25,773	65,773	Tripped on damaged steps, fractured arm.	Breach of statutory duty
2022/23	Armadale	Social Policy	Slip/Trip	Sprains/ strains	10,000	16,223	26,223	Access issues due to scaffolding, injured back.	Breach of statutory duty
2023/24	East Whitburn	Social Policy	Assault	Sprains/ strains	0	0	0	Employee assaulted by resident.	No Fault

Accident year	Location	Service	Detail	Injury	Payment to employee/volunteer	Other costs	Total Claim	Cause	Incident Description
2023/24	Livingston	Education Services	Slip/Trip	Bruising /grazing	2,825	8,598	11,423	Tripped on malfunctioned stairlift.	Breach of statutory duty
2024/25	Blackburn	Education Services	Manual handling - Job	Fracture	0	0	0	Child moved back in chair, clash of heads incident.	No Fault
				Payments:	395,825	154,624	550,449		
				Less recovery:					
				Net:	395,825	154,624	550,449		

*This figure also includes the claimants legal fees in addition to the individuals payment.

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

MANAGEMENT OF HEALTH & SAFETY RISK

REPORT BY HEAD OF EDUCATION (PRIMARY, EARLY YEARS AND RESOURCES) AND HEAD OF EDUCATION (SECONDARY, INCLUSION AND COMMUNITY LEARNING)

A PURPOSE OF REPORT

The purpose of this report is to advise the Governance and Risk Committee of the approach to the management of health and safety risks within Education Services.

B RECOMMENDATIONS

It is recommended that the Committee note the approach taken by Education Services.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Caring and Compassionate Open, Honest and Accountable
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Risk Management Policy requires the council to effectively manage risks. Legal requirements for Health and Safety made under statutory obligations in the Health and Safety at Work Act 1974 and Fire Scotland Act 2005 and associated regulations.
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	Ineffective health and safety risk management arrangements may adversely affect performance.
V	Relevance to Single Outcome Agreement	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
VI	Resources - (Financial, Staffing and Property)	None
VII	Consideration at PDSP / Executive Committee	N/A.
VIII	Other consultations	None

D. TERMS OF REPORT

D1 Service Overview

Education Services has a key role in the management and direct delivery of services to children and families within West Lothian.

The Service has 5 key areas of focus as detailed in its Service Improvement Plan 2023/26:

Schools

69 primary schools, 13 secondary schools, 56 early learning and childcare establishments and 6 additional learning needs schools deliver education services to over 27,000 pupils and 3,500 pre-school children.

School Improvement and Early Years

The service supports the implementation of the council's Raising Educational Attainment Strategy and the National Improvement Framework through direct support and challenge to schools, validated self-evaluation processes and rigorous use of performance data to continually improve outcomes for children and families. The service supports the delivery of 1140 funded hours of high-quality early learning and childcare for eligible children aged 2 – 5 years old within council, private partner provider settings and childminders in line with the required National Standard.

Inclusion

The service supports schools in improving the delivery of education provision, learning experiences and opportunities for children and young people with additional support needs and ensuring inclusive practices are embedded in all educational settings. The service is working to improve the well-being and educational outcomes of all children and young people in West Lothian through the application of psychology to improve educational and mental health and well-being outcomes.

Resources

The service supports schools and delivery of education services through application of effective resource planning and management, including workforce planning, asset management, and a range of compliance matters. The service supports schools and delivery of education through policy advice and development and is the interface for parents/carers for pupil placement and customer services. The service drives improvements within the learning estate and is an integral part in the delivery of new schools.

Community Learning

The service supports young people and adult learners working across communities and schools. Learners are supported with their personal development by co-design and delivery of a range of programmes and accredited learning embracing the benefits of youth work and adult learning approaches. Sport and physical activity is supported in recognition that this not only improves physical health and thereby reducing inequalities, but also improves mental wellbeing, strengthens communities, improves confidence and employability, and more generally improves an individual's life chances.

Appropriate and measured control of risk within Education Services supports the strategic and operational aims of the council-wide health and safety policy.

D2 Education Services Health & Safety Risks

Education Services currently has 18 risks relating to health and safety logged in Ideagen Risk Management system. These are set out in Appendix 1.

Two additional risks have been identified in discussion with the council's Risk and Audit Manager and added to the register since the last report in 2023 – ED017 Child Flight risk in ASN schools and ED031 Pupils engaging in risk taking actions/behaviours.

There are two risks identified as high which are reviewed by Education senior management monthly as required by corporate guidance on risk management. Five risks are assessed as medium and eleven risks as low.

The two high risks are also standing items on the Education Health and Safety Committee meeting with trade unions.

Further detail on the two high risks is set out below:

Risk ED004 - Mainstream Schools: physical or verbal incidences towards staff.

This risk relates to physical or verbal incidences from pupils or parents/carers of pupils, to members of staff working in schools, leading to injury or stress.

There are a number of mitigating measures in place in relation to this risk, which are outlined through the service's Promoting Positive Relationships Policy and reinforced through annual compulsory training models (Maybo) undertaken by all school-based staff.

There is restricted access to schools for parents e.g. reception area only during the school day. Risk assessments are in place to consider security factors when meeting with parents/carers e.g. more than one member of staff present, or alternative meeting locations considered if there is deemed to be a risk. Weekly monitoring arrangements are in place to highlight incidents recorded in Sphera in schools to Education Senior Management Team. There is ongoing awareness raising for staff on how to deal with violent incidents and report them in Sphera, in addition to an annual reminder at the August in service day.

By implementing identified controls, the service aims to reduce the likelihood of the risks occurring, or the impact they will have if they do occur. These controls are reviewed for effectiveness each time the risk is re-assessed.

ED005 - Additional Support Needs (ASN) schools and units: physical or verbal incidences towards staff.

This risk relates to physical and/or verbal incidences towards staff from pupils or parents/carers, leading to injury or stress. Due to the nature of the needs of the pupils placed in ASN schools and classes attached to a mainstream school, such occurrences may be as result of a pupil's specific, identified additional support need. In addition to the controls outlined above, individual pupil response plans / child plans will be in place to support any additional support need which may result in physical or inappropriate communication.

The service has a Health and Safety committee which is chaired by the Head of Education (Primary, Early Years and Resources) and meets on a quarterly basis. This committee provides a forum for management and trade union representatives to engage on health and safety matters and provides a forum to identify activities that will strengthen the implementation of the aims and objectives of the council's Health and Safety Policy. The committee reviews the health and safety dashboard and incident statistics which are provided by the corporate health and safety team broken down by each establishment.

The Education Health and Safety Committee worked in collaboration with the service and the corporate health and safety team to provide guidance to school-based staff on the recording of incidents and expectations of actions that will be taken as a result of any incidences.

D3 Incidents within Education Services

Staff are made aware of the requirement to report incidents (accidents, near misses and dangerous occurrences) through the mandatory staff induction programme and as part of their annual refresher training during the August in service day. Each incident reported is investigated to identify trends and remedial actions to prevent a recurrence of an incident where reasonably practicable. Information on the compliance with incident recording and investigation procedures, as well as the details on incidents of note, is also considered on a monthly basis by the Education Senior Management Team.

The number of incidents recorded by the service over the last seven academic sessions can be found in the table below.

Category	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26 (to 17/9/25)
Accident / Near Miss / No Injury Incident	663	662	683	610	970	795	90
Physical	1159	1244	469	415	508	448	38
Verbal	211	112	99	116	196	259	18
Fire Incident	78	97	145	180	107	88	8
Young person incident *	0	273	1595	1794	2230	1172	277
Other	2	1	7	7	11	2	0

* Young Person form was piloted in schools during session 2020/21 and fully rolled out from session 2021/22. This is used where an incident can be attributed to an identified additional support need of the child/young person involved.

Fire incidents includes records of fire situation and unwanted fire alarm incidents (UFAS), etc. UFAS are like near miss incidents and there is a still a requirement for us to record these.

68 of the incidents recorded within Education Services since 2019 have met the reporting criteria under the Reporting of Incidents Diseases and Dangerous Occurrences Regulations (RIDDOR).

Category	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26 (as at 17/9/25)
RIDDOR	5	12	8	5	18	13	7

Outcomes of investigations are used to inform actions and workplans within the required services and these are integrated into the Education Services annual Health and Safety Action plan.

D.4 Risk Assessments

Education Services currently has 4661 health and safety risk assessments relating to work activities within the service. This high number of risk assessments is reflective of the number of education establishments and workplaces within the service. These assessments identify hazards that could have the potential to cause injury, illness or harm, the risk of the harm being realised, and detail actions taken to either eliminate or control the risk of harm. Risk Assessments are reviewed at the beginning of each academic session in light of natural changes over each summer period and schools complete this review between August and September.

E Conclusion

The report sets out the identified health and safety risks in Education Services and details the approach to identifying and managing risks. The service has implemented robust risk management processes with the aim of ensuring that risks to the achievement of key objectives are mitigated as far as possible. Risks are reviewed as per the council guidance at least on an annual basis.

F. BACKGROUND REFERENCES

Promoting Positive Relationships in West Lothian Education Establishments
[Promoting Positive Behaviour in West Lothian Educational Establishments](#)

Appendices/Attachments:

(1) Education Services - Health and Safety Risks

Contact:

Donna Adam (Strategic Resources Manager) donna.adam@westlothian.gov.uk

29 September 2025

Lisamaria Purdie (Interim Head of Education Primary, Early Years and Resources)
 Siobhan McGarty (Head of Education Secondary, Inclusion and Community Learning)

Education Services Health and Safety Risks





Data Label : OFFICIAL





Generated on: 04 September 2025 13:55







Report Layout: .. 03c Original Risk Score and Current Risk Score with Description













Rows are sorted by Risk Score, Risk Score









Traffic Light: High Risk 2 Amber 5 Green 11


Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likely	Current Risk Score	Current Traffic Light Icon
ED004 Mainstream Schools: physical or verbal incidences towards staff	Physical or verbal incidences towards staff from pupils or parents/carers of pupils, to members of staff working in schools, leading to injury or stress. Key impact would be on the ability for education services to achieve outcomes within the 'Raising Educational Attainment strategy 2023/28'. In particular to the below outcomes: ensuring every child and young person experiences varied, vibrant and challenging learning experiences which are built on the provision of high quality and inclusive learning, teaching and assessment. Improving wellbeing, inclusion and attendance for all children and young people, promoting confidence, independent thinking and resilience.	15		3	4	12	
ED005 Additional Support Needs (ASN) schools and units: physical or verbal	Physical and/or verbal incidences towards staff from pupils or parents/carers, leading to injury or stress.	15		3	4	12	


Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likely	Current Risk Score	Current Traffic Light Icon
incidences towards staff.	Due to the nature of the needs of the pupils placed in ASN schools and classes attached to a mainstream school such occurrences maybe as result of a pupil's specific, identified additional support need. Key impact would be on the ability for education services to achieve outcomes within the 'Raising Educational Attainment strategy 2023/28'. In particular to the below outcomes: ensuring every child and young person experiences varied, vibrant and challenging learning experiences which are built on the provision of high quality and inclusive learning, teaching and assessment. Improving wellbeing, inclusion and attendance for all children and young people, promoting confidence, independent thinking and resilience.						
ED007 Work related stress for employees within Education Services.	Work related stress for employees within Education Services, resulting lower productivity, higher absence, and failure to meet key service objectives.	20		3	3	9	
ED029 Unauthorised access to a school	Failures in security leading to unauthorised access by a member of the public to a school, and resulting in harm to a pupil or member of staff. This is a service wide risk.	12		3	3	9	

Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likely	Current Risk Score	Current Traffic Light Icon
ED017 Child Flight Risk - ASN Schools	<p>This risk measures the likelihood of a child with an additional support need being a flight risk in an ASN school setting.</p> <p>All schools are included in the consideration of the rating.</p> <p>The risk factor is reviewed regularly in line with school risk assessments and identified risk factors.</p> <p>The data is gathered via school sphera's and school engagements in the child planning processes to ensure risk assessments are reflective of pupil needs.</p> <p>This performance indicator measures performance in the school academic year.</p>	10		4	2	8	
ED031 Pupils engaging in risk taking actions/behaviours	<p>Pupils engaging in risk taking actions/behaviours, which may result in injury or death. These may include experimenting with substances, actively participating in risky or dangerous on line challenges which are promoted through social media platforms, self harm, situational risks.</p>	8		2	4	8	
EDCYS001 Community Learning and Development - risk of injury to staff or young people undertaking activities	<p>Failure to comply with health and safety requirements in relation to youth activities, for example award schemes, excursions, volunteering, leading to an incident resulting in harm to staff member or young person.</p>	20		3	2	6	

Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likely	Current Risk Score	Current Traffic Light Icon
ED030 Pupil on pupil violence	A deliberate or malicious act of violence by a pupil on another pupil with intent to cause harm and which results in some form of harm including serious injury or death. This risk does not include acts where there is no intent to cause harm which are covered by risk ED031.	16		3	2	6	
ADS001 Community Learning & Development - Adult Basic Education - Lone working with a group of vulnerable adults	Potential threat to employees from lone working with a group of vulnerable adults.	12		3	2	6	
ED012 Child unaccounted for by school (safe arrival at school)	Procedures in place fail to identify that a child who is expected to attend school does not attend, leading to a failure to provide the appropriate notification to parents, and resulting in harm to the child.	12		3	2	6	
ED013 Failure to comply with health and safety requirements across Education Services	Failure to comply with health & safety requirements across Education Services, leading to an incident which results in an injury to service users or staff.	12		3	2	6	
ED016 Eastertoun Nursery and Primary School: Restricted access routes for emergency services vehicles	Emergency vehicles may not be able to access the buildings. Access to the schools is over a narrow private road and then a road alongside one of the buildings. The nursery school is close to the main gate and there are regular problems with access to the building.	12		3	2	6	
ED009 Early Learning and	Early Learning and Childcare in schools -	8		3	2	6	

Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon	Current Impact	Current Likely	Current Risk Score	Current Traffic Light Icon
Childcare in schools - Child Flight Risk	Child Flight Risk						
ED032 Injury or death whilst using secondary school swimming facilities	Failure to implement effective risk assessments and safe operating procedures, leading to an accident resulting in injury to, or death of, a pupil or staff member. Out of hours lets are the responsibility of West Lothian Leisure and not covered by this risk.	15		5	1	5	
ED019 Injury to pupils or staff during an excursion or extra curricular activities.	Failure to comply with health and safety requirements in relation to school excursions, including local or foreign trips, and extra curricular activities outwith school hours/term time, leading to an incident resulting in harm to pupils or staff.	20		4	1	4	
ED020 Fire in a school building which may result in injury or harm to staff or pupils.	Failure to timeously and properly evacuate a school on the event of a fire, resulting in injury or harm to staff or pupils. This risk focuses on the risk to individuals in the event of a fire in a school building (there are separate risks covering the loss of buildings and health and safety in general).	20		4	1	4	
ED008 Errors or accidents when assisting pupils with administration of medication	Failure of internal control processes leading to staff in schools who assist pupils with the administration of medication applying the wrong medication or dosage and resulting in in harm to the child.	16		2	2	4	

Risk Title	Risk Description	Original Risk Score	Original Traffic Light Icon
EDCA001 Food poisoning risk from catering facilities within Linlithgow Burgh Halls	Failure of the system of control in relation to food hygiene within Linlithgow Burgh Halls, leading to a food poisoning outbreak and resulting in death of, or harm to, a member of the public.	15	

Current Impact	Current Likely	Current Risk Score	Current Traffic Light Icon
3	1	3	



Education Services Health and Safety Risks

Lisamaria Purdie/ Siobhan McGarty

Overview

- Overview of Education Services
- Management of Health and Safety Risks
- Education Services Health and Safety Risks
- Incidents
- Risk Assessments

Education Services

- **Education Services have a key role in the management and direct delivery of services to residents within West Lothian.**
 - 69 Primary Schools, 56 Early Learning and Childcare settings, 13 Secondary Schools and 6 Additional Support Needs Schools
 - School Improvement and Early Years
 - Inclusion
 - Resources
 - Community Learning

Management of Risks

- **Risk Management Policy and Procedure**
 - Ideagen Performance system
 - Score, based on the combination of impact x likelihood
 - Include details of key controls and mitigating risk actions
 - Reviewed at the Education SMT on a monthly basis

Service Health and Safety Risks

2 High Risks

- **ED004** Physical or verbal incidences towards staff from pupils or parents/carers of pupils, to members of staff working in mainstream schools, leading to injury or stress.
- **ED005** Physical or verbal incidences towards staff from pupils or parents/carers of pupils, to members of staff working in ASN schools, leading to injury or stress.

5 Medium Risks

11 Low Risks

Incidents & Mitigating Actions

An incident relates to any unplanned event resulting in a near miss, an injury, ill health of people, the damage or loss of property, materials or the environment.

Over 30,000 children and young people attending schools and ELCs on daily basis.

Over 4,000 staff engaging with children, young people, families and community .

H &S Risk Assessments

A systematic examination of a task, job or process that you carry out at work for the purpose of identifying the significant foreseeable hazards that are present.

- All schools have risk assessments in place which identify hazards and implement suitable control measures to eliminate or reduce risk.

Education Services Health and Safety Risks

- Robust risk management and risk assessments
- Regular monitoring of risks by SMT and education H&S Committee
- Responsive to changing risks in fairly unpredictable environments

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

BUSINESS CONTINUITY PLANNING – OPERATIONAL SERVICES

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

To report to the Governance and Risk Board on the approach taken to business continuity planning within Operational Services.

B. RECOMMENDATION

It is recommended that the Governance and Risk Board considers and provides comments on the approach and taken by Operational Services to business continuity planning to enable the service to continue to deliver key services in the event of an incident which disrupts normal operations.

C. SUMMARY OF IMPLICATIONS

I Council Values	Caring and Compassionate. Open, Honest and Accountable. Collaborate, Inclusive and Adaptive.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	<p>The Risk Management Policy requires the council to effectively manage risks.</p> <p>Section 2(1)(c) of the Civil Contingencies Act 2004 requires the council to maintain plans for the purpose of ensuring, so far as is reasonably practicable, that if an emergency occurs it is able to continue to perform its functions.</p> <p>Relevant to risk OPSHQ002 - Loss of Whitehill Service Centre</p>
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	Failure to effectively mitigate risks may have an adverse impact on performance.
V Relevance to Single Outcome Agreement	Our public services are high quality, continually improving, efficient and responsive to local people's needs.

VI	Resources - (Financial, Staffing and Property)	Business continuity planning is undertaken within existing staff resources
VII	Consideration at PDSP	None
VIII	Other consultations	Operational Services Service Management Team, Audit, Risk and Counter Fraud Manager

D. TERMS OF REPORT

D1 Background

In accordance with corporate requirements, and in line with the council's responsibility under section 2(1)(c) of the Civil Contingencies Act 2004, Operational Services has a requirement to maintain plans for the purpose of ensuring, so far as is reasonably practicable, that should an emergency occur, the service is able to continue to perform its functions.

D.2 Business Continuity Planning

Operational Services' business includes the delivery of a wide range of front-line services and the management and maintenance of assets across West Lothian. It is important that the service has in place robust business continuity arrangements to ensure readiness to sustain critical functions during an emergency or periods of disruption.

Individual business continuity plans are maintained for each WLAM unit within Operational Services. These are stored in both Objective - the council's electronic records management system - and Ideagen - the council's corporate risk management system, The Ideagen risk system is hosted externally and accessible in the event of a cyber-attack or loss of council systems.

Operational Services' business continuity plans describe how the service will continue to deliver services in the event of an incident which disrupts normal operations.

For the purpose of business continuity planning, key services across the council are classified as WLC1, WLC2 and WLC3 activities. These categorisations are defined below:

WLC1 - An activity which if not maintained would risk causing imminent loss of life or limb to customers, staff or members of the public.

WLC2 - An activity which if not maintained would risk causing significant harm or hardship to the council's customers, staff or members of the public.

WLC3 - An activity which if not maintained for a period of thirty days would have a significant impact on the council's objectives.

Operational Services currently has 4 WLC1 activities, 13 WLC2 activities and no WLC3 activities. These are summarised in appendix 1 to this report.

The Operational Services business continuity plans identify key events that could significantly impact on service delivery, including the loss of IT/cyber-attack, loss of operational property, loss of supplier, severe weather, loss of employees or a pandemic. The plans are reviewed annually and set out business continuity teams, key responsibilities and actions required in the event of an incident.

The chair of the Operational Services business continuity team, the Head of Service, may invoke the plan where an incident causes significant disruption to service delivery, or where it is anticipated that this may happen. In taking a decision, the chair will have regard to the nature and estimated duration of the incident, the services affected, their classification, and the timetables for recommencing service delivery. In the absence of the chair, the depute chair would assume this role.

The Head of Service will inform the Chief Executive, as chair of the corporate business continuity team, that the plan has been invoked.

D.3 Operational Services Business Continuity – WLC 1 Activities

D3.1 Cemeteries

The business continuity plan for Cemeteries details the resources required to deliver this crucial service and how the service would be provided in the event of loss of IT, staff or property. There are several operational buildings available which the team can work from, and the plan explains that if IT systems become compromised, the service will revert to paper records and communication via mobile phone. If staff availability is low, suitably trained Grounds Maintenance operatives will provide cover.

D3.2 Tree & Woodland Team – Weather Emergency

The Tree & Woodland Team provide a vital service, especially in times of storms and high winds, dealing with dangerous and fallen trees. The business continuity plan contains details of how the service is currently delivered and how it would be delivered in the event loss of IT, staff or property. The service can be managed using phones for communication and in the unlikely event that plant, equipment or adequate staff were unavailable, can be delivered by known sub-contractors. In January 2025, the business continuity plan was invoked to manage the effects of Storm Eowyn which caused significant damage to trees and woodland across West Lothian.

D3.3 Winter Service

The winter service provided by Roads and Transportation is essential in periods of snow and low temperatures. The business continuity plan explains that without access to Whitehill Service Centre alternative premises will be identified working with colleagues in Property Services, IT systems can be managed without in the medium term and additional staff can be sought from a framework contract to supplement WLC staff if required.

D3.4 Street Light Emergency Maintenance – All Street lights and traffic signals

Generally, this service can be delivered as long as there is one electrically competent person available, drawn from the pool at Roads and Transportation. Without access to Whitehill Service Centre, the service can be delivered from either the standby vehicle or home of the standby officer. If necessary, a vehicle and supplies would be obtained through the existing framework contract.

D.4 Operational Services Business Continuity – WLC 2 Activities

D4.1 Catering Services

This service provides catering to all schools in West Lothian. In the event that a kitchen facility became unavailable, work would be relocated to another local kitchen. The service can be delivered without IT with orders placed by phone and paid for using purchase cards. In the unlikely event that staff numbers across Catering Services are impacted to such an extent that the service cannot be delivered whilst schools remain open, schools would be alerted to inform parents that packed lunches would be required.

D4.2 FM Services

Facilities Management services are provided to West Lothian Council properties, including schools and office locations and managed from Whitehill Service Centre. Without access to Whitehill Service Centre the area managers would manage the work by phone and personal contact. IT is not central to the service and the service can be delivered without IT. In a staff shortage, staff would be managed dynamically by those supervisors / managers available and directed to the areas most in need.

D4.3 Cleaning Services

The plan for Cleaning Services follows the approach detailed above for FM Services.

D4.4 School Crossing Patrols

The plan for School Crossing Patrols follows the approach detailed above for FM Services.

D4.5 Vehicle Maintenance

The plan sets out that as there is no suitable alternative location available, loss of access to Whitehill Service Centre would result in this activity being outsourced. Emergency work would be prioritised in the event that staff resources were limited and the service can be delivered without IT.

D4.6 Domestic Waste Collection and Commercial Waste (from Council Properties Only)

Recycling & Waste Services are responsible for the collection of all household waste. The service provides more than 80,000 household waste collections per week from residential properties. The plan sets out that if access to Whitehill Service Centre was not possible before vehicles have left the site, the refuse collection service would not be deliverable for the period of the closure. Further details in the plan explain the priority for collections, managing without IT and how work would be prioritised in the case of a staff shortage.

D4.7 Waste Disposal - Recycling

This relates to the operations of both recycling centres and the transfer station. The plan explains that loss of the transfer station would be managed by a combination of direct delivery and partnership working with third party sites. The number of recycling centres we have provides resilience if one were to be inaccessible for any length of time. The services can be delivered without IT, reverting to manual recording on paper where necessary. In the event of shortages of drivers and operatives, work would be prioritised to ensure public health. Back shifts and overtime may be investigated.

D4.8 Street Cleaning

The service delivers a street cleansing service on roads, footpaths, town centres, hard surfaces and rural roadside verge areas in West Lothian. The business continuity plan details how this statutory service can be delivered with vehicles being based at alternative locations, work being prioritised as per the agreed Litter Policy, and reverting to paper record keeping.

D4.9 Play Area Inspections

The team manages the inspection and maintenance of more than 400 play areas in West Lothian. The plan describes that operatives can work remotely without access to an office and do not have a requirement for IT in the short term. As the service is not statutory, the plan details service reductions that could be considered if trained staff were not available.

D4.10 School Transport – Mainstream and Additional Needs

This activity involves the management of the provision of mainstream and additional needs school transport. The plan details the paper-based records that would be used should IT systems be compromised, gives staff cover arrangements and explains how the service can be delivered remotely.

D4.11 Community Transport

This involves utilising 25 buses to provide a community transport service to clients across West Lothian. Without access to the vehicles, in the short-term alternative vehicles would need to be sourced from suppliers detailed in the plan. Social Policy colleagues, clients and day care centres would be kept informed of any changes. The service can be delivered without IT and any staff shortage would be managed dynamically.

D4.12 Roads Maintenance and Inspections

The delivery of carriageway and footway safety inspections and identification of defects can be managed, if required, by phone as long as pool cars are available. Inspection routes and the inspection manual are available on line remotely. There are several back up suitable members of staff able to deliver the service in the event of a staff shortage.

D4.13 Roads Out of Hours Service

A secure emergency response container is located within Whitehill Service Centre containing all required plant and equipment to deliver this service. In the event that access to Whitehill Service Centre is impossible, then the service will be run from a suitable location as identified by Property Services. Plant and vehicles would be obtained if required through the existing framework contract. Staff can be drawn from the pool of frontline operatives, and the service can be delivered without access to IT.

E. CONCLUSION

Operational Services has implemented a robust and proactive business continuity planning process with the aim of enabling the service to continue to deliver key services in the event of an incident which disrupts normal operations.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: Appendix 1- Operational Services Business Continuity Plan Activities

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David Maule
Head of Operational Services
26 September 2025

APPENDIX1 – Operational Services Business Continuity Plan Activities

WLAM Unit	WLC 1 Activity
NETs, Land and Countryside Services	Cemeteries
NETs, Land and Countryside Services	Tree & Woodland Team – Weather Emergency
Roads and Transportation Services	Winter Service
Roads and Transportation Services	Street Light Emergency Maintenance – All Street lights and traffic signals

WLAM Unit	WLC 2 Activity
Facilities Management Services	Catering Services
Facilities Management Services	FM Services
Facilities Management Services	Cleaning Services
Facilities Management Services	School Crossing Patrols
Fleet Services	Vehicle Maintenance
Recycling and Waste Services	Domestic Waste Collection and Commercial Waste (from Council Properties Only)
Recycling and Waste Services	Waste Disposal - Recycling
NETs, Land and Countryside Services	Street Cleaning
NETs, Land and Countryside Services	Play Area Inspections
Passenger Transport Services	School Transport – Mainstream and Additional Needs
Passenger Transport Services	Community Transport
Roads and Transportation Services	Roads Maintenance and Inspections
Roads and Transportation Services	Roads Out of Hours Service

Operational Services Business Continuity Planning

David Maule
Head of Operational Services



Overview

- Purpose of Business Continuity Planning
- Corporate Framework
- Service Business Continuity Planning

Purpose

- Integral part of the council's risk management processes
- Enables us to continue to deliver essential services in the event of an accident or incident
- Provides assurance as to our ability to meet our objectives

Corporate Framework

- Governance and Risk Board exercises oversight
- Board approves business continuity activities
- Approved corporate template for business continuity plans
- Annual desktop test

Service Business Continuity

- WLAM level service business continuity plans
- Identifies activities and essential IT applications
- Sets out staffing, work locations and actions to maintain service delivery
- Reviewed annually

Threats

- Loss of IT/cyber attack
- Loss of operational property
- Power outage
- Loss of staff (e.g. severe weather)
- Pandemic

Categorisation of activities

WLC 1	WLC 2	WLC 3
4	13	0

- WLC1 - imminent loss of life or limb to customers, staff or members of public
- WLC2 - significant harm to hardship to customers, staff or members of the public
- WLC3 - significant impact on council objectives

WLC 1 Activities

- Cemeteries
- Tree & Woodland Team – Weather Emergency
- Winter Service
- Street Light Emergency Maintenance – All Street lights and traffic signals

WLC 2 Activities

- Catering Services
- FM Services
- Cleaning Services
- School Crossing Patrols
- Vehicle Maintenance
- Domestic Waste Collection and Commercial Waste
- Waste Disposal - Recycling
- Street Cleaning
- Play Area Inspections
- School Transport – Mainstream and Additional Needs
- Community Transport
- Roads Maintenance and Inspections
- Roads Out of Hours Service

Summary

- Operational Services has identified its key activities and essential IT applications
- Robust plans are in place to maintain services in the event of an incident

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

INDIVIDUAL HIGH RISK - HCBS004 – OVERSPEND OF ALLOCATED HOUSING NEED BUDGETS

REPORT BY HEAD OF HOUSING, CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to provide Governance and Risk Committee with information regarding the management of risk stemming from an overspend of allocated housing need budgets.

B. RECOMMENDATION

It is recommended that the committee note the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Being caring and compassionate; Open, honest and accountable, collaborative, inclusive and adaptive.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Housing (Scotland) Act 1987, & as amended. Code of Guidance on Homelessness
III Implications for Scheme of Delegations to Officers	None.
IV Impact on performance and performance Indicators	The effective management of this risk mitigates overspend of budgets and ongoing areas of budget pressures
V Relevance to Single Outcome Agreement	Medium relevance to the Local Outcome Improvement Plan
VI Resources - (Financial, Staffing and Property)	Total budget of £5.791 million Base budget – 5.415 million

	One off budget – 375,361
VII Consideration at PDSP	Homeless costs are considered by Housing PDSP as part of quarterly performance reporting
VIII Other consultations	Not applicable

D Terms of the Report

D.1 Background

In Scotland, local authorities have statutory duties relating to people who are homeless, which in West Lothian, are delivered by the Housing Need Service. These are:

- To assist individuals who are homeless or at risk of homelessness
- Provision of a minimum of temporary accommodation, advice, and assistance to all applicants assessed as homeless, regardless of priority need
- Ensure all unintentionally homeless households are entitled to a settled outcome
- Provision of interim accommodation until a decision is made on the duty owed to the applicant (homeless application investigation)
- Provide support to those who are homeless and those at risk of homelessness
- Setting up and maintaining an allocation scheme to hold and manage a housing list
- Ensure allocation policies comply with housing legislation, homelessness guidance, equality and Human Rights Acts

The housing need services provides these functions via 5 key teams:

- Housing Access (formerly housing options) team
- Accommodation team
- Support services team
- Allocations team
- Housing Need Strategy team

The imbalance between supply and demand for permanent social rented accommodation continues to be a key challenge in West Lothian and is the main driver of the ongoing budget pressures within Housing Need. There remains a high number of people applying to the council for permanent housing through the council's allocations policy, as well as accommodation required for homeless applicants to enable the council to discharge its statutory homeless duty.

The service carries an ongoing area of budget pressure, which is directly attributable to the use of bed and breakfast accommodation in order to meet the interim duty to accommodate those presenting as homeless to the service.

The lack of affordable housing across all tenures means that there are significant challenges in moving people through the homeless system to a settled outcome. As a result, ensuring the provision of temporary accommodation presents a challenge to the service, with longer stays, reliance on b&b to meet out duty, and exposes the service to financial strain as a result of market forces such as price of rooms, transport and storage of goods.

D.2 Impact of National and Local Housing Emergency

The pressures and challenges in meeting statutory duties, coping with demand for homeless services, and the associated budget overspends is a position reflected in 9 councils, many of whom are within the central belt. Whilst the issues locally vary – there are specific challenges in individual local authorities not replicated in West Lothian, the pressure on budgets is a common factor.

In December 2023, The Scottish Housing Regulator has warned of the risk of ‘strategic challenges and systematic risk’ of failure to meet the demand for suitable temporary accommodation and permanent housing due to some councils’ capacity to respond to the demands being placed on them.

The emergency is being driven by several key factors:

- Lack of affordable and social housing
- Higher demand through household dispute/relationship breakdown
- Higher levels of unsuitable housing – overcrowding or not meeting housing need
- Affordability of private lets or buying a property
- Challenges around tenancy sustainment
- Record numbers of homeless people in temporary housing

The Scottish Government announced an emergency action plan earlier this month, committing investment of £4.9 billion over 4 years to deliver additional 36,000 affordable homes, aimed at ending children living in unsuitable accommodation. The detail of the funding framework has still to be announced.

D.3 Managing the Risk

There are a wide range of strategic and operational controls and functions in place to create a framework of risk management and cost avoidance that enables interventions and oversight in managing this risk.

The service monitors spend and income on a daily basis, and has implemented a full income management approach, in keeping with best practice in Housing Operations, which is delivering extremely high recovery rates of over 90% for temporary accommodation, and over 70% for B&B. There is extensive work undertaken to have robust contractor and support provider management in

place, and the recent restructure of the service saw overall control and tenancy management of all 704 units of temporary accommodation move to Housing Need. This ensures greater and more targeted support to homeless households, resulting in less damage, abandonments, movement across the estate, and a focus on maximising homeless household and service income.

The restructure also saw the development of a community based intensive support team, with officers working across the county in hotels, to work with complex clientele to reduce the instances of repeat homelessness and tenancy sustainment failure, which also carries ongoing costs. Officers work with clientele to move them on from B&B as quickly as possible, examining all housing options, not council housing alone.

As the overspend of housing need budgets principally relates to the B&B costs, and availability of accommodation, this is also monitored in the context of temporary and mainstream voids management, to enable the swifter return of void properties to let, and to ensure we move people from hotels as soon as possible. The service also has a programme of savings as approved by Council Executive, which are designed to deliver efficiencies through minimising additional costs wherever possible, and to ensure revenue is increased to cover the costs of delivering services. This has achieved in excess of £2 million in savings over the past 3 years, and significant cost avoidance through the work of officers in the prevention of homelessness occurring.

The management of the key areas of risk and budget pressure are closely linked to the service priorities entrenched within the West Lothian Council Homeless Strategy as approved by Council Executive in March 2024. If the aim of managing demand for homeless services, through the prevention of homelessness, improved access to supply, and improving longer term outcomes for homeless household is achieved, then controlling the overspend of housing need budgets becomes significantly more achievable.

Service budgets and savings programmes are managed via monthly budget monitoring with colleagues in the Financial Management Unit, with service level meetings on all activities to enable further savings to be identified. The financial position of Housing Need budget pressures is reported quarterly to the Housing PDSP as part of the service suite of performance indicators, and in regular general fund revenue budget pressures reporting to Council Executive.

An internal audit of the service process and practice in relation to management of accommodation booking was conducted in 2022. This was a thorough examination of cost controls, data management and financial monitoring throughout the year, and our year end activity in what is the largest area of spend, and represents an ongoing daily function of Housing Need. The report concluded some additional checking activity and systems of monitoring would provide improved identification of unforeseen pressures in relation to price changes, thereby improving forecasting accuracy and reduction of any additional pressure towards year end. This audit was revisited in 2023 to ensure actions had been completed, and embedded within practice. The

subsequent report concluded the actions of the original audit as implemented, and was signed off as having satisfied audit colleagues.

It is anticipated that demand for homeless services will continue to outstrip the available supply of permanent houses and solutions for people and, as such, the backlog of homeless cases will continue to put significant financial pressure on the service. As well as uncertainty over levels of demand, there is a continuing risk around inflation levels and costs in general, and particularly around B&B costs, given the substantial reliance on use of B&Bs for emergency accommodation.

Specific control measures within the service are included as appendix 1 of this report.

E. Conclusion

The current national and local housing emergency means that a number of challenges remain in controlling and mitigating the financial risks to the council through the overspend of Housing Need budgets. The highest area of financial pressure stems from B&B use, which is outwith council control to a large extent.

Increasing demand for homeless services, rising costs, additional statutory duties and complexity of needs against a backdrop of an overall imbalance in supply of affordable housing against demand continue to be the key influencing factors in driving up costs within the Housing Need service.

A range of savings options and mitigating actions have been agreed, and the service are continuing to review and progress all options available to mitigate these costs where possible. There are robust and effective controls in place to monitor, report and forecast any arising additional risks, and an appropriate level of scrutiny given the profile of the pressures on the service.

F. Background References – none

Appendices/Attachments: 1

Appendix 1 Extract from Ideagen of HCBS004 – Overspend of Allocated Housing Need Budgets

Contact Person:


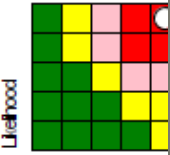
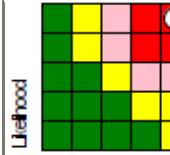

Sarah Kelly, Housing Need Service Manager sarah.kelly@westlothian.gov.uk

Julie Whitelaw

Head of Housing, Customer & Building Services

Date of Meeting: 29th September 2025

Appendix 1

		HCBS004 Overspend of allocated Housing Need budgets		Increased demand for homeless services leading to overspend of allocated Housing Need budgets resulting in unplanned financial pressures requiring budget savings measures, adverse impact on service delivery and achievement of homelessness statutory duties to provide services and accommodation, potential reputational damage.					
		Current Controls:		The specific controls to reduce housing needs budget include: Continue to utilise PSL scheme as a means to avoiding B&B usage Continue to aim to allocate temporary accommodation in school catchment areas to reduce transport costs Continue to monitor length of stay in temporary accommodation Continue rolling programme of case audit of homeless decisions and case management to ensure robust decision making Continue on site hotel presence by officers ensure occupancy and utilisation of rooms Continue to monitor numbers of people in hotel accommodation Continue to support homeless applicants access the private rented sector where suitable Continue upstream early intervention model in two secondary schools Mainstreaming Young Persons Emergency Prevention service Continue with Addictions worker supporting homeless households in hotels Continue with targeted arrears and income management measures to increase income from people living in B&B Continue with void improvement programme West Lothian Council has declared a Housing Emergency on 28/05/2024 due to the specific pressures around housing and homelessness, and the ability to meet statutory duties. The announcement by Council Executive also included writing to the Minister for Housing to discuss the issues and what support/funding can be provided to reduce pressures on the council. Council Executive approval on 5th November 2024 for spend of Affordable Supply Programme grant funding of £2.002 million to bring void properties back into use and further accommodation acquisitions Council Executive approval on 14 January 2025 for the 2024/25 RRTP plan and associated priorities of prevention, supply and specialist support Council Executive approval on 14 January 2025 for a new framework of temporary accommodation rents and service charges					
Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked Risk Actions	Original Due Date	Due Date	Progress	Description	
25	 <p style="text-align: center;">Likelihood Impact</p>	25	 <p style="text-align: center;">Likelihood Impact</p>	▶	RRTP201.6 New build supported accommodation	30-Nov-2021	31-Jan-2026	 85%	Deliver the new build supported accommodation provision for young people.

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

STRATEGIC RISK -WLC023 WEST LOTHIAN LEISURE FINANCIAL PLAN 2025/26

REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES

A. PURPOSE OF REPORT

The purpose of the report is to provide the Governance and Risk Committee with information regarding the management and overview of the risk concerning West Lothian Leisure's ability to deliver their financial plan and a balanced budget.

B. RECOMMENDATION

It is recommended that the Governance and Risk Committee notes the content of the report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Caring and compassionate, open, honest and accountable, collaborative, inclusive and adaptable.
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973, Section 95; Local Government in Scotland Act 2003, section 1-14. Strategic Risk – WLC023 West Lothian Leisure – Medium Risk
III Implications for Scheme of Delegations to Officers	No implications at this stage.
IV Impact on performance and performance indicators	Failure to effectively mitigate risks may have an adverse impact on the councils financial position and performance.
V Relevance to Local Outcomes Improvement Plan	Relevance to Local Outcomes Improvement Plan
VI Resources – (Financial, Staffing and Property)	None
VII Consideration at PDSP	None
VIII Other Consultations	None

D. TERMS OF REPORT

D.1 Background

West Lothian Leisure (WLL) is an Arms Length External Organisation (ALEO) that operates leisure facilities on behalf of West Lothian Council. WLL's company format is a Charity Limited by Guarantee and are currently paid a management fee to operate the leisure facilities on behalf of the council.

WLL have agreed to deliver a balanced budget and a future balanced financial plan that can support the delivery of leisure facilities. Failure to deliver a balanced budget could lead to unplanned service reductions, failure to deliver key services and could have an impact on the council's resources both financially and operationally.

WLL have committed to sharing financial information on a regular basis and working with officers to maintain and push forward the direction of WLL's operations. The council have committed to supporting WLL and have also confirmed their position by providing a letter of comfort that supports WLL's audit process.

Together WLL and the council review potential mitigations surrounding cost saving measures, growth and economic impact as part of continually reviewing the financial outlook of WLL.

D.2 Controlling and Managing Risk

WLC023 was established as medium risk and continues to remain medium risk at this time.

This risk is managed on a monthly basis by officers. Financial results are reported at the West Lothian Leisure Advisory Board (WLLAC) and WLL's board meeting quarterly and significant changes are reported to Council Executive when required.

WLL accounts are subject to an external audit and as such their level of external scrutiny is adequate, needing 18 months clearance on a going concern basis to satisfy the audit process.

D.3 Challenges

The risks fall into a small number of categories:

- Managing financial constraints or pressures that can be adjusted through amendments to the fixed cost base;
- Unknown financial constraints or pressures, these tend to relate to the property age, maintenance and failure of equipment;
- Retention and growth, this directly impacts WLL's ability to drive revenue growth and retain membership numbers;
- Relationship and communication with the council, the working relationship and communication is imperative to the ongoing success of WLL.

WLL have planned initiatives to mitigate a future deficit position. These initiatives will be reviewed via the council's existing processes, including additional investment in properties funded by WLL to increase growth in membership numbers.

WLL financial results continue to show positive growth, however, along with the growth in membership numbers the cost base continues to increase. This has an impact on their reserves and as such keeps the risk ever present

The risk and controls were subject to internal audit 2024, which concluded that the controls in place were 'effective'. This represents the highest level of assurance from internal audit, with no audit findings ranked as high importance. The audit report highlighted as strong

working relationship between both parties, who continue to collaborate closely to ensure that WLL is the best position to meet future financial challenges.

E. CONCLUSION

A significant number of effective internal controls are in place. Regular review by officers and collaborative working with WLL will ensure that the council continues to effectively manage the financial risks associated with the running of leisure facilities.

F. BACKGROUND REFERENCES

Appendices/Attachments:

1. Extract from Ideagen Risk Register – WLC0236 West Lothian Leisure Risk

Contact Person: Claire McNair, Senior Service Accountant
claire.mcnair@westlothian.gov.uk

Lynda Ferguson
Acting Head of Finance & Property Services
Date of meeting: 29 September 2025



WLC023 West Lothian Leisure - failure to deliver financial plan 2025/26 with a resultant financial impact on the council

Failure by West Lothian Leisure (WLL) to deliver their financial plan and a balanced annual budget each year could lead to unplanned WLL service reductions, failure to deliver key services, and additional demands on WLC resources. There could also be a reputational risk to the council. The ongoing impact of a number of combined risks in the wider economy, including continuing high inflation, has increased financial risk and uncertainty for future years.

Current Controls:

WLL have committed to preparing budgets and accounts, and undertaking monitoring of actual results against budget. WLL have committed to medium term financial planning consistent with the council's budget plan for 2025/26.

WLC have committed to sharing relevant findings of council Horizon Scan reports, reports on Chancellor's Budget/Scottish Budget and similar with WLL management to provide them with appropriate up to date information to inform their future planning.

Regular dialogue takes place between WLC FMU and Education officers, and WLL senior management to discuss WLL's financial and operational matters.

Quarterly meetings take place between (i) WLL senior management and (ii) WLC FMU and Education officers to discuss WLL's financial and operational position and challenges, the implications of these, and options around mitigating actions available.

Meetings take place between (i) WLL senior management (ii) key WLC EMT members and (iii) WLC FMU and Education officers as necessary to discuss WLL's financial and operational position and challenges, the implication of these, and options around mitigating actions available.

Regular updates on WLL's financial position are provided to F&P SMT, Education SMT, EMT, CMT, and, as and when considered necessary, PMAB, by council officers to ensure there is timely and accurate financial information provided to senior council management.

Monitoring of WLL's budget/forecast position is being reporting to WLL Board and Audit & Finance Committee.

Attendance at WLL Board and Audit & Finance Committee meetings as required by council officers.

Ongoing quarterly reporting to WLL Advisory Committee on financial and operational matters and any action required.

Annual report to Council Executive on WLL's annual accounts.

Other reports to Council Executive on WLL's financial and operational position, as and when required.

Risk Score	Original Risk Matrix	Risk Score	Current Risk Matrix	Linked Risk Actions	Original Due Date	Due Date	Progress	Description
25	<p>Lifehood</p> <p>Impact</p>	8	<p>Lifehood</p> <p>Impact</p>					

GOVERNANCE & RISK COMMITTEE WORKPLAN

29 September 2025		
Corporate high risks	Standing item	Stuart Saunders and Lynda Ferguson
Strategic Risks	Bi-annual report on corporate strategic risks	Stuart Saunders
Risk - Failure to prevent and detect fraud/theft	Annual report on Non-Service Risk WLC020 – Failure to prevent and detect fraud/theft	Stuart Saunders
Health & Safety Statistics	Standing item	Lesley Henderson
Service presentations on management of health and safety risks – Head of Education Primary, Early Years and Resources and Secondary, Inclusion and Community Learning–	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	Lisamaria Purdie, Siobhan McGarty supported by Stuart Saunders
Service presentations on business continuity plans – Operational Services	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	David Maule, supported by Stuart Saunders
Individual High Risk – HCBS004 – Overspend of allocated Housing Need budgets	Reporting on individual strategic risk identified from standing item on all strategic risks	Sarah Kelly, supported by Stuart Saunders
Individual Strategic Risk – WLC023 West Lothian Leisure – failure to deliver financial plan 2025/26 with a resultant financial impact on the Council	Reporting on individual strategic risk identified from standing item on all strategic risks	Lynda Ferguson supported by Stuart Saunders
8 December 2025		
Corporate high risks	Standing item	Stuart Saunders and Director of Finance and Property Services
Strategic Risks	Bi-annual report on corporate strategic risks	Stuart Saunders

Health & Safety Statistics	Standing item	Lesley Henderson
Governance Issues- Progress Report	Biannual update on progress of work on governance issues	Lesley Montague
Service presentations on management of health and safety risks Finance & Property Services	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	Director of Finance and Property Services supported by Stuart Saunders
Service presentations on business continuity plans -Social Policy	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	Jo MacPherson supported by Stuart Saunders
Governance Aspects of Annual External Audit Report	Annual reference of external audit report for scrutiny on wider scope audit	Lesley Montague
Non-service risks – all such risks	Annual reporting on risks in register not allocated to specific service, following approach approved on 14 June 2021	Risk owner (TBC), supported by Stuart Saunders
Corporate Health & Safety Policy and Health & Safety Risks	Annual report agreed by G&RB in February 2022	Lesley Henderson, supported by Stuart Saunders
Individual Non-Service Risk – TBC	Individual risk not allocated to specific service, following approach approved on 25 September 2023	Risk owner (TBC), supported by Stuart Saunders
Individual High Risk – ED004 – Mainstream Schools, Physical of Verbal Incidents Towards Staff and ED005 Additional Support Needs Schools and Units physical or verbal incidences towards staff	Reporting on individual strategic risk identified from standing item on all strategic risks	Lisamaria Purdie, Siobhan McGarty supported by Stuart Saunders
Individual Strategic Risk –WLC047 – Failure to deliver annual revenue budget 2025/26	Reporting on individual strategic risk identified from standing item on all strategic risks	Director of Finance and Property Services supported by Stuart Saunders
2 March 2026		
Corporate high risks	Standing item	Stuart Saunders and Director of Finance and Property Services
Strategic Risks	Bi-annual report on corporate strategic risks	Stuart Saunders
Health & Safety Statistics	Standing item	Lesley Henderson

Risk Management Annual Plan	Annual plan for committee approval	Stuart Saunders
Self-assessment questionnaire	Annual survey – agreement of questions and to proceed	Lesley Montague
Service presentations on management of health and safety risks – Social Policy	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	Jo MacPherson, supported by Stuart Saunders
Service presentations on business continuity plans – Finance and Property Services	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	Head of Finance and Property Services, supported by Stuart Saunders
Non-service risks – all such risks	Annual reporting on risks in register not allocated to specific service, following approach approved on 14 June 2021	Risk owner (TBC), supported by Stuart Saunders
Individual Non-Service Risk – TBC	Individual risk not allocated to specific service, following approach approved on 25 September 2023	Risk owner (TBC), supported by Stuart Saunders
Individual Risk – WLC022 – Failure to achieve Best Value	Reporting on individual strategic risk identified from standing item on all strategic risks	Risk owner Elaine Cook/Director of Finance and Property Services, supported by Stuart Saunders
Individual High Risk – (TBC)	Reporting on individual strategic risk identified from standing item on all strategic risks	Risk owner (TBC), supported by Stuart Saunders
Strategic Risk – SPCF004 – External placements – inability to reduce reliance on external placements for looked after children resulting in budget pressure	Reporting on individual strategic risk identified from standing item on all strategic risks	Jo MacPherson, supported by Stuart Saunders
1 June 2026		
Corporate high risks	Standing item	Stuart Saunders and Director of Finance and Property Services
Internal Audit Annual Report	Includes findings of review of system of internal control which informs the annual governance statement	Stuart Saunders
Corporate Governance – Annual Governance Statement, Local Code, etc.	Annual governance statement for approval together with populated Code of Corporate Governance, annual compliance statements and update on governance issues	Lesley Montague

Risk Management Annual Report	End-of-year report on completion on annual plan	Stuart Saunders
Self-assessment questionnaire	Annual survey – reporting of results	Lesley Montague
Strategic Risks	Bi-annual report on corporate strategic risks	Stuart Saunders
Health & Safety Statistics	Standing item	Lesley Henderson
Service presentations on management of health and safety risks – Corporate Services	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	Lesley Henderson, supported by Stuart Saunders
Service presentations on business continuity plans – Housing, Customer and Building Services	Renewed cycle of service presentations following approach approved at G&RC on 23 August 2021	Julie Whitelaw, supported by Stuart Saunders
Non-service risks – all such risks	Annual reporting on risks in register not allocated to specific service, following approach approved on 14 June 2021	Risk owner (TBC), supported by Stuart Saunders
Individual Non-Service Risk – TBC	Individual risk not allocated to specific service, following approach approved on 25 September 2023	Risk owner (TBC), supported by Stuart Saunders
Individual High Risk – SPCC004 – Increasing costs for commissioned services for adults and older people	Reporting on individual strategic risk identified from standing item on all strategic risks	Jo MacPherson, supported by Stuart Saunders
Individual Strategic Risk –WLC045 – Pandemic – failure to maintain critical services	Reporting on individual strategic risk identified from standing item on all strategic risks	Alison White/Elaine Cook supported by Stuart Saunders